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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. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 5, 2014.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

UKRAINE

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

Mr. SHIMKUS. Mr. Speaker, last week I came down to the floor to ask the community of world democracies to provide immediate financial help to the country of Ukraine. I would like to report that the United States has committed a billion dollars, and the European Union has committed, as of the news reports today, another $15 billion.

This is critical in the need to help them get their economy back strong after the incidences over the last couple of months. It is unlikely that Russia will pull back from the Crimea. Prime Minister Putin and Foreign Minister Lavrov have said that they cannot control these self-defense forces. Who are they kidding? Russian soldiers with no unit identification does not qualify them as self-defense forces.

If the world stands by and lets this happen, it will be like Neville Chamberlain in the Sudetenland, quoting ''peace in our time'' as Russia continues to gobble up sovereign states.

I want to applaud the Ukrainian commander who was the only calm man on the peninsula, Colonel Yuliy Mamchuk, when he marched his soldiers to the Belbek airbase to continue the job that they do in securing and fixing the facilities. It was a tough standoff, but Colonel Yuliy was astonished by the change of events in that he has had such a great working relationship with the Russian military over the years, and obviously, this relationship no longer resides in the relationship between Ukraine and Russia.

On September 4 through 5 of this year, the next NATO summit will be held in South Wales. I call upon members of NATO to now do what they should have done in the last summit. NATO now must offer membership action plans to those aspirational countries that are moving towards democracy, freedom, and the rule of law. In particular, they need to grant membership action plans to Ukraine, Georgia, and Moldova.

Now is also the time for us to continue to license LNG facilities so that we can export natural gas to our free and democratic countries around the world, to those who are signatories of the World Trade Organization and also to those who are members of NATO. It is difficult times as you know, Mr. Speaker, but the coalition of free democratic countries must stand united against totalitarianism.

TRANSPORTATION NEEDS

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

Mr. BLUMENAUER. Mr. Speaker, this is the March Madness season on Capitol Hill, when we in Congress greet thousands of our constituents, many who are here to talk about transportation. It is something that every one of our constituents cares about.

Yesterday, I was able to greet hundreds of cyclists from around the country, and then leaders of America's counties; already this morning I've visited with people from the preservation community and a large delegation from Oregon.

Next week, I will start all over again with the American Public Transit Association. These people are all desperate for a 6-year, fully funded transportation bill, with stable, non-general funded money. They are standing on the edge of a cliff due to Congress' refusal—I almost said inability—to provide necessary funds, if not to do it right, at least to do it adequately.

I came to Congress shortly after the Clinton administration and Congress last raised the gas tax. That was 21 years ago, when gasoline was $1.08 a gallon—and I wonder if Barack had even met Michelle—and there it has remained for 21 years.

Due to inflation and fuel economy increases, the average cost per mile that the American motorist pays to the Federal transportation program has been cut in half.

I went on the Budget, and the Ways and Means Committees for the last 8 years in order to deal with this issue. Frankly, I am tired of waiting. I introduced a gas tax increase, phased in over 3 years, to fully fund a 6-year reauthorization. I was pleased to be joined by friends supporting my bill's introduction—by the U.S. Chamber of Commerce, the AFL–CIO, American

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Trucking Association, AAA, contractors, transit, local government, environmentalists, road builders.

I find it somewhat ironic that people say this will be a heavy lift, because there is little support for it. When Chairman CAMP offered $150 billion last week in his tax reform bill or President Obama suggested $300 billion, where was their broad base of support? Maybe that is why both proposals were declared dead on arrival in the newspapers the next day.

I had a chance to make my case for both short and long-term funding last week in an amazing conference on America's infrastructure challenges at Harvard Business School. After my presentation, I was followed by the president of the AFL–CIO, Rich Trumka, and the president of the U.S. Chamber, Tom Donohue, who said—you know, they don't agree on much—but they both agree that it is time to raise the gas tax.

One of the best examples of leadership was Bill Graves, the president of the American Trucking Association, who has been eloquent and forceful, including when he was Governor of Kansas and raised the gas tax, saying his industry wants their taxes raised.

The AAA issued a strong statement in support, even though their members are not wild about it, because it is needed.

We run out of money September 30 because we have drained the trust fund. Therefore, the United States Department of Transportation is going to stop shipping out money this summer, which means that we are going to start having local governments holding back on their contracts this spring.

While the truckers and AAA have taken a strong leadership stand—not because it is popular, but because it is needed—I hope we in Congress will stop stalling or dealing with short-term fixes. Let's take a stand to raise the gas tax, have an adult conversation with the American public about how to pay for rebuilding and renewing our communities, put hundreds of thousands of people to work, to improve the safety and morning commute for all Americans.

EATING DISORDERS

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

Ms. ROS-LEHTINEN. Mr. Speaker, last week people across the Nation and in 51 other countries around the world came together to raise awareness about eating disorders. It was National Eating Disorders Awareness Week, a time not only to learn the facts but also to give people the knowledge and the resources to treat and prevent eating disorders.

Most people know that eating disorders are common in our country. They may even know about them through experience, whether through a friend, a family member, or perhaps they suffered or continue to struggle with one personally.

What is actually not known is how prevalent they are, the reasons why they occur, and what we can do to prevent these tragic illnesses.

According to the Eating Disorders Coalition, eating disorders impact at least 14 million Americans and are so common that 1 to 2 out of every 100 children in America have one. Although eating disorders affect both men and women, the young and the old, and all the races and economic classes, we know that they are seven times more likely to impact women. In fact, 1 in 200 American women suffers from anorexia, and 2 to 3 in 100 women suffer from bulimia, the two most common eating disorders.

Distinguished by an obsession with thinness and fear of weight gain, anorexia usually results in extreme weight loss because of restricted eating habits.

Bulimia is similar in that those suffering also have an obsession with weight and body image. However, while anorexics restrict their food consumption, bulimics instead purge their food after binge eating.

Both anorexia and bulimia can cause heart problems, brain damage, osteoporosis, and even death. Anorexia has the highest mortality rate of any mental illness, and those suffering from it are 57 more times likely to die of suicide relative to their peers.

Many people are also not aware that they can be genetically predisposed to an eating disorder. As reported by the Eating Disorders Coalition, 50 to 80 percent of the factors determining who develops an eating disorder is based on a person's genes. However, just possessing one of those genes does not automatically result in an eating disorder. Other factors like peer pressure and false advertising can be the ultimate contributors.

More and more academic evidence, as well as a study by the American Medical Association, has linked eating disorders with unrealistic body images found in advertising. By the time our children reach 17 years of age, they will have been exposed to over 250,000 television commercials depicting unrealistic body sizes. Too often, this exposure, combined with other factors like predisposition, feelings of inadequacy, societal pressures, and competition, depression, or anxiety can lead to an eating disorder.

The kinds of altered or photoshopped images found in our media today can cause unrealistic expectations of what the body is supposed to look like, causing emotional, mental, and physical health issues, and often resulting in an eating disorder.

That is why I plan to offer legislation to look at how advertising can more closely resemble the true human form while making sure that artistic expression and the freedom of media outlets is not restricted. If enacted into law, this bill would have the Federal Trade Commission work with stakeholders like the Eating Disorders Coalition and other experts across our Nation to study the serious impact of advertising that promotes unrealistic body image expectations, and then report back to Congress on how to best stop the destructive impact of this practice.

Together, Congress can have a positive impact on the tragic epidemic of eating disorders. I look forward to working with my colleagues to bring this important legislation to the floor soon.

COMMEMORATION OF FERDINAND VINCENT ALLISON, JR.

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise this morning to honor the life and work of a remarkable community leader, Ferdinand Vincent ''Pete'' Allison, Jr., who passed on Monday, March 3, at the age of 91. Pete Allison was a pillar in the Durham, North Carolina, community. He was a personable, kind, and effective banking leader who took great pride in his work, but even greater pride in his family. He fought for justice; he fought for equality when and where he could.

Pete Allison successfully used his banking career to enrich the lives of countless individuals through his involvement in many organizations and charities. The sympathies of the House of Representatives are with Pete's entire family during this difficult time.

□ 1015

Mr. Speaker, I last visited Mr. Allison and his family less than 48 hours before his passing. He sat in the family's living room and participated in our very serious conversation. As I departed the home, he told me that he had been so sick, and my response to him was that I knew he had had some difficult days, but that he must know that he was blessed. He was blessed to be surrounded by a loving and supportive wife and family, and he responded that he was aware of that fact.

Mr. Allison was on schedule to have been inducted into the North Carolina Banking Hall of Fame. Only 24 other individuals, Mr. Speaker, have been awarded this great honor in our State.

Pete Allison was a graduate of Hampton Institute—now known as Hampton University—an institution that he loved and revered. Following graduation, he earned a master's of business administration from New York University.

Highly educated, but not sure which career path he would take, Mr. Allison, upon graduation, made a trip to Durham to visit his family, who lived in this historic community.

His father worked at North Carolina Mutual Life Insurance Company. Mr. Allison was awed on that visit. He was awed by Durham and its thriving environment for African American business.

On that visit, Pete became acquainted with a gentleman named John ''Shag'' Stewart, who I remember so well, the president of Mutual Savings and Loan Association there in Durham, and he was offered a job as a teller; but he would become more than a teller. He became chief executive officer in less than 25 years, which was remarkable.

During his tenure at the Savings and Loan Association, he continued to build on the groundbreaking work of other men, like John Merrick, C.C. Spaulding, Aaron McDuffie Moore, Richard Fitzgerald, James E. Shepard, W.J. Kennedy, John Hervey Wheeler, Asa Spaulding, Sr., W.G. Pearson, and many, many others in helping to grow what was known nationally as the ''Black Wall Street.''

Pete Allison served at the helm of Mutual Savings and Loan during the institution's most successful years. He spearheaded the transition from a mutual savings and loan association to a mutual savings bank and also led the acquisitions of American Federal Savings and Loan and Greensboro National Bank.

Mr. Allison was a pillar of the Durham community for more than 60 long years. As one who led by example, his friends and former colleagues praise Mr. Allison for having been a strong and effective leader. Most recently, in 2010, Mr. Allison received the Mechanics and Farmers Bank Founders Award, which recognized his commitment to promoting personal and community development.

Mr. Allison is survived by his lovely wife, Dr. E. Lavonia (Ingram) Allison, and we always like to include the Ingram part because that family also has a rich history. Many of our CBC members know Dr. Allison so very well for her community advocacy.

Like her husband, Dr. Allison received her undergraduate degree from Hampton and her graduate and doctoral degrees from New York University. She was a long-time member and head of the influential Durham Committee on the Affairs of Black People, which I believe is the oldest and most effective political committee in the United States.

Mr. Allison was a faithful member of White Rock Baptist Church in Durham.

Finally, Mr. Speaker, Pete Allison is also survived by two children, Dr. F. Vincent Allison III, his namesake; and Michele Allison-Davis; and his four grandchildren.

Mr. Speaker, today, I ask my colleagues to join me in honoring the life and work of F.V. ''Pete'' Allison, Jr.

POLICIES THAT WORK

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

Mr. MCCLINTOCK. Mr. Speaker, as we begin the annual budget process, we need to stop thinking in terms of Democratic and Republican policies and start thinking in terms of what policies have worked and what policies have not. The successes and failures of both parties could teach us much.

We are now in the sixth year of policies that promise to restore prosperity to America by radically increasing government spending and government intervention in our economy. These 6 years have not been happy ones for our Nation.

When people say this is the worst economy since the depression, I remember a time much more recently when we suffered double-digit unemployment, double-digit inflation, mile-long lines around gas stations, and the prime interest rate at 20.5 percent. Perhaps we don't remember these times as vividly because they didn't last very long.

That was the end of the Carter administration. We elected Ronald Reagan who declared that: ''Government is not the solution to our problem; government is the problem.''

He reduced the tax and regulatory burdens that were crushing the economy and produced one of the most prosperous periods in our Nation's history. In doing so, he was following the precedent of successful presidencies from both parties, including Calvin Coolidge in the 1920s, Harry S. Truman in the mid-1940s, and John F. Kennedy in the early 1960s.

Lest we forget, in 1995, President Bill Clinton proclaimed: ''The era of big government is over.'' He dramatically reduced Federal spending as a percentage of GDP.

He signed what amounted to the biggest capital gains tax cut in American history. He reduced entitlement spending by reforming the open-ended welfare system. He produced 4 years of budget surpluses, and the economy blossomed.

George W. Bush pursued the opposite policies with the opposite results. He dramatically increased Federal spending as a percentage of GDP. He pushed through the biggest expansion of entitlement spending since the Great Society. He began the folly of stimulus spending. He turned in massive budget deficits, and the economy tanked.

The problem with Barack Obama is not that he changed Bush's policies, but, rather, that he did not change them. He took the worst of them and doubled down.

He has added $6.8 trillion to the national debt, meaning that today's young people will have to pay back $56,000, plus interest, per household through their future taxes for nothing more than to pay for this administration's overspending.

He seized one-sixth of the American economy that provides our health care and is well on the way to wrecking it for millions of American families, costing them their health plans, their doctors, their savings, and their security. He has increased annual taxes by $551 billion. That averages about $4,600 for every household in America.

He made a lot of promises that turned out not to be true. He promised that massive government spending would produce prosperity. Instead, average personal incomes declined $2,600 during his presidency, and food stamp dependency is at an all-time high.

Nearly one in six Americans is now living in poverty, including 22 percent of all children. The workforce has shrunk to a smaller proportion of the population, as it was during the disastrous Carter years.

He promised a government takeover of our health care would reduce our health costs and increase coverage for Americans. It has done exactly the opposite. Millions more American families have lost their health plans and their doctors than have gained them, and the overwhelming majority has suffered ruinous increases in their health care costs.

The result is a declining standard of living at home, a declining respect for America abroad, and a generation in danger of becoming the first in our history to be less well off than their parents.

Mr. Speaker, our own experience should now tell us that these policies don't work. They didn't work under George W. Bush, and they certainly haven't worked under Barack Obama. We know what does work, reducing the financial and regulatory burdens that government has placed on the economy, as both Ronald Reagan and Bill Clinton proved.

It is time that we abandon these policies of debt, doubt, and despair. It is time we recognize that this government has grown too big and too powerful at the expense of hardworking taxpayers. It is time we restored those uniquely American principles of individual liberty, constitutionally limited government, and personal responsibility that have always been the foundation of our Nation's freedom, its prosperity, and its happiness.

QUIZ: WHO IS THE ''DEPORTER-IN-CHIEF''?

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

Mr. GUTIERREZ. Mr. Speaker, I have come to the floor to discuss a very serious illness afflicting Members of the U.S. House of Representatives. Dana Milbank of The Washington Post diagnosed it as ''Obama derangement syndrome.''

Milbank defined the syndrome as an affliction in which: ''The President's opponents are so determined to thwart him that they will reverse long-held views if they believe it will weaken his stature.''

I would define it as a broader and more serious condition, the irrational fear that the 44th President of the United States of America is something he is not.

From a public health standpoint, the news is pretty bad. Those of us concerned with the long-term health of the

body politic have identified an aggressive fact-resistant strain of Obama derangement syndrome that affects how the Republican Caucus views immigration enforcement.

Remember, the Republicans are currently sitting on their hands when it comes to immigration reform because they say they cannot trust the President of the United States to enforce immigration laws.

Well, I thought it would be a good time to offer a quiz to determine just how fact-resistant the current epidemic of Obama derangement syndrome really is.

Here we have the last three Presidents of the United States: Bill Clinton, George Bush, and Barack Obama. Mr. Speaker, let's test our knowledge of how much or how little they have enforced the immigration laws of the United States during their terms.

Question one: Which President deported a population slightly larger than the population of the entire State of Nebraska, with almost 2 million deported so far?

Barack Obama has deported more people than the number living in the entire State of Nebraska. No one has deported more people. A star for first place goes to Barack Obama.

Question two: Who expanded immigration enforcement by local law enforcement a hundredfold? One of these Presidents expanded the Secure Communities program for deporting immigrants who are booked into local jails from 31 jurisdictions in this Nation to over 3,000.

And who was that? Yes, President Barack Obama, another dubious star.

Question number three: Let's go to ''boots on the ground,'' where the immigration issue seems to begin and end for many Republicans. Who spent more money on immigration enforcement than all other Federal law enforcement combined? Well, if you guessed Barack Obama, you would be right.

Yes, the $18 billion he spends is $3.5 billion more every year than we spend on the FBI, ATF, DEA, and Secret Service—all of them combined—in order to achieve what? Unprecedented deportations, so he gets another star.

Question four: What crimes are the most prosecuted crimes in Federal court? Do you think kidnapping, murder, counterfeiting, political corruption?

No. Under Barack Obama, the number one crime prosecuted as a misdemeanor is being illegally in this country. And the number one crime prosecuted as a felony in Federal courts is what? Illegal reentry to the United States. He gets another star.

Finally, for question five, we get to detention. Which of these Presidents put more than 420,000 people in detention in just one single year of his presidency? Yes, arrested and put them in jail.

President Barack Obama has detained more immigrants in jails, prisons, and detention facilities than any other President of the United States of America.

That is five for five, and it goes to the deporter-in-chief, Barack Obama; but because Obama derangement syndrome is so fact-resistant, I am not optimistic I have convinced anybody this morning, but tell that to the more than 5,000 American citizen children who today sit in foster care because their moms or dads have been deported.

Mr. Speaker, let's be clear. The immigrant community is organized and will continue to pressure Republicans and the President until this unprecedented wave of deportation ends.

Republicans can either be participants in how this country advances more sensible immigration policies, or they can just simply sit on the sidelines while the President does it with his phone and his pen.

And secondly, if we pass immigration reform in this body today, most of the new reforms won't take place for about 2 years. Obama won't even be President of the United States of America.

In fact, if Republicans continue to insist on making immigration reform a football in their game against the current President, they are all but guaranteeing that the President in 2 years will not be a member of your party—not a member of the Republican Party—and could very well be the wife of one of these three gentlemen.

HARRY REID V. JUSTIN CARTER RE: OBAMACARE

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

Mr. BROOKS of Alabama. Mr. Speaker, in September of 2013, Democrat Senate Majority Leader HARRY REID sought to marginalize and denigrate Americans who believe in America's foundational principles by calling them anarchists and fanatics.

□ 1030

Their offense? They exercised their First Amendment freedom of speech rights by speaking out against and opposing ObamaCare and socialized medicine.

In February 2014, Democrat Senate Majority Leader HARRY REID sought to marginalize and denigrate Charles Koch and Dave Koch by calling them ''as un-American as anyone that I can imagine.'' Their offense? They exercised their freedom of speech rights by exposing how badly ObamaCare hurts millions of Americans.

Also in February 2014, Democrat Senate Majority Leader HARRY REID brazenly proclaimed that all those pesky Americans who dare exercise their freedom of speech rights by complaining about ObamaCare are all telling lies. Mr. REID said:

> There's plenty of horror stories being told. All of them are untrue, but they're being told all over America.

Mr. REID's calling Americans liars puts me in a quandary because north Alabama citizens often complain to me about ObamaCare. Who should I believe, Senate Majority Leader HARRY REID or north Alabama citizens?

This week, Justin Carter of C&C Fabrication, a 47-year-old family-owned business in Laceys Spring, Alabama, told me:

> C&C Fabrication was formed by two brothers, Ray and C.M. Carter, in 1967 and is today a small, family-owned and family-operated business. Through hard work and strong leadership, C&C has grown to over 100,000 square feet, with 51 skilled workers. Even as the ObamaCare corporate mandate has been delayed, its imminent implementation forces C&C to make very serious, very real decisions regarding its future. C&C's health care premiums increased by over 10 percent in October 2013. C&C has been notified that an additional 15 percent increase is coming in October 2014.
>
> These increases will cost C&C almost $70,000 per year in increased health care premiums alone, and these increases do not even fully capture the impact of the corporate mandates. In order to fully comply with ObamaCare, C&C must restructure its benefits package for all employees, as well as each worker's hourly pay rate. These increased costs could rise as high as $160,000 per year.
>
> Failure to comply with ObamaCare will result in over $120,000 per year in fines for C&C; however, noncompliance could actually be the most prudent, most financially sound method of survival for C&C but at a cost to its employees in the form of benefit reductions, many of whom have been employed by C&C for decades. This would force C&C employees to the exchanges to buy plans with worse coverage and with higher deductibles than is currently provided to them by C&C.
>
> The sad reality is that because of ObamaCare and uncertain economic times, C&C will likely have only one feasible choice for the survival of the company, and that is to ensure that its corporate size stays below the limit of 50 employees. While this will exempt C&C Fabrication from ObamaCare and help it survive, it will also sacrifice the jobs of valued employees and cap the earning potential of the company, ensuring that this small business will not grow or create jobs.
>
> C&C has been fortunate to serve the community into its third generation and has taken pride in the work it performs. Many hardworking individuals have given service to C&C, and, in turn, C&C has done its very best to provide them with a living. However, ObamaCare mandates have the potential to derail C&C's future and greatly threaten its survival.

So who is telling the truth about how badly ObamaCare is damaging America? Justin Carter, a north Alabama citizen and job creator, or Democrat Senator HARRY REID, who is desperate to keep his job even to the point of denigrating American citizens who dare to exercise their freedom of speech rights? Well, I know Justin Carter and the Carter family, and I know HARRY REID. Quite frankly, I believe Justin Carter of north Alabama is telling the truth about ObamaCare hurting Americans. And, Mr. Speaker, it is not a close call.

SUPPORTING UKRAINE'S FUTURE

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

Ms. KAPTUR. Mr. Speaker, I rise today in continued support of the sovereignty and territorial integrity of the nation of Ukraine and stand with the people of that country for their liberty and full human rights.

The first objective of international efforts to calm Ukraine must be the overriding goal of no more bloodshed. The world community of nations must step up forcefully to affirm Ukraine's new government, and not just for the sake of tomorrow.

Morally, nations that had supported Soviet dictator Joseph Stalin or were bystanders to communism and Naziism that slaughtered millions and millions of people inside those borders owe Ukraine an historical debt. No place on Earth suffered more. As the demonstrators on Maidan have proven, tyrants and corrupt officials couldn't kill Ukraine's people's longing for freedom and liberty.

This is Ukraine's moment, and it is a breakpoint in liberty's march that history will judge.

Where do we go from here? Our path must be diplomatic, economic, humanitarian, and military. Diplomatically, the international community must affirm Ukraine and her interim government. I commend President Obama and Secretary Kerry for their leadership. Yesterday, the OSCE announced that 18 participating countries will send 35 unarmed military observers to Ukraine. Let them reveal the truth.

Countries with large Ukrainian diaspora, like our country, along with Poland, Canada, Argentina, Italy, Portugal, Australia, the United Kingdom, and Kazakhstan, should seek constructive means to help.

Further, the world community and OSCE should assure sufficient election monitors are recruited and trained for the upcoming elections in Ukraine on May 25. Then, economically, the world community should proceed to work through Ukraine's financial challenges. However, any financial assistance to Ukraine should be contingent on repayment, and Ukraine's new government must clearly define performance standards and lay out a reasonable plan to repay any foreign aid.

Transitioning from a kleptocracy to a functioning state will require technical assistance, management expertise, and loaned personnel from governments throughout the world. In addition, the United States and other nations should impose targeted financial, economic, trade, and travel sanctions on Russian assets on a timetable that demonstrates our resolve.

The United Nations and global supporters of Ukraine must respond if Ukraine requests humanitarian relief to those places most in need. As long as Russian aggression persists, its participation in the G8 should be suspended. And, finally, militarily, the parties to the 1994 Budapest accords should enforce that agreement.

In addition, Ukraine exists in an inferior military posture to its more powerful neighboring states. To remedy this shortcoming, NATO should create a new category of provisional membership for nations whose military has fought alongside NATO member forces in the war on terrorism. Ukraine has.

As a true borderland region, Ukraine is positioned to be truly a bridge between East, West, North, and South in that most important region of Central Europe. The free world must walk with Ukraine as she moves toward a more free and democratic future. There is no turning back.

SEVENTH CENTURY RELIGIOUS PERSECUTION

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

Mr. WOLF. Mr. Speaker, much ink has been used regarding Secretary of State John Kerry's comments this weekend characterizing Vladimir Putin's outrageous incursion into Ukraine as a ''19th century act in the 21st century.'' But if we are looking through the lens of history, it is also worth noting what a small community of Syrian Christians has been forced to endure.

Writing in National Review Online this week, stalwart religious freedom advocate Nina Shea authored a piece, headlined, ''Syrian Jihadists Are Forcing Christians to Become Dhimmis Under Seventh-Century Rules.'' Shea notes:

> The religious persecution in Syria deepened this week, as evidenced by a written ultimatum purportedly distributed by the rebel jihadist group ISIS, Islamic State of Iraq and Syria, to Christians in the northern providence capital of Raqqa.
>
> Rejecting conversion to Islam or death, some 20 Christian leaders of that city held firm in their faith and submitted to the Islamists' demands to live by as dhimmis.

Shea continued to explain the implications of this status. She said:

> Under this arrangement, in exchange for their lives and the ability to worship as Christians, they must abide by purported seventh-century rules of Caliph Umar.
>
> According to the Raqqa ultimatum, these include bans on renovating and rebuilding churches and monasteries, many of which need repair because they have been shelled and blown up over the past 3 years, and bans against the public display of crosses and Christian symbols and the ringing of bells.

She went on to say:

> They are forbidden from reading Scripture indoors loud enough for Muslims outside to hear, and the practice of their faith must be confined within the walls of their remaining churches, not exercised publicly at, for example, weddings or funerals.

Many have remarked that Raqqa was once one of Syria's most liberal cities. Its Christian community numbered about 3,000 before the conflict. They have since been devastated by violence and migration. Their exact number today is unknown.

This month marks the anniversary of the uprising which eventually spiraled into the war and violence which has terrorized Syria for 3 years now. Muslims and Christians alike have experienced horrific violence. But, as Shea quotes:

> The Christians who remain in Raqqa must now bear the additional suffering of dhimmitude.

Their plight, while more stark, given the official nature of their subjugation, parallels, in many ways, that of other besieged religious minorities, specifically Christians throughout the broader Middle East.

The latest outrage finally garnered a statement from the Department of State's spokesman. But a statement provides little solace to a people facing death, forced conversion, or, in the case of these Christian leaders who refused to abandon their faith, an exacting toll to abide by the dictates of their conscience.

Such an outrage demands a response from policymakers and faith leaders alike. I have joined with Congresswoman ANNA ESHOO and others in sending a letter to Secretary Kerry urging the Department of State to cooperate with a Syria Study Group to be facilitated by the Washington, D.C.-based Atlantic Council. The study group would be charged with producing a report as quickly as possible that would help the administration and Congress identify and implement ways for bringing this crisis to a close in a manner fully consistent with the interests and the political transition objectives of the United States. Surely the protection of ancient faith communities like Syria's Christian community is one such interest.

Meanwhile, I believe that it is critical for the faith community in the West, specifically the Church in America, to find its voice on behalf of our marginalized and persecuted brothers and sisters abroad, be they in Syria, Egypt, or Iraq. I meet regularly with representatives of these groups. They are desperate for help, or at least the solidarity, and they cannot understand the seeming lack of urgency by their brethren here in America, and, frankly, nor can I.

HONORING DALLAS COUNTY HIGH SCHOOL, ALABAMA'S CLASS 4A STATE BASKETBALL CHAMPIONS 2014

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

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to honor the Dallas County High School Hornets on winning the State of Alabama title in the class 4A State basketball championship on Saturday, March 1, 2014. On behalf of the Seventh Congressional District, I pay honor and tribute to the Hornets for their exemplary athleticism and teamwork, as well as the outstanding leadership of Head Coach Willie Moore and his coaching staff.

Dallas County High School's basketball championship victory capped off

an impressive season of 28 wins and 4 losses. With each victory during the season, the team remained humble and grounded. In every game, these young men and the coaching staff pursued excellence and were driven by hard work, determination, and teamwork.

Throughout the season, Coach Willie Moore encouraged the team by quoting Whitney Young, Jr.:

> It is better to be prepared for an opportunity and not have one than to have an opportunity and not be prepared.

The Hornets finished the 2013–2014 season undefeated in their region and lost only four games overall. To earn their place in the championship title game, Dallas County beat other high school teams during the tournament, including Madison County, Dora, Bibb County, and Beauregard.

□ 1045

On March 1, 2014, the Dallas County Hornets came to the 4A State Championship prepared for the opportunity they had earned. The championship game against J.O. Johnson High School from Huntsville, Alabama, was a nail-biter from start to finish. The Hornets never gave up, even when they were behind. At halftime, the Hornets were down by 11 points, but in the third quarter, the Hornets made a thrilling comeback.

Senior William Lee made a 3-pointer at the regulation buzzer to force the game into overtime. The 6′9″ standout and UAB signee William Lee continued to show dominance during the overtime by making three crucial free throws with 5.4 seconds to play. The Hornets won a 51–48 victory, taking the Class 4A High School Boys State Championship. William Lee scored 22 points, made 13 rebounds and seven blocks.

As the daughter of a high school basketball coach, I know that this decisive victory is the result of a tremendous effort on the part of all the players and the coaching staff at Dallas County High School. Spurred on by an enthusiastic student body and encouraging faculty and families, this team proved that outstanding achievements are possible even in rural Black Belt Alabama. I couldn't be prouder of this amazing accomplishment.

The State high school basketball championship victory is truly a reflection of the hard work and steadfast determination of the entire team and coaching staff. Members of the team include Jayden Buford, Scott Cole, Raheem Phillips, Kendell Motley, Jerrod Moorer, Henry Baker, Timothy Baker, Travon Muse, Javaris Muse, B.J. Leshore, William Lee, Ladarius Furlow, and Lowell Furlow.

I would like to also acknowledge and pay tribute to the head coach, Willie Moore, and assistant coaches, Cliff Nix, Charles Thompson, Kenny Allen, Justin Moore, and Hugh Martin for their outstanding work.

On behalf of the Seventh Congressional District, the State of Alabama, and this Nation, I ask my colleagues to join me in celebrating the accomplishments of the Dallas County High School basketball team for their victory in Alabama's Class 4A State Basketball Championship. We honor and pay tribute to this team, the coaches and the school for this distinguished honor, and we appreciate their contributions to the school spirit and the community pride that we have in them.

Congratulations, and go Hornets.

RESTRICTIONS ON RELIGIOUS FREEDOMS AROUND THE WORLD

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

Mr. BYRNE. Mr. Speaker, I rise today in this House on Ash Wednesday to talk about a problem that should be heavy on the hearts of everyone in this body and around the Nation, and that is the persecution of Christians around the world.

Millions of Christians will start their Lenten period of fasting and penitence today, and over the next several weeks will act out their faith leading up to Holy Week, when we remember the death and crucifixion of Jesus, and then the feast of Easter, his resurrection.

Sadly, in too many parts of the world, Christians will not be allowed to openly profess their faith and act out the things that for centuries Christians have been able to do.

This chart on my left, which was prepared by the Pew Research Center, shows that around the world there is religious persecution, but it is particularly bad in Asia and, sadly, in the Middle East, the very part of the world where Jesus came from.

This next chart from the same source shows that the problem is getting worse, not better. Sadly, we are seeing that the perpetrators are now more frequently governments than private individuals in these countries. The bottom part of this chart tells us the saddest news of all: the most likely people in the world to be persecuted for their religious beliefs are Christians. This is a little-known fact to many people. For some reason, the news media has not been willing to cover it as well as they should have been, but perhaps during this season of Lent in preparation for Easter, it is a time when all of us can understand that this is a real problem, a humanitarian problem, a problem for the rights and freedoms of people all over the world.

Now, there is something we can do about it, but we need to understand the problem more specifically to do so.

This last chart perhaps is the most troubling of all. In 1914, Christians made up about 20 percent of the entire population of the Middle East. By 2013, they made up only 4 percent. In Iraq since 2003, almost a million Christians have fled that country. Since the troubles began in Syria in 2011, half a million Christians have fled. In Egypt since the troubles there in 2011, 100,000 Coptic Christians have left that country.

Now, if you look at what is happening in Iraq and Egypt, that should be of particular concern to us because we will send this year to each of those two countries in aid over $1 billion. That is taxpayer money that has been brought to our government and that we send to those countries from the people of the United States of America. I believe we should exercise a different foreign policy. Not only should we state that we are going to stand up for the protection of religious minorities around the world that are persecuted, but in countries like Iraq and Egypt where we send hundreds of millions of dollars of aid, we should demand it, and we should demand it not just because we are a country in which the majority of people are Christians but because it is the right thing to do, and we have historically done that as a Nation.

As we go toward Holy Week and people around the world remember that Jesus Christ himself was persecuted to death, and for centuries thereafter throughout the Roman Empire, throughout what we today call the Middle East, Christians were persecuted, we need to make sure that the clock is not going to be rolled back, as it clearly is today. The United States of America, our President, our Secretary of State, this body, the entire Congress, and the American people should do what we have traditionally done, and that is to stand up for the rights of people around the world. In this particular context, that means standing up for Christians who are being persecuted and killed merely because of their beliefs.

RECESS

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

Accordingly (at 10 o'clock and 52 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:

Dear Lord, we give You thanks for giving us another day.

We use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

As the world observes the tensions mounting within Ukraine and Venezuela, may we all note well the crippling effects of ideological divides

when a shared sense of national unity might bring greater hope and possible solution to serious political problems.

Send, O God, Your healing grace upon those torn nations and upon the Members of this assembly who struggle to see the shared hope for a better future in those with whom they disagree.

All this day and through the week, may our Representatives do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. FITZPATRICK) come forward and lead the House in the Pledge of Allegiance?

Mr. FITZPATRICK 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.

AMERICA'S MILITARY STRENGTH

(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, yesterday, the President unveiled his budget and used the military as a punching bag to push his Big Government programs.

According to a recent Charleston Post and Courier editorial:

> Congress should proceed with extreme caution before going along with the latest recommendations for ''savings'' through deep defense cuts. If America rapidly retreats from world power status, our enemies will jump into the void. We can't unilaterally end the Islamic radical terrorists' war on us, and we shouldn't ignore history lessons about what happens when the United States tries to isolate itself from the menaces that threaten the international community.

At a time when threats are increasing and countries on nearly every continent are in turmoil, it is naive for the President to downgrade our military strength. Maintaining our national defense is the primary function of the national government.

I find it dangerous that the President has suggested this proposal which places American families at risk of further attacks. We should follow the advice of the Veterans of Foreign Wars. Our Nation is still at war. Peace through strength.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

REMEMBERING DR. DON WILL

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to pay tribute to a true champion for education, Donald Will, who passed away this past February. Dr. Donald Will was a fervent advocate of peace and influenced Chapman University's role in promoting peace and the study of peacemaking.

A member of the Chapman faculty since 1987, Don was described as a pillar of the Chapman community for over 25 years. He came to Chapman University when it needed his expertise most, and the world needed his peace expertise, and he has had such a magnificent effect that lasts until now.

During his time with Chapman, Dr. Will put all of his heart and time from his academic and personal life into carrying out the pursuit of peace. And don't we need it today in our world?

His commitment to his students and to the value of peaceful relations shone brightly through his teachings. He leaves a lasting legacy of humility, humanity, and dedication as he strengthened the link between school and home, both locally, nationally, and in an international way.

I am honored to have known and to have worked with Dr. Donald Will, and I ask my colleagues to honor him today.

ALL-OF-THE-ABOVE ENERGY STRATEGY

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

Mr. BOEHNER. Madam Speaker and my colleagues, I know the whole House is paying close attention to the crisis in Ukraine. What is going on there is more than a cause for concern. It is a cause for action. America has a responsibility to stand up for freedom around the globe, and the House will work with the administration to support the Ukrainian people and confront Russian aggression.

In fact, the House has already taken serious steps in this regard. For years, we have been pursuing an all-of-the-above energy strategy. It is part of our focus on the floor this week, in fact. Because developing our own resources doesn't just bring jobs home, it strengthens America abroad.

Last month, the Energy and Commerce Committee released a report that says:

> By becoming a natural gas exporter, the U.S. can supplant the influence of other exporters, like Russia and Iran, while strengthening ties with our allies and trading partners around the world.

The key word in that statement is ''can.'' We can supplant Russia's influence, but we won't, so long as we have to contend with the Energy Department's achingly slow approval process.

As we speak, the administration is sitting on 24 applications for natural gas exports. It has approved just six in the last 3 years. Now, this amounts to a de facto ban that only emboldens Vladimir Putin, allowing him to sell large quantities of natural gas to our allies.

The American people have seen the threat that Mr. Putin puts forward. They know something must be done. The President should do the right thing here and end this de facto ban, so that we can strengthen both our economy and our security here and abroad.

THE BUFFALO NIAGARA INTERNATIONAL AIRPORT

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

Mr. HIGGINS. Madam Speaker, in a recent nationwide realignment, the Transportation Security Administration made the decision to consolidate all administrative functions for its upstate region at the Albany Airport.

I believe this decision was misguided and illogical. In all of the other proposed consolidations around the country, smaller airports are being made subordinate to larger airports; but in this case, inexplicably, the TSA proposes to make the Buffalo/Niagara Falls International Airport subordinate to Albany, despite the fact that Buffalo's airport has twice the passenger volume as Albany.

Furthermore, nearly 40 percent of passengers flying out of Buffalo are Canadians and other foreign nationals, which would seem to necessitate a more complex TSA operation.

Mr. Speaker, TSA's rollout of this proposed change has been full of inconsistencies and contradictions, and that is why I have asked TSA to reconsider this flawed decision and consolidate operations where it makes sense, in Buffalo.

TUBEROUS SCLEROSIS COMPLEX RESEARCH

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

Mr. FITZPATRICK. Madam Speaker, as a member of the Rare Disease Congressional Caucus, I rise today in support of continued funding for tuberous sclerosis complex research in the fiscal year 2015 Department of Defense Appropriations Act.

TSC is a genetic condition that afflicts an estimated 50,000 Americans,

causing tumors in the kidneys, lungs, liver, heart, eyes, skin, and brain. Researchers have linked TSC to seizures, autism, and severe intellectual disability.

Research on this condition is also having a notable impact on our understanding of traumatic brain injury and other medical conditions, like cancer and diabetes.

The TSC program at the Department of Defense is critical to our continued understanding of this condition.

With me on the floor today, Mr. Speaker, is a beautiful little girl, Stephanie from Pennsylvania, who has been diagnosed with TSC.

Her brave spirit brings light to the importance of this cause and helps remind us of others living with this condition across the United States.

It is crucial that we continue to band together as a community and a legislative body to support this significant research initiative.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The Chair reminds Members not to refer to persons on the floor as guests of the House.

DEEPENING THE SAVANNAH HARBOR

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

Mr. BARROW of Georgia. Madam Speaker, I rise in great disappointment that the President's budget makes no provision for deepening the Savannah harbor.

The Port of Savannah is one of the busiest in the country and is a major throughway for all sorts of essential goods coming in and out of the country. The State of Georgia has collaborated with the Federal Government to ensure that the port is deepened to accommodate the larger ships that will soon come through the expanded Panama Canal.

After decades of study, State and local stakeholders, congressional authorizers and appropriators, the Corps of Engineers, the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, and the EPA have all endorsed this project as technically feasible, economically justified, cost-effective, environmentally responsible, and in the national interest.

Vice President BIDEN recently visited Savannah and promised we would get this project done, ''come hell or high water.'' Only OMB now stands in the way.

This project makes sense to almost everyone who has studied it. I share the frustration of my constituents that it continues to be stalled by bureaucracy, and I urge the President to lead, follow, or get out of the way of the effort to make this project happen.

NUCLEAR ENERGY

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

Mr. WILLIAMS. Madam Speaker, as a business owner of 42 years, I know a few things about job creation, and with more than 10 million Americans out of work, it is time to energize the energy business. We need to let the private sector drive our initiatives and promote the advancement of safe nuclear energy.

Nuclear power sustains 100,000 high-paying jobs, and 2,000 of those are in Texas facilities. In my district, the 25th District of Texas, there are hundreds of highly skilled workers at the Comanche Peak Nuclear Plant who are doing a great job and are doing great things to promote this clean, reliable, and inexpensive energy source, less expensive than coal or natural gas.

Texas plays a vital national and international role in the development of new technologies and is among the 10 States with the greatest nuclear power generation capacity in the whole country.

Nuclear energy should play a major role in our Nation's all-inclusive energy plan, and that is why our policies should support it. Nuclear creates good jobs, puts billions of dollars into our economy, and is a safe, clean, and reliable energy source we simply can't afford to ignore. Let's move forward. In God we trust.

JOHN BUHRMASTER'S ICBA NOMINATION

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

Mr. TONKO. Madam Speaker, I rise today to congratulate John Buhrmaster, who is president of 1st National Bank of Scotia in the capital region of New York, upon his nomination as chairman of the Independent Community Bankers of America, here in Washington, D.C.

The Independent Community Bankers of America represents almost 7,000 community banks across our great Nation, financial institutions that provide opportunity for our local small businesses and family farms to expand operations, develop surrounding economies, and hire locally.

John will provide steady leadership for an 11-person executive panel that draws expertise and know-how from across the Nation to support our small banks.

Again, I congratulate Mr. Buhrmaster on his appointment, and I look forward to working with him to boost small financial institutions and their important role in economic expansion on a community level.

□ 1215

CELEBRATING THE CENTENNIAL OF THE COOPERATIVE EXTENSION SERVICE

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, this year marks the 100th anniversary of the Smith-Lever Act of 1914, which established the Cooperative Extension Service. Extension is a unique educational partnership among Federal, State, and local governments and the Nation's land-grant universities to extend research-based knowledge to the American public and private industry.

Over the years, Extension has connected individuals and families with the resources and expertise of our Nation's land-grant university system. In Pennsylvania, Pennsylvania State University provides this educational network, working to help families make sound economic and nutritional choices, and help businesses increase efficiency and troubleshoot production and industry challenges.

Madam Speaker, today, the Penn State College of Agricultural Sciences is on the Hill with agricultural businesses and industry advocates to share with us the importance of the Cooperative Extension Service.

As we celebrate the 100th anniversary of the Smith-Lever Act, I want to give congratulations and recognition to the outstanding Penn State Extension team, which is led by Interim Dean Barb Christ, and thank them for their important work to improve the lives and economic outcomes of countless families and businesses across the country.

WOMEN'S HISTORY MONTH

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

Ms. HAHN. Madam Speaker, this month we join together as a nation to celebrate Women's History Month. We pay tribute to the generation of women whose courage, perseverance, and leadership have helped build our great Nation—from everyday working mothers to women like civil rights icon Rosa Parks and labor activist Dolores Huerta. Our journey would not be possible without these great women and so many others who proudly took the seat at the table and at the front of the bus to chart the way for our Nation's progress.

But, while progress has been made in gender equality, we still have a lot more work to do when two-thirds of the minimum wage workers are women in this country and nearly one-third of families headed by a single female are living in poverty.

Instead of simply using Women's History Month to highlight the contributions of women leaders, let's take this

opportunity to examine the current challenges facing our mothers, our sisters, and our daughters and ensure that these women have workplace protections such as equal pay, affordable child care, and medical leave.

Our success as a nation hinges on the success of women, because we know that when women succeed, America succeeds.

IN THE COMPANY OF WOMEN ANNUAL CELEBRATION

(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, it is with great pleasure that I recognize the hardworking women leaders who, throughout the years, have made instrumental contributions to the district I so humbly represent and to our entire south Florida community, in fact.

On March 13, the Miami-Dade County Commission for Women, the Parks Foundation of Miami-Dade, and the Miami-Dade Parks, Recreation and Open Spaces Department will be hosting the In the Company of Women Awards in celebration of Women's History Month. This annual celebration honors some of the exceptional women in our community in fields like the arts, communications, government, and athletics.

The 12 honorees this year will join the ranks of many outstanding women, including my late mother, Amanda Ros, who was honored during their third annual In the Company of Women celebration. As a fellow recipient of this award also, I am pleased that the great passion and dedication of these women leaders will be recognized, and it will inspire them to do even better work. Their many accomplishments are an example of what women everywhere can strive to attain.

Congratulations to each award winner.

THE PRESIDENT'S BUDGET REQUEST

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

Mr. MORAN. Mr. Speaker, yesterday, the President submitted a very modest but responsible budget request. It contains a host of very good ideas that should move this country forward and that this Congress ought to embrace. For example, on both sides of the aisle, we agree that we ought to eliminate the waste of resources. But the greatest waste of resources is the waste of human potential, and it starts in the earliest years.

So the President would extend access to prekindergarten education for all of our children, because he knows that that will enable us to have a far more prosperous economy and a more cohesive society, and he would pay for it with revenue from tobacco taxes—a great idea.

Similarly, he would take the $4 billion in subsidies we give the oil and gas industry and invest it in new and cleaner alternative energy. He would take $300 billion and invest it in surface infrastructure. I was just over in Uzbekistan this month. They have a faster, more modern rail system than we do, as does China.

Those are the kinds of good ideas that can move this country forward that this Congress should embrace.

PAYING TRIBUTE TO CLYDE HOWELL OF RICHVALE, CALIFORNIA

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

Mr. LAMALFA. Mr. Speaker, I rise today to remember and ask this House to adjourn in the memory of a dear friend from Richvale, California, Clyde Howell, who passed away on January 29. He was a longtime community leader.

Early in his life, he served in our United States Air Force in World War II. Clyde was born in Chesterfield, Idaho, later moving to Kingsburg in Central Valley, California.

What Clyde would want to be known most for, though, is not just saving our country in World War II, but also saving souls. He dedicated most of his life in his church and in his community to helping people know about God. That is what Clyde would want us to know.

Clyde was dearly loved by the community. He had a way to reach everybody, including youth. Even though he was a guy in his eighties, he had a way of talking to the young folks with that wry, crooked smile and the twinkle in his eye and a little tap on the shoulder. He had a way of connecting with people that was unique and certainly enjoyed and loved by his community.

He is survived by many, many family members, and we will all miss him in the community.

WOMEN'S HISTORY MONTH

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

Mrs. BEATTY. Mr. Speaker, I rise today in honor of March being Women's History Month. I rise today to say thank you for all the services for the women in the Third Congressional District and to the 102 women who serve in the 113th Congress in the House and the Senate.

I rise because we know when women succeed, America succeeds. I ask you to join me in making 2014 a year of action by having equal pay for equal work, providing affordable child care and access to health care.

This afternoon, I am honored to join Swin Cash, a two-time Olympic gold medalist, as we initiate the Let's Move! initiative in honor of the First Lady's Let's Move! So to America, I say let's do this thing in honor of women.

TO RESPOND TO RUSSIAN AGGRESSION, SELL U.S. NATURAL GAS TO UKRAINE

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

Mr. POE of Texas. Mr. Speaker, first, Vladimir Putin invaded Georgia. Now, the Russian bear is after Ukraine.

Ukraine is almost totally dependent on Russia for energy. Russian imperialism has proven that it is willing to use gas as a political and economic weapon to intimidate its neighbors. Twice it turned off the fuel switch in Ukraine, and I was even in Ukraine the last time Putin turned off the gas during the winter. It was cold.

Many other European nations are also at the mercy of the Kremlin when it comes to energy. We can help European countries who depend on imperialist Russia for energy by selling them natural gas from America. The demand is there, and the American supply is overwhelming. The only thing standing in the way are the bureaucrats in the Department of Energy.

That is why today I am introducing legislation that would require the Department of Energy to expedite and approve permits to Ukraine, all former Soviet nations, and all members of the European Union.

Let's eliminate Russia's natural gas monopoly. Let's respond to Russian aggression. Let's encourage the Europeans and former Soviet Republics to ''Buy American.''

And that's just the way it is.

HONORING THE MEMORY OF WILLIAM GUSTE, JR.

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

Mr. RICHMOND. Mr. Speaker, I rise today to honor the memory of a true statesman who was a guiding light for Louisiana for many years. I am talking about former Louisiana Attorney General William ''Billy'' Guste.

Attorney General Guste passed away last summer, but I wanted to take a moment to discuss his impact on my home State and discuss who he was as a man because he represents what was best about Louisiana.

You see, Mr. Speaker, he was a fighter. He fought for what was right. He fought for average Louisiana citizens. He fought tooth and nail for environmental justice, for racial fairness, for coastal restoration, for affordable housing, and for the homeless. During his 20 years of service as attorney general, he was always trying to fight for things that he believed would help ordinary, average people.

We should remember this lesson, Mr. Speaker, so that we remember that our

fights should mean something. We should fight to improve the lives of our constituents, not to win political battles.

Growing up in Louisiana, I am a direct beneficiary of Billy Guste's courage to do what was truly right and truly compassionate. In that tradition, Mr. Speaker, I say we must honor Mr. Guste's legacy by doing the same.

HONORING SENATOR BOB DOLE AND HIS LEGACY

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

Mr. YODER. Mr. Speaker, I rise today to honor a truly great Kansan, a Jayhawk, and an American hero who embodies every sense of the term ''public servant.''

Senator Bob Dole has spent his life as a servant to the American people: as a soldier wounded in combat during World War II; he served as a Member of this House, the Senate, and ran for President.

We in Kansas are so very proud of Senator Dole's legacy as our native son. Ten years ago, the University of Kansas, my alma mater, completed construction and opened to the public the Robert J. Dole Institute of Politics on KU's beautiful west campus.

The Dole Institute's official mission is to ''promote political and civic participation as well as civil discourse in a bipartisan, balanced manner.'' This is precisely what Senator Dole stood for in his career, and it is what his legacy, the Dole Institute, promotes today.

We all congratulate the University of Kansas on the 10-year anniversary of the Dole Institute, and congratulate and continue our appreciation for Senator Dole and all the work he does for his native State of Kansas and for his country.

TENNESSEE NATIONAL GUARD

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

Mrs. BLACKBURN. Mr. Speaker, the President filed his budget yesterday, and what a budget it is. It is going to increase spending by $791 billion—that is right, billion with a ''b.'' You would think we had all this money to spend. And when you look a little deeper, you see that the priorities are all askew in this budget.

I want to point out just one to my colleagues, and it deals with the Tennessee National Guard and the way they are being adversely impacted by what this budget is bringing to bear, what the President would want to bring to bear.

The Tennessee Guard has flown the Kiowa Warrior helicopters all throughout Iraq and Afghanistan. They used them in our natural disasters like Hurricane Katrina and the Tennessee flood. And today, due to that budget that I have mentioned that the President filed yesterday, he would like to put them on the chopping block. All 30 Kiowa helicopters, 692 soldiers, and 113 workers are all on the chopping block.

Let's talk about priorities. It is our responsibility in the House to get this right.

PROVIDING FOR CONSIDERATION OF H.R. 3826, ELECTRICITY SECURITY AND AFFORDABILITY ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 4118, SUSPENDING THE INDIVIDUAL MANDATE PENALTY LAW EQUALS FAIRNESS ACT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 497 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 497

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. 3826) to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–40. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in 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 amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4118) to amend the Internal Revenue Code of 1986 to delay the implementation of the penalty for failure to comply with the individual health insurance mandate. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

□ 1230

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

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), 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 may have 5 legislative days in which to revise and extend their remarks on H. Res. 497.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, H. Res. 497 provides for consideration of two bills, one of which addresses the country's worsening health insurance situation due to the Affordable Care Act; the other addresses the Environmental Protection Agency's attempts to cripple our economy with costly regulations which have dubious health benefits.

The rule before us today provides for 1 hour of debate for each bill, controlled by the primary committee of jurisdiction. The committee made in order every amendment submitted for consideration to H.R. 3826, the Electricity Security and Affordability Act, including three amendments offered by Democrats and five amendments offered by Republicans. Finally, the minority is afforded the customary motion to recommit on each bill, allowing for yet another opportunity to amend the legislation. This is a straightforward rule for consideration of two very important bills.

H.R. 3826, the Electricity Security and Affordability Act is a bipartisan response to the Environmental Protection Agency's wrongheaded approach to our energy future. It was carefully crafted by Democratic Senator JOE MANCHIN from West Virginia and the Republican chairman of the Energy and Power Subcommittee, ED WHITFIELD from Kentucky. The bill requires the Environmental Protection Agency to acknowledge within its greenhouse gas regulations that different sources of fuel—such as natural gas, such as

coal—require different approaches to the regulatory sphere. Further, it prevents the Environmental Protection Agency from unilaterally imposing new regulations on existing power plants—those power plants that are already up and running, providing heat to our Nation, which is currently under the throes of a significant cold snap. This limitation exists until Congress has weighed in and passed a law specifying an effective date for the regulations to begin.

Finally, as is just good government, the bill requires strengthened reporting requirements from the Environmental Protection Agency.

One of the most frustrating parts of the EPA's new venture in regulating our existing energy infrastructure is that the EPA has actively blocked proper congressional oversight from receiving the science and calculations used in crafting these new costly regulations. That simply must end. If the Environmental Protection Agency is proposing new regulations because they believe they will truly make Americans healthier, let them share the data. Let them share the data with the United States Congress so it can be peer reviewed. Both the Energy and Commerce Committee and the Science Committee have continually been ignored when requesting such data. That is unacceptable. That must end. This legislation is a step toward bringing accountability to an agency that for too long has run roughshod over our economy.

The second bill contained in this rule, H.R. 4118, Suspending the Individual Mandate Penalty Law Equals Fairness Act, addresses the disparity that President Obama and Secretary Sebelius have created between big businesses, which have been given a reprieve from having to comply with the mandates in the Affordable Care Act, and individual Americans, who have been given no such help by this President. Just this week, the press reported that the administration will delay yet another provision of the Affordable Care Act by allowing insurers to continue offering health plans that do not meet the Affordable Care Act's minimum coverage requirements. It is becoming so commonplace for this administration to waive or ignore provisions—by their own admission, this is their signature law, and they continue to waive provisions. The American people cannot seem to get an even break, and no one even seems to notice anymore. There is little doubt that this is exactly what the President is hoping for.

In the last 8 months, the President has delayed or modified overly 22 provisions in his signature health care law. We are all familiar—we have all seen the headlines: delays in the preexisting program; delays in the employer mandate; delays in the reporting requirement; changing the rules under which Congress has to buy insurance; delay, delay, delay, in his own law. The President has been quick to fix parts of the law that have political consequences for his allies and to protect his own talking points.

Yet, where is the President's protection for the American people?

Under the health care law, Americans who don't have health insurance and refuse to purchase a government-approved insurance policy will face an annual fine—an annual fine—that increases every year.

However, purchasing a government-approved plan also means you have to pay big premiums. You are forced to navigate a dysfunctional Web site. You may lose the doctor you like and place your personal information in jeopardy on an unsecure Web site.

Today, Republicans are offering a legislative solution to help Americans get out from under the crushing weight of the so-called Affordable Care Act. H.R. 4118, also known as the Simple Fairness Act, will give hardworking Americans the same relief that the President has already given to big businesses across the country.

The administration has no problem delaying the employer mandate, not just once for 2014, but a second time for another full year for employers with 51–100 employees. Shouldn't that same relief be provided to rank-and-file Americans?

The President has refused to work with Congress to change the law so today, we are moving ahead and doing what is right for the American people. The Simple Fairness Act will eliminate the penalty for 2014 for those individuals who chose not to purchase a government-approved health care plan.

It is clear that H.R. 4118 offers the only feasible lifeline to millions of Americans who are faced with purchasing an expensive health care plan that does not meet their needs. It is Congress' job to protect the American people. I urge my colleagues to pass this rule so Washington can stop making decisions about American's health care and instead individuals can be free to decide for themselves. I encourage my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bills.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my friend from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, this is just not an ordinary day, this is a very important thing that is happening here, particularly for those of you who watch Congress a lot and want to know what it is we are about. This is a very special occasion here. As you can see by this poster on my right, we are celebrating a double golden anniversary. Today, the majority is holding the 50th vote to repeal or to otherwise undermine the Affordable Care Act under the 50th closed rule.

Now, to people who don't understand what a closed rule is, that means this rule is coming to the floor to debate these bills, and it will not allow them to be amended. That is not exactly an open Congress in a great democracy.

The majority has defied all expectations in reaching those milestones today, and as one often does when celebrating a colleague's 50th birthday or acknowledging a friend's 50th wedding anniversary, I want to take a moment to reflect on all that the majority has done to achieve this great honor.

Indeed, many Americans, including myself, were doubtful we would ever see the majority hold their 50th vote to repeal a good health care law that is already benefiting more than 9 million Americans because, why would Congress want to take health care away from people?

I remember back in 2012, when CBS News reported that the majority had spent 80 legislative hours—costing approximately $48 million—to hold 33 votes to repeal the ACA. That is just the amount of money spent on floor time and committee time. They had held 33 votes at that time to repeal the Affordable Care Act. Given the incredible waste of time and taxpayer money, I was hopeful that the 33rd vote might be the last. But the majority has persevered, and continued to ignore the Nation's pressing priorities to make it to today's 50th vote.

Of course, getting this far wouldn't have been possible without the help of a closed legislative process—a process that has allowed the majority to pursue a 50th vote without pause.

Last year, the majority presided over the most closed session in history, and repeatedly passed closed rules that shut out the voices of the nearly 200 duly elected Members of Congress who sit on my side of the aisle. Now today, the majority is presenting their 50th closed rule in order to hold a 50th gonowhere vote to repeal the Affordable Care Act.

It is truly amazing that the majority has managed to hold the same vote 50 times while so many Americans and so much of the world cries out for help. As we know, there are global crises from Ukraine to Afghanistan. At home, there are millions still looking for work; millions more are working for a minimum wage upon which they cannot survive.

In fact, just this week the number of Americans whose emergency unemployment insurance has expired will surpass 2 million individuals, including almost 200,000 veterans. We could have averted the crisis weeks ago, and we have tried numerous times to do that, but the majority has repeatedly said ''no.'' Indeed, some of our colleagues have said it would be immoral to help out those who have no money coming into their home.

Meanwhile, the Center for American Progress released a report today that found that raising the minimum wage to $10.10 an hour would reduce Federal spending on food stamps by $4.6 billion a year. Despite a similar estimate from the Congressional Budget Office declaring that raising the minimum wage

would lift 900,000 people out of poverty, the majority refuses to join my Democratic colleagues and me to give America a raise.

Mr. Speaker, there are dozens, if not hundreds of bills that deserve our consideration, but today's attempt to repeal a good health care law is not one of them. In fact, I have a list of 50 votes that we could be taking today instead of another vote to repeal the Affordable Care Act—everything from rebuilding our crumbling bridges and roads to creating American manufacturing jobs.

Of particular importance is a bill that I authored called the Preservation of Antibiotics for Medical Treatment Act that will address the immediate crisis of antibiotic-resistant diseases and help to save lives. Despite the urgent need to protect public health, we have been unable to even get a hearing on this important legislation.

The majority's refusal to take action on any of these pressing issues is truly an achievement, not one to be proud of. I hope I have made it clear that we cannot celebrate that achievement.

Mr. Speaker, it is my sincere hope that the milestone the majority is reaching today will be the end of the line for their tired political game. We have far too many issues that need our attention, and it is well past time that we got to work. I strongly urge my colleagues to vote ''no'' on today's rule and the underlying legislation.

I reserve the balance of my time.

50 THINGS THE HOUSE COULD BE DOING INSTEAD OF UNDERMINING THE AFFORDABLE CARE ACT

1. Comprehensive Immigration Reform
2. Emergency Unemployment Compensation Extension Act of 2013 (H.R. 3546)
3. Fair Minimum Wage Act of 2013 (H.R. 1010)
4. Preservation of Antibiotics for Medical Treatment Act of 2013 (H.R. 1150)
5. Paycheck Fairness Act (H.R. 377)
6. Make It in America Manufacturing Act of 2013 (H.R. 375)
7. Advancing Innovative Manufacturing Act of 2013 (H.R. 1421)
8. American Manufacturing Competitiveness Act of 2013 (H.R. 2447)
9. Economy, Energy and Environment Initiative to Support Sustainable Manufacturing (E3) Act (H.R. 2873)
10. Multimodal Opportunities Via Enhanced Freight Act of 2013 or the ''MOVE Freight Act of 2013'' (H.R. 974)
11. American Textile Technology Innovation and Research for Exportation (ATTIRE) Act (H.R. 937)
12. Clean Energy Technology Manufacturing and Export Assistance Act of 2013 (H.R. 400)
13. Put America Back to Work Now Act (H.R. 535)
14. Build America Bonds Act of 2013 (H.R. 789)
15. The Customs Training Enhancement Act (H.R. 1322)
16. American Export Promotion Act of 2013 (H.R.1420)
17. Currency Reform for Fair Trade Act (H.R. 1276)
18. Global Free Internet Act of 2013 (H.R. 889)
19. New Alternative Transportation to Give Americans Solutions (NAT GAS) Act (H.R. 1364)
20. Invest in American Jobs Act of 2013 (H.R. 949)
21. Enforcing Orders and Reducing Customs Evasion (ENFORCE) Act (H.R. 1440)
22. Export Promotion Reform Act (H.R. 1409)
23. Bridge to Jobs Act (H.R. 1419)
24. Reducing Waste and Increasing Efficiency in Trade Act (H.R. 3004)
25. Research and Development Tax Credit Extension Act of 2013 (H.R. 905)
26. The Bring Jobs Home Act of 2013 (H.R. 851)
27. Patriot Corporations of America Act of 2013 (H.R. 929)
28. Market Based Manufacturing Incentives Act of 2013 (H.R. 615)
29. Advanced Vehicle Technology Act of 2013 (H.R. 1027)
30. American Jobs Matter Act (H.R. 1332)
31. Small Business Start-up Savings Accounts (H.R. 1323)
32. Securing Energy Critical Elements and American Jobs Act of 2013 (H.R.1022)
33. Resource Assessment of Rare Earths (RARE) Act of 2013 (H.R. 981)
34. Congressional Made in America Promise Act (H.R. 194)
35. Security in Energy and Manufacturing (SEAM) Act (H.R. 1424)
36. SelectUSA Authorization Act of 2013 (H.R. 1413)
37. Partnering with American Manufacturers for Efficiency and Competitiveness Act (H.R. 1418)
38. The Innovative Technologies Investment Incentives Act (H.R.1415)
39. Cooperative Research and Development Fund Authorization Act of 2013 (H.R. 1711)
40. Advanced Composites Development Act of 2013 (H.R. 2034)
41. All-American Flag Act (H.R. 2355)
42. GREEN Act of 2013 (H.R. 2863)
43. Workforce Investment Act (H.R. 798)
44. American Manufacturing Efficiency & Retraining Investment Collaboration (AMERICA Works) Act (H.R. 497)
45. Strengthening Employment Clusters to Organize Regional Success (SECTORS) Act (H.R. 919)
46. Job Skills for America's Students Act of 2013 (H.R. 1271)
47. National Fab Lab Network Act (H.R.1289)
48. Workforce Development Tax Credit Act of 2013 (H.R. 1324)
49. Job Opportunities Between our Shores (JOBS) Act (H.R. 1436)
50. Broadband Adoption Act of 2013 (H.R. 1685)

□ 1245

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes for a response.

Mr. Speaker, there have been 36 changes to the Affordable Care Act since it was signed into law. It has been a little over 3 years since the bill was signed into law. Thirty-six changes means one a month.

How does the breakdown of those 36 changes occur? According to the Galen Institute published this morning, 15 times, Congress has passed and the President signed legislation changing the Affordable Care Act. Twice, the Supreme Court modified the Affordable Care Act, but 19 times, President Obama made a change unilaterally.

We are here today debating a delay on the penalties under the individual mandate, but it might interest the Congress to know that the President himself delayed the individual mandate. The administration changed the deadline for the individual mandate by declaring that customers who had purchased insurance by March 31 will avoid the tax penalty.

Previously and by law, they were required to purchase that insurance by Valentine's Day, February 14, so there has already been a 6-week delay. We are simply trying to place in code what the President is doing unilaterally.

You want to talk about a closed process where people don't have an opportunity to participate? That is governing by executive fiat. That is what we are trying to stop today.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Colorado (Mr. POLIS) will control the time for the minority.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado.

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

Well, I want to come to the floor to wish the Republicans a happy anniversary. I brought a gold ring. This is the 50th repeal of ObamaCare. I want to wish my colleagues a happy 50th anniversary for the appeal of ObamaCare.

Like any marriage that lasts 50 years, it takes a lot of work. The American people have shown that they want this marriage to last. They have shown that by reelecting Barack Obama as President. They have shown that by electing a Senate that won't even consider a repeal of the Affordable Care Act; but also like any marriage, it takes work along the way to improve it, to work at it, to make changes to it.

Democrats stand ready to work with President Obama, to fine-tune this wonderful marriage celebrating the 50th anniversary of its repeal here today, to make sure it endures for another 50 repeal votes by the House Republicans here in the coming months. We are ready to make the changes that we need to, to ensure that the Affordable Care Act works for every American.

There are issues in the implementation in my district. Two of my counties, Summit and Eagle County, have among the highest insurance rates in the exchange in the entire country, these two counties. That is due to a problem that the State had in implementing it, but we would love to work with Republicans on a Federal fix for Eagle and Summit County, and the other Colorado counties that are affected by it.

I would be proud to work with my colleagues to replace the revenue and the medical and device tax with other sources of revenue to ensure that the Affordable Care Act works.

There are a lot of great ideas, and perhaps it is time that, rather than continue to celebrate anniversaries of repeal, that we enter couples counseling sessions today, and we work together in trying to find common ground.

Rather than talking about repealing ObamaCare and going back to a system we know wasn't working, in which 40 million Americans didn't have health care insurance, in which Americans and my constituents and yours were frustrated that, year after year, rates were going up 10, 15, 20 percent—rather than going back to a formula we know didn't work, let's enter couples counseling and work together to make health care work in our country, to talk about a path forward, with the President, with Democrats, with Republicans, with Independents, to ensure that these cost increases that have been epidemic the last couple of decades come to an end, that we can extend coverage to more American families, that we can ensure that the quality of health care that is our Nation's pride can continue to be available to Americans, regardless of their economic background.

I reserve the balance of my time.

Mr. BURGESS. Again, Mr. Speaker, I would just emphasize there have been changes by administrative action, some 19 that President Obama has done all on his own, without any influence from Congress.

Now, if the gentleman were truly interested about an offset for repealing the medical device tax, perhaps he might look more favorably on the bill before us today, H.R. 4118. The Congressional Budget Office scores a significant savings by passing H.R. 4118.

Perhaps there are some other things that could be done with that money as well; but nevertheless, the President has, on his own, delayed employee reporting, delayed subsidies through the Federal exchange. He closed the high-risk pool.

He has doubled the allowable deductibles. He has required self-attestation and eliminated the reporting requirements under the law that he signed in March of 2010.

He last fall said: Okay. I give up. Insurance can offer plans that we just told you were illegal, that they were crummy insurance, and now, we are going to allow them to be offered again.

All of these were actions taken by the executive under a closed process. With no input or oversight by the people's House—by the United States House of Representatives.

I reserve the balance of my time.

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

Isn't that wonderful? Isn't this great that the President has made 19 changes to improve the Affordable Care Act to make it work?

You know what? That is what a marriage takes. That is what has helped the Affordable Care Act withstand the 50th vote to repeal it here in the House. Had the President been inflexible—just like in a marriage, if one partner is inflexible, it would have been a lot harder to survive 50 votes to repeal the Affordable Care Act. Here, we are celebrating the golden anniversary of repeal votes, 50 votes.

But thanks to the President's flexibility with 19 changes, hopefully, there are more along the way to ensure that all Americans have access to affordable health care:

That no American faces pricing discrimination or is kept out of a plan because of a preexisting condition;

That people can move between employers;

That somebody can leave a large company to be an entrepreneur and have a startup without worrying about losing their health care if they have a preexisting condition;

Making sure that young Americans, as they are trying to find a job or working part time, can stay on their parents' plan;

Making sure that Americans have a real choice in the exchanges that choose between multiple providers.

These were some of the elements that I think the American people want to keep and one of the reasons that this health care act has not only withstood 50 votes to repeal and is celebrating its golden anniversary, but will survive the next 50 votes if the House Republicans choose to have them to try to appeal the Affordable Care Act.

The American people want to see changes to make it work. We applaud the President for the 19 changes he made. We encourage him to use the discretion that we rightly give him under the Affordable Care Act to help make it work.

We encourage the discretion at the State level that many Governors, like the Governor of Kentucky and others, have shown to make the Affordable Care Act work in their State.

We applaud the fact that there are over $200 billion of deficit reduction in the Affordable Care Act. If we can find additional savings and replace lost revenue, we are certainly open to that discussion. So I rise in celebration of having withstood 50 repeal votes. We are ready for the next 50.

We use these opportunities to highlight the American people on the benefits of the Affordable Care Act and to say that we are ready to have a real discussion with Republicans, to exert our legislative privilege, to make changes, and in the absence of that, we applaud the President in using the abilities that we give him under the act to help make sure the Affordable Care Act truly makes health care more affordable for American families.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, here is the Affordable Care Act. The President says it is the law of the land. How does it describe the effective date for the individual mandate? Under section 1501, subparagraph D, effective date:

> The amendments made by this section shall apply to the taxable years ending after December 31, 2013.

Pretty unambiguous, pretty easy to understand. It doesn't seem to have a lot of flexibility or wiggle room written into it.

How does the language read that describes the effective date for the employer mandate? Well, that reads under section 1513, subparagraph D, effective date:

> The amendments made by this section shall apply to the months beginning after December 31, 2013.

It doesn't sound as if there is a lot of flexibility; yet the President, on his own, found the flexibility only within the executive branch to say that effective date is no longer valid.

We are simply saying for Mr. and Mrs. American—for the average American, we should be able to delay the effective date of the penalty because this law has been a disaster from start to finish. Stories about the Web site are now legion.

We should give the same relief to the average American that the President gave to his friends in Big Business.

I reserve the balance of my time.

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

This bill—this 50th anniversary—golden anniversary of ObamaCare repeals here in the House—50th vote to repeal the Affordable Care Act, gutting mental parity, health parity, gutting protection for Americans with preexisting conditions, went through no hearings, no markups, no amendments that we are allowed to discuss or debate or vote on here on the floor of the House. This is not the process for improving the quality of health care for American families.

The American people have made it clear they want this marriage to last. They want to make it work. They know it requires hard work. The President has made 19 wonderful changes to the law.

I am not a constitutional lawyer. If there are folks on the other side who want to sue the President, who think that he did something contrary to the law we passed, they are certainly welcome to sue. I believe that the President was given broad discretion under the law to make it work.

I hope that this legislative body takes up the gauntlet and makes the changes we need to make the Affordable Care Act work. Any marriage takes effort. Here, we have a marriage between the Affordable Care Act and the American people, and 50 votes to repeal it are not going to break up that marriage.

It is a stronger marriage than that because the American people have voted on it. They didn't elect a Presidential candidate who wanted to repeal the Affordable Care Act. They didn't elect a Senate that wanted to repeal the Affordable Care Act.

So here we are, and we are welcome to have another 50, 100, 200 votes to repeal the Affordable Care Act; or we can get to work on an open process, letting Members of both parties offer floor amendments. This rule allows no floor amendments.

Having a markup in committee, having hearings in committee about how we can deliver better health care value to the American people will make sure

affordable care is available to every American family and affordable for small businesses, to make America more competitive.

But instead of going through an open process, encouraging ideas from Republicans and Democrats to make health care work in our country, we are presented with the 50th vote to repeal the Affordable Care Act.

In the absence of meaningful improvements and legislation, the President is using the authority that we gave him under this bill to make the changes that he needs to make, to make sure the Affordable Care Act works.

This body can reassert itself and take back its prerogative whenever we want by passing commonsense bipartisan bills to improve the Affordable Care Act, but it truly is hypocritical to criticize the President out of one side of one's mouth for making changes that actually improve the law and make it work better, when here in this body we are refusing to make some of those same commonsense changes.

I hope that if people think that there was authority of the law that exceeded, they are welcome to work that out in the courts. That is what the court is for, to settle the differences of separation of powers between the executive and legislative branches; but I hope, more important, because the American people care about affordable health care, that this body is willing to take up some of those improvements that we can make, to make sure that this marriage can endure for the next 50 votes as well.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself 3 minutes.

It sounds as if the gentleman is going to vote for the bill under consideration today because, after all, it is an opportunity to give long-suffering Americans an opportunity to be out of the penalty part of the Affordable Care Act.

Let's be honest, I mean this thing is one of the most coercive pieces of legislation that has ever been passed by the United States Congress. I might just remind people here in the House of Representatives that this law, which was H.R. 3590, was actually not subject to any hearings or any markups in the United States House of Representatives. Maybe it was when H.R. 3590 first passed the House when it was a housing bill in July of 2009.

But remember, what became the health care bill was a housing bill that was amended. The amendment read over in the Senate: ''strike all after the enacting clause and insert.''

And what was inserted was language written by special interests over in the Cloakroom of the Senate Finance Committee, was passed by the Senate on Christmas Eve, and then thrown back over here to the House.

□ 1300

Since the House had passed H.R. 3590 as a housing bill, not as a tax bill like the Affordable Care Act was but as a housing bill, the question before the House then became: Will the House now concur in the amendments to H.R. 3590? It took 3 months for the Speaker to cobble together the 217 votes that she needed to pass this thing, but H.R. 3590 was never heard as a health care bill in my committee, the Committee on Energy and Commerce. It was never heard in the Ways and Means Committee. It was never heard in the Education and Labor Committee. That was H.R. 3200. H.R. 3200 is long gone—no one has seen it for years—but H.R. 3590 is what is embodied in the President's health care law.

So, really, to say that everyone had a chance to participate in this and to debate it, that is, in fact, hypocritical. What is really hypocritical is that H.R. 3590, when it came back to the House, was presented to this House under a closed rule. That is a fact, and that is a fact that should be recognized by the minority. This bill was the product of a closed rule.

I reserve the balance of my time.

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

Mr. Speaker, make no bones about it. The individual mandate is a linchpin of RomneyCare—or whatever you would like to call it—modeled on, in fact, the insurance reforms in Massachusetts. This component is critical to ensuring that people with preexisting conditions are not discriminated against in pricing in the exchange. It is important to make sure that we have a younger, healthier risk pool in the exchange to bring down rates for all Americans.

If this bill were to become law, which it won't—it is simply the 50th repeal of the Affordable Care Act, the golden anniversary of repeals—the entire affordable care structure, including the pricing in the exchange, would go up for American families, and it would devastate health care reform. This is not a bill that has support from the President. It is not a bill that has support from the proponents of the Affordable Care Act. It doesn't make the Affordable Care Act better. It is, in fact, the 50th repeal of the Affordable Care Act.

I was on the Education and Labor Committee, as it was called at the time, two Congresses ago. My colleague from Texas talked about the process under which the health care bill was written. We did have a substantial markup. There were other committees: the Ways and Means Committee and the Energy and Commerce Committee. My committee was one of the committees that it was reported out of, and there were other committees it was not reported out of.

This was an amazing process of writing this bill over the period of a year. In fact, in our Democratic Caucus meetings, we even, essentially, functioned as a committee of our entire Caucus, where we went through the bill page after page, and we made suggestions. There were a number of bills that were written by Republicans that were included in the Affordable Care Act, and there were amendments that I was involved with that were included. Like in any legislative process, some that I advocated for were not included in the final bill.

Unlike this bill, which had no hearing and no markup in any form—because the gentleman from Texas is right. This bill number came from the Senate, and that is the normal process around here. We sometimes have bills from the Senate we approve, and sometimes they originate here and go over there. So this bill number and this title came from something else, and they approved it in reconciliation.

Yet the Affordable Care Act—the bill that led to it—went through my committee. I remember being up until, really, I think, 7 o'clock in the morning. We went straight through the night, under Chairman MILLER, offering a number of amendments, some passing and some not. Sometimes I was on the prevailing side, sometimes not. We had a lively discussion over amendments from Democrats and Republicans, some of which made it into the final bill and some of which didn't. That is the legislative process.

To somehow compare that to the legislative process around this bill is like night and day. So, although the gentleman from Texas is technically correct—the bill number was a reconciliation from the Senate that the House concurred in and sent back with some changes—the work that went into forming that bill had countless hearings and had several markups, including one that I participated in and offered amendments in and voted for and against amendments from both sides of the aisle in.

We are where we are. We would love to see the Affordable Care Act go through a process now. Again, why not allow amendments under this rule? Why not allow Republicans or Democrats, who have ideas to make health care more affordable, to offer them now to the floor? If they would pass, then they would move on to the Senate.

Instead, we have a narrowly focused Affordable Care Act repeal that makes health care less affordable for American families by leading to a risk pool in the exchanges that is less healthy and older. We need to ensure that young people are part of the exchanges. Young people want to have insurance, and they want to have affordable insurance. Let's make sure they have a way to do that in the exchanges. This bill would repeal that.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, seeing no other speakers on my side, I continue to reserve the balance of my time.

Mr. POLIS. To the gentleman from Texas, I say it is possible I will have one more speaker. If I see her arrive, I will yield to her. Otherwise, I am prepared to close, and I yield myself the balance of my time.

Mr. Speaker, this week, the number of people who lost their unemployment benefits as a result of Congress' failing to extend the Emergency Unemployment Compensation program has climbed to 2 million Americans. If we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would restore unemployment insurance and provide much-needed relief to countless families across the country as well as to stimulate our economy.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I do urge my colleagues to vote ''no'' and defeat the previous question and to vote ''no'' on the underlying bills.

We could be doing a lot of important work here in the House rather than to have, I think, what both sides would agree is a purely symbolic 50th vote to repeal the Affordable Care Act, unless there are, perhaps, some who think ''50'' is the magic number. I think anybody who has a degree of political sense realizes, if the other 49 didn't go anywhere, this one is very unlikely to go anywhere. Rather than proceed with something that isn't going anywhere and that gives the Democrats once again the opportunity to talk about how important it is to make health care more affordable—and the American people overwhelmingly want health care to be fixed, not repealed—we could be doing a lot of important things that the American people actually want this body to do.

Let's talk about immigration reform.

There is a bill that passed the Senate with Democrats and Republicans—68 votes. It is rare for more than two-thirds of the United States Senate to come together around a commonsense solution. How did they do that? They did that because the American people want this problem solved. They are sick and tired—and they should be; I am, too—of having over 10 million people illegally in this country. In my district, there are tens of thousands of people who are there illegally. We don't even know because there is no way to even count. President Obama has deported over 2 million people at an enormous cost to taxpayers—$10,000 to $20,000 per deportation. That is how much it costs taxpayers—you and me, Mr. Speaker.

Guess what? There is a bipartisan solution supported by the law enforcement community, supported by the business community, supported by the technology industry, supported by both the agriculture industry—farmers and farmworkers—and supported by business and labor, supported by the faith-based community, supported by over 75 percent of Americans across the political spectrum, supported by a majority of Republicans and a majority of Democrats and a majority of Independents. That bill is ready.

There is a bipartisan House version, H.R. 15. Let's bring that forward under a rule. That bill would have the votes to pass tomorrow if we brought it forward. We could send it to the President. We could reduce the deficit by over $100 billion, increase our GDP, create hundreds of thousands of jobs for American citizens, as the bill has been scored. Finally, we could secure our borders so we could have control over who comes and goes, both people and illicit products. That is what the American people want. Let's get that bill through rather than celebrate yet another empty anniversary for the repeal of the Affordable Care Act.

I strongly suggest that my colleagues start bringing forward bills that the American people want to see pass. If we can bring forward immigration reform with bipartisan support and get it out of this body and to the President's desk, the American people will start to improve their opinions of this institution. When I see the polls and they say, oh, 15 percent approval is what Congress has—or 12 percent—it is really no wonder because it is a little bit like a broken record around here. They are, frankly, sick and tired of our every week, it seems like, repealing the Affordable Care Act and making health care more expensive for the American people. They don't want to see us talking about golden rings and 50th anniversaries of votes. They want to see us solving problems.

We offer the Speaker and the majority leader the opportunity to do that. We welcome the Republican immigration principles. There are ample grounds to work on a bipartisan solution based on H.R. 15 or on another bill that encapsulates those principles that the Republicans laid down on which we can find common ground so as to solve a very real problem, to grow our economy, to reduce our deficit, to secure our borders, and to ensure that America remains competitive in the global economy. I challenge my colleagues on both sides of the aisle to reach a solution on that issue and to really move forward with regard to making health care more affordable.

I urge my colleagues to vote ''no'' on this closed process—this closed rule—that allows no Republican ideas and no Democratic ideas to come forward, to enter this discussion. I urge my colleagues to defeat the previous question so the Democrats can bring forward the unemployment insurance bill, and I also encourage my colleagues to vote ''no'' on the underlying bill.

I yield back the balance of my time.

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

Talk about doing the will of the people. There was an election in Texas yesterday. There was a question on the ballot—to support or oppose the President's takeover of the health care industry in this country. Ninety-two percent of the people were recorded as being in opposition to the President's takeover of health care. So, in fact, in the district I represent, that is a significant amount.

Today's rule provides for the consideration of two bills to provide relief for hardworking Americans who are faced with the administration's expensive and restrictive mandates both in the health insurance and energy sectors.

I want to thank my colleagues LYNN JENKINS from Kansas, the Republican Conference vice chair, as well as the chairman of the Energy and Commerce Subcommittee on Energy and Power, Mr. WHITFIELD from Kentucky, for their thoughtful pieces of legislation.

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

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

AN AMENDMENT TO H. RES. 497 OFFERED BY MR. POLIS OF COLORADO

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3546) to provide for the extension of certain unemployment benefits, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Ways and Means and the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3546.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's

ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

Mr. BURGESS. 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 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 497, if ordered; and the motion to suspend the rules on H.R. 938.

The vote was taken by electronic device, and there were—yeas 221, nays 184, not voting 25, as follows:

[Roll No. 93]

YEAS—221

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

NAYS—184

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

NOT VOTING—25

Chaffetz
Courtney
Crawford
DeGette
DeLauro
Duffy
Esty
Gosar
Green, Gene
Himes
Hinojosa
Johnson, E. B.
Johnson, Sam
Jones
Larson (CT)
McCarthy (NY)
McDermott
Messer
Negrete McLeod
Pastor (AZ)
Schneider
Shea-Porter
Smith (NJ)
Southerland
Wagner

□ 1337

Mr. NADLER, Mrs. BEATTY, and Mr. GARCIA changed their vote from ''yea'' to ''nay.''

Mr. WEBER of Texas changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mrs. WAGNER. Mr. Speaker, on rollcall No. 93 I was unavoidably detained. Had I been present, I would have voted "yes."

Stated against:

Mr. HIMES. Mr. Speaker, had I been present for the vote on the Previous Question, rollcall vote 93, 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 228, noes 182, not voting 20, as follows:

[Roll No. 94]

AYES—228

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

NOES—182

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

NOT VOTING—20

Chaffetz
Courtney
Crawford
DeGette
DeLauro
Duffy
Esty
Gohmert
Gosar
Green, Gene
Himes
Hinojosa
Johnson, E. B.
Johnson, Sam
Jones
Larson (CT)
McCarthy (NY)
Negrete McLeod
Pastor (AZ)
Schneider

□ 1344

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.

Stated against:

Mr. HIMES. Mr. Speaker, had I been present for the vote Agreeing to the Resolution, rollcall vote 94, I would have voted "no."

UNITED STATES-ISRAEL STRATEGIC PARTNERSHIP ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 938) to strengthen the strategic alliance between the United States and Israel, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 1, not voting 19, as follows:

[Roll No. 95]

YEAS—410

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
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Green, Al
Griffin (AR)
Griffith (VA)
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Hastings (FL)
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Hudson
Huelskamp
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Huizenga (MI)
Hultgren
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Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Jordan
Joyce
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Keating
Kelly (IL)
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King (IA)
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Labrador
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Lee (CA)
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Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McAllister
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
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Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
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Olson
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Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri

Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
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Reed
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Rice (SC)
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Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
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Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
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Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—1

Massie

NOT VOTING—19

Chaffetz
Courtney
Crawford
DeLauro
Duffy
Esty
Gosar
Green, Gene
Hastings (WA)
Himes
Hinojosa
Johnson, E. B.
Johnson, Sam
Jones
Larson (CT)
McCarthy (NY)
Negrete McLeod
Pastor (AZ)
Schneider

□ 1355

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HIMES. Mr. Speaker, had I been present for rollcall vote 95 on passage of H.R. 938, I would have voted "aye." I am proud that my colleagues on both sides of the aisle came together in support of continuing our nation's strong relationship with Israel and promoting Israel's right to defend itself against threats and unprecedented challenges in the Middle East.

SUSPENDING THE INDIVIDUAL MANDATE PENALTY LAW EQUALS FAIRNESS ACT

Ms. JENKINS. Mr. Speaker, pursuant to House Resolution 497, I call up the bill (H.R. 4118) to amend the Internal Revenue Code of 1986 to delay the implementation of the penalty for failure to comply with the individual health insurance mandate, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 497, the bill is considered read.

The text of the bill is as follows:

H.R. 4118

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Suspending the Individual Mandate Penalty Law Equals Fairness Act'' or as the ''SIMPLE Fairness Act''.

SEC. 2. DELAY IN IMPLEMENTATION OF PENALTY FOR FAILURE TO COMPLY WITH INDIVIDUAL HEALTH INSURANCE MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) DELAY IN IMPLEMENTATION OF PENALTY.—Notwithstanding any other provision of this subsection, the monthly penalty amount with respect to any taxpayer for any month beginning before January 1, 2015, shall be zero.''.

(b) DELAY OF CERTAIN PHASE INS AND INDEXING.—

(1) PHASE IN OF PERCENTAGE OF INCOME LIMITATION.—Section 5000A(c)(2)(B) of such Code is amended—

(A) by striking ''2014'' in clause (i) and inserting ''2015'', and

(B) by striking ''2015'' in clauses (ii) and (iii) and inserting ''2016''.

(2) PHASE IN OF APPLICABLE DOLLAR AMOUNT.—Section 5000A(c)(3)(B) of such Code is amended—

(A) by striking ''2014'' and inserting ''2015'', and

(B) by striking ''2015'' (before amendment by subparagraph (A)) and inserting ''2016''.

(3) INDEXING OF APPLICABLE DOLLAR AMOUNT.—Section 5000A(c)(3)(D) of such Code is amended—

(A) by striking ''2016'' in the matter preceding clause (i) and inserting ''2017'', and

(B) by striking ''2015'' in clause (ii) and inserting ''2016''.

(4) INDEXING OF EXEMPTION BASED ON HOUSEHOLD INCOME.—Section 5000A(e)(1)(D) of such Code is amended—

(A) by striking ''2014'' (before amendment by subparagraph (B)) and inserting ''2015'', and

(B) by striking ''2013'' and inserting ''2014''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2013.

The SPEAKER pro tempore. The gentlewoman from Kansas (Ms. JENKINS) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentlewoman from Kansas.

GENERAL LEAVE

Ms. JENKINS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on H.R. 4118.

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

There was no objection.

Ms. JENKINS. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CAMP), the illustrious chairman of the House Ways and Means Committee.

□ 1400

Mr. CAMP. Mr. Speaker, I thank the gentlewoman from Kansas for yielding.

I rise today in support of H.R. 4118, the SIMPLE Fairness Act, which would give Americans some much-needed relief from the added costs of ObamaCare.

I don't need to remind the American people about the failed launch of the health care law, but a failed Web site is the least of Americans' health concerns.

Millions of Americans, including over 200,000 in my home State of Michigan, went out to the mailbox and found that the health care plan they had and liked was canceled.

Millions of Americans are having their hours and wages cut as employers try to struggle with this complex law. Many find that they can no longer access the care that they relied on from their local doctor or hospital. Millions of Americans are left wondering what happened to their promised $2,500 reduction in premiums. And next year, millions more will see their premiums skyrocket again due to the administration's failure to meet their own enrollment goals.

The American people have paid over and over for this health care law. They have paid higher premiums, and they have paid by having their hours cut back and their paychecks decreased. The last thing this law should do is penalize Americans for being unable to purchase a plan on healthcare.gov either because of multiple Web failures or that they were unable to find an affordable plan.

The Obama administration unilaterally exempted businesses from the employer mandate tax for 2014. SIMPLE Fairness demands that Congress provide the same relief to hardworking Americans.

When Congress can act to provide some relief for hardworking Americans, we should. Every Member here has heard from a frustrated constituent. This shouldn't and need not be a partisan fight. Granting relief to hardworking Americans is only fair. Voting ''yes'' on H.R. 4118 is the right thing to do for the people we represent.

Mr. LEVIN. Madam Speaker, I yield myself such time as I shall consume.

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

Mr. LEVIN. Well, here they go again. But this time, it is the 50th time that House Republicans have brought up legislation to repeal or to undermine the Affordable Care Act. But this 50th time is no golden anniversary. It is a House Republican goose egg for millions of Americans. Just look at this—fifty votes, but zero votes to raise the minimum wage, zero votes to renew unemployment insurance, zero votes to guarantee paycheck fairness, and zero votes to pass immigration reform.

So let's spend a minute looking exactly at what would be the impact of this if it became law. In 2014, we would see an additional 1 million uninsured—1 million. In 2015, 2 million more people

would be uninsured than if the individual mandate stayed in effect, and in 2016, another million people.

The irony of this, and I think my colleagues on the Democratic side will speak to this, the irony is the individual mandate was a Republican idea. It was born out of the conservative Heritage Foundation in the eighties. And throughout the nineties, Republicans argued its merits. It was one of the foundations of the Massachusetts law. Its parent, at least in good measure, was Governor Mitt Romney.

I met an hour or so ago with representatives of a major insurance carrier in Massachusetts, and one explained how it is working—97, 98 percent of the people are covered. That law has sparked an improvement in the delivery of health care and in the restructuring of health care delivery systems. So here we are, instead of constructive action, essentially, we have a Republican demolition squad.

Can any law be made perfect? Yes, including this. But that isn't what the Republicans are after today. They have never come up with their own plan. Indeed, they are a wrecking crew. America deserves much better.

I reserve the balance of my time.

Ms. JENKINS. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, the enforcement of the individual mandate penalty tax is an important issue, an issue of basic fairness, and I look forward to debating this legislation on the House floor.

On February 10 of this year, the Department of the Treasury announced that it would delay enforcement of the employer mandate penalty tax for businesses with 51 to 100 employees until 2016. This delay in the President's health care law comes on the heels of a similar delay the administration announced last July, which exempted all large businesses from the employer mandate penalty until 2015.

Amidst all of these delays, it is easy to forget that the employer mandate, like the individual mandate, was required by the Affordable Care Act to be in effect right now. The President has now acted unilaterally on two separate occasions to give Big Business relief from this tax burden. However, he has not leveled the playing field for the millions of individuals and families who are forced to comply with the individual mandate tax.

Aside from the fact that it is fundamentally unfair to give businesses special treatment that is not extended to these individuals, American families have also been forced to deal with a botched rollout of healthcare.gov and a series of confusing administration delays of the law issued via blog post. This has led to confusion, frustration, and, ultimately, difficulty complying with the law.

Nowhere is this more evident than the fact that only 4 million Americans have enrolled in health coverage on the healthcare.gov Web site. This means that with less than a month to go in this initial open enrollment period, we are still 3 million enrollees short of the original CBO projection of 7 million enrollees—one that even the administration once touted as its goal. Enrollment is still 2 million enrollees short of CBO's new projection of 6 million enrollees.

These millions can be added to the tens of millions of other American individuals and families who will now likely be forced to pay the individual mandate penalty. In my State, Kansas, the latest census information estimates that 356,000 folks are uninsured. At the last count, only 22,000 of those individuals have enrolled on healthcare.gov.

Unlike businesses, the President has offered no relief for these individuals who do not or are unable to comply with the law's mandates. I believe that this is simply not fair and that the House must act to provide parity for these folks. That is why I have introduced this bill under consideration today.

H.R. 4118 would eliminate implementation of the individual mandate penalty by 1 year. This means that the individual mandate penalty would be zeroed out this year. It would rise to $95 or 1 percent of income in 2015, to $325 or 2 percent of income in 2016, and $695 or 2½ percent of income in 2017 and thereafter. I believe this is a simple concept, and considering the circumstances, I applaud this committee for taking up this legislation to provide fairness to all Americans under the President's health care law.

In closing, I would ask this: If the President can delay the employer mandate, where is the relief for everyone else? It is time to give relief to hardworking individuals and families and work toward a legislative solution to eliminate these tax penalties for everyone. Congress must pass this bill today and create simple fairness for all.

I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, it is now my special pleasure to yield 3 minutes to the gentleman from California (Mr. WAXMAN) with whom those of us on Ways and Means have worked all of these years on health care reform. He is one of the authors of this bill and the ranking member of Energy and Commerce.

Mr. WAXMAN. Madam Speaker, I thank the gentleman for yielding to me.

The truth of the matter is no matter how many votes the Republicans cast to repeal the Affordable Care Act and no matter how many distortions they spread about the law, there are some facts they cannot change.

They cannot change the fact that, because of the Affordable Care Act, nobody in America can ever again be denied health insurance because they have a preexisting condition. They cannot change the fact that a woman can never be charged more than a man for the same coverage. They cannot change the fact that a family will never again be left without coverage just because their child's hospital bills got too high.

These facts are stubborn and they are inconvenient for my Republican colleagues, so they ignore them and they deny them. Republicans have voted—or will today—50 times to try to take away the basic security and freedom guaranteed by the Affordable Care Act. They offer absolutely no solutions for the tens of millions of Americans who need health care coverage that is secure and affordable. They have voted to repeal the law, but they have never once voted for a replacement.

Madam Speaker, if the Republicans have a solution that will expand coverage, that will end discrimination by insurance companies, and that will reduce the deficit, they need to bring it up for a vote. But they do not have solutions. What they want to do is deny health insurance coverage to millions of Americans. That is a shame, and I think we are wasting our time today voting again to turn our backs on a bill that will offer so much to the American people.

Don't we have anything else to do? All we seem to do is deny science, which is the bill that will be coming up next, when the Republicans want to stop EPA from dealing with the climate change issue or denying the rights of people to get health insurance, which the Republicans have voted over and over again to do.

I urge that we vote ''no'' on this bill.

Ms. JENKINS. Madam Speaker, I yield 2 minutes to the gentleman from Texas, Chairman KEVIN BRADY, our chair of the Ways and Means Health Subcommittee.

Mr. BRADY of Texas. Madam Speaker, I rise today in support of the SIMPLE Fairness Act and thank the leadership of the gentlelady from Kansas in this area.

Back home, my people are frightened about the Affordable Care Act. They don't think it is a waste of time to be trying to fix and repeal and stop this. They are paying a very steep price for it.

President Obama made them some big promises when he sold them this health care plan. He promised Americans could keep the plan they like. He promised lower health care costs. He promised a functioning Web site that he said would work as well as Amazon. The White House hasn't delivered on any of these promises.

Where I am from, if you make a mistake, if you don't keep your promise, you step up and fix it. You don't blame those you have hurt. No American should have to pay a penalty because ObamaCare fell short of its promises. No American should have to pay a penalty because the Web site couldn't even accept their application or deliver the correct information. No American should be penalized for trying days on end to purchase a plan only to decide it wasn't worth the effort because it was

too expensive. No American should be penalized because they are concerned about the security of their private information on this government Web site, and no American should be penalized by the IRS because of sticker shock or deciding not to purchase a plan that is so much more expensive than what was promised.

President Obama gave Big Business a break; he deserves to give average Americans the same type of break, as well. SIMPLE Fairness requires that we do the same for the American people. That is all this is about. It is all we are doing today, treating average Americans who are hurt by the Affordable Care Act the way the White House helped Big Business with the same exact problems. The American people deserve the same relief. We ought to give it to them. That is why this bill is called the SIMPLE Fairness Act, and it deserves our support.

Mr. LEVIN. Madam Speaker, I now yield 3 minutes to the gentleman from New York (Mr. RANGEL).

I also ask unanimous consent that the balance of my time be managed by the gentleman from Washington (Mr. MCDERMOTT), the ranking member on the Health Subcommittee.

The SPEAKER pro tempore (Ms. FOXX). Is there objection to the request of the gentleman from Michigan?

There was no objection.

□ 1415

Mr. RANGEL. Madam Speaker, my colleagues, there is a cancer growing in the Republican Party in the House of Representatives, and as much of a Democrat as I am, I hate to see this happen because our government is based on a two-party system. Now this cancer, this small group of people in the Republican Party in the House, have already torn down the credibility of the entire House of Representatives because they are doing the same insane thing 50 times without getting any results, and they are not doing anything else. It is bad enough that all of us have to go down in political favoritism, or our reputations go down, but this small group of people have gone far enough now that the national Republican Party has no credibility.

I will not embarrass anybody by asking them just who do you think nationally should serve our country from, pardon the expression, the Republican Party. You have none. Somewhere along the line, this insanity has to stop because you are not beating up on Democrats, you are beating up on people who have no health insurance.

If you don't like the President, if you don't like this bill, let's talk about the millions of people who have no health insurance instead of just for the 50th time saying you don't like the bill. It is the law. The House and the Senate have signed it. The Supreme Court has verified it. The President can veto anything you do if something did happen.

Why don't we talk about immigration reform? Rebuild the integrity of your great party from past years. Why don't we talk about the minimum wage, where all candidates will say if you work hard in America and do the right thing, then you can achieve anything you want. If you are middle class, you can achieve poverty. If you are in poverty, you can't even get a decent wage for working. There are so many things we can do.

Don't you remember the days before the Affordable Care Act when you had constituents coming in saying: I can't get insurance? How about the days when people would say: My husband was in the hospital and they cut off insurance. Or even worse: I tried to get insurance and they told me I was so sick, so I can't get any more insurance. Or the guy who is working and he is on his parents' insurance, and he is 26 years old. Don't you have any of these people in your congressional districts? Are all of your people well and can do without health insurance?

How do you go home and explain that we do have a bill and instead of perfecting it, supporting it, educating your people how they can get health insurance, that you have tried not once, you have tried 10 times, 20 times, 30 times, 40 times, now 50 times to derail and destroy it.

I don't know how you get away with it. I don't know what you put in the water that you feed your constituents, but it certainly doesn't make sense that you can try to destroy and at the same time not to substitute.

The SPEAKER pro tempore (Mr. FORTENBERRY). Members are reminded to address their remarks to the Chair.

Ms. JENKINS. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. RENACCI), our colleague and friend on the House Ways and Means Committee.

Mr. RENACCI. Mr. Speaker, I rise today in strong support of H.R. 4118, the SIMPLE Fairness Act.

According to a recent Gallup poll, 51 percent of Americans disapprove of the President's health care law, and for good reason.

The rollout of the failed, misguided law was nothing short of disastrous. Its plagued Web site prevented many Americans from purchasing health insurance on the Federal and State exchanges. Though the President promised lower costs, many are facing the reality of higher premiums and a steep penalty if they cannot afford the plans that are offered.

Recently, the administration delayed the employer mandate for a second time, leaving intact the mandate that requires individuals to purchase health insurance or pay a fine.

The bill before us today would ensure that no American will be forced to pay the individual mandate penalty tax in 2014. It is evident to this Chamber and Americans across the country that the President's health care law is too complex, too costly, and completely unworkable. Ultimately, this law should be fully repealed, but I am here today because I believe that all hardworking Americans deserve relief from the President's health care law.

Congress should afford individuals the same advantage the administration is giving to businesses and delay the individual mandate. It is simply common sense. I ask my colleagues to come together and pass this important bill and send it to the President to be signed into law.

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

Madam Speaker, today is a little like ''Groundhog Day.'' The Republican leadership has come out here and tried to decide what the weather is going to be, and they are going to get the same answer that they have gotten 49 times before. They can pass it from here, but it is not going to change anything. We have seen this poorly designed, sadly staged GOP political theater before—50 times. This is the 50th vote of this Tea Party, Koch brothers-led Congress to crash the Affordable Care Act.

It is a waste of time and resources, and ignores the facts. Americans want affordable health care, and ACA delivers it to them. ACA has saved lives and brought down our spending. New fraud measures, including new authorities imposing payment suspensions and more rigorous-provider enrollment procedures put into law by ACA, helped the Federal Government recover $4.3 billion in taxpayer money from individuals and companies that tried to defraud the health care programs. The ACA is delivering historic results for the American people, and yet the Republican leadership is hell-bent on a 50th stroke.

Regardless of the fact that our economic system remains stuck in neutral, nothing has been done about jobs, unemployment insurance, raising the minimum wage, and so forth.

If that was all that was going on here, this would still be insulting and absurd. The bill under consideration today, H.R. 4118, is virtually identical to H.R. 2668, a bill passed on the 17th of July, 2013. The Republicans have already passed this bill to delay the individual mandate, something the CBO knows will result in higher insurance premiums. So beyond wasting time and engaging in stunts designed to make the producers of FOX News happy, Republicans want to return Americans to the days before ACA, when a cancer victim couldn't get covered and seniors couldn't get their prescriptions; to the day when wage workers who had paid hundreds of dollars out of pocket went without; to the days of ever-changing lists of preexisting conditions when companies tried to drop coverage.

The real business of the Congress should be to stand up for those Americans and millions more like them. That is what the American people want. That is what the American people deserve. That is why they want us to vote ''no.''

Jim McCrery, in March, 2000, said in an article in Atlantic Monthly that an

employer mandate and an individual mandate was essential.

I can't understand the Republicans saying we don't want everybody to play. We don't want everybody according to their ability to be in. Why are you so eager to let people out the door because they are going to wind up in the emergency room? Have no doubt, they will be getting health care, but they won't be paying for it. You are saying: That's okay with us, we like people who are free riders. That is not America. We are all supposed to do our part, and that is why everyone here should vote ''no.''

I reserve the balance of my time.

Ms. JENKINS. Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. YOUNG), our friend and colleague on the Ways and Means Committee.

Mr. YOUNG of Indiana. Madam Speaker, as we approach the deadline for enrolling in ObamaCare-sanctioned insurance, it has become clear the system is not working as its supporters intended. For months, we have been learning about Web site problems, spiking premiums, and lost coverage. For months, we have seen an underwhelming number of signups, not even close to matching the stated enrollment goals of this administration. For months, we have heard heartwrenching stories from our districts about the negative impact this botched rollout has had on hardworking American families.

Unfortunately for those families, the White House and those who helped bring us this law have consistently turned a deaf ear to Americans' concerns. Meanwhile, at the urging of the business community, we had the White House delay the employer mandate tax—twice. What must the constituents in our districts do to be heard by ObamaCare supporters? Should they form trade organizations and hire a lobbyist so maybe President Obama and champions of this law will listen?

Well, guess what? My constituents did hire someone to lobby on their behalf when they elected me to Congress. It is simply not fair when businesses get a break but the people who work at those businesses do not. I am all for delaying the employer mandate tax because it is confusing and it is cumbersome for our businesses. I also feel very strongly that the individual mandate tax is just as cumbersome for individuals and families as the employer mandate tax is for our businesses. I believe that individuals and families deserve the same sort of delay. So on behalf of my constituents in Indiana's Ninth District, and on behalf of all of yours, I encourage all of my colleagues to support this bill and to support simple fairness.

Mr. MCDERMOTT. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I rise in strong opposition to H.R. 4118, the 50th vote to repeal the Affordable Care Act, which, if passed and implemented, would increase premiums, decrease coverage, and increase the number of people who are not insured by as much as 11 million people in this country. It is unbelievable that we would be on the floor voting for the 50th time to try and turn back the clock on millions of Americans who have been denied health insurance coverage because of a preexisting condition, didn't have enough money, or did not have accessibility to facilities.

In Illinois, over 256,000 individuals benefit from the Affordable Care Act. Nationally, more than 4 million Americans have enrolled in private plans, with 82 percent receiving premium tax credits to make health insurance more affordable. More than 3.1 million young adults have access to health insurance by remaining on their parents' plans until age 26. Millions more Americans have secured new coverage through Medicaid expansion.

Rather than decreasing or taking away, the Republican leadership and all of us ought to be increasing and providing. We ought to be affording individuals the opportunity to get insurance because they are unemployed—to get a check. So it is amazing that rather than giving, we would be talking about taking, taking away, when the law says and all of us know that everybody ought to have access to quality health care.

I oppose this legislation.

Ms. JENKINS. Madam Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. ROE), my friend and colleague.

□ 1430

Mr. ROE of Tennessee. Madam Speaker, I thank the gentlelady for yielding to me.

I rise in support of the SIMPLE Fairness Act and a level playing field for all Americans.

In the span of about 7 months, the Obama administration has taken action twice to provide big businesses with relief from the President's disastrous health care law. Working families, however, are still being forced to comply with the individual mandate.

Over the last year, President Obama's broken promises on health care become almost too numerous to count. Americans were told that if they liked their health care plan, they could keep it. Tell that to the 82,000 Tennesseans who were forced out of their coverage by ObamaCare.

Americans were told that ObamaCare would lower the cost of insurance. Explain that to the 11 million people that CMS has determined will have their premiums increase.

We were told by the Democratic leader that ObamaCare would create jobs. I invite her to have a conversation with the workers at Mountain States Health Alliance in my district who lost their jobs. Even the CBO agrees that this law is discouraging work.

Throughout the implementation of ObamaCare, the one thing the President has held firm on is that working families must buy insurance—or else. He has promised a veto on this commonsense legislation simply because it delays individual mandate penalties for 1 year.

Here in the people's House, we should stand for their interests and treat people the same as big businesses. It is only fair.

Madam Speaker, I would argue that if this bill is doing so well, why would only 34 percent of the people in this country approve of it?

I urge my colleagues to support this bill.

Mr. MCDERMOTT. Madam Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, it is a pleasure for me to follow my good friend, Dr. PHIL ROE, on the floor because we spent last weekend—speaking of health care—along with Mr. MCDERMOTT—in Houston, Texas, at a fabulous conference by the nonpartisan Commonwealth Fund to be able to deal meaningfully with health care problems and bring people together on a bipartisan basis to discuss them.

I know some things we have to do and have got to come to the floor to repeal this 50 times, but I would hope that, sooner rather than later, we reach a point where we can focus on things that bring Americans together, not divide them, something that will improve the quality of health care and actually has nothing to do with spending money, new mandates, or ObamaCare.

I am referring to the legislation that I am pleased to have cosponsored with my good friend, Dr. ROE, H.R. 1173, the Personalize Your Care bill. It has over 50 bipartisan cosponsors. It would enable, for the first time, to provide voluntary consultation on advanced care planning for Medicare and Medicaid.

Every 5 years or when somebody becomes first eligible, it would provide grants to establish and expand programs for physician-ordered life sustaining treatment. It would require that certified electronic health records could display current advanced directives and physician orders for sustaining treatment.

Bear in mind, right now, every day, there are people who are getting health care at their most critical vulnerable moments, at the end of life, that is not necessarily what they want.

The majority of Americans would rather spend their last hours or days surrounded by their families at home, but very few Americans actually are able to do that. They end up in an ICU, not necessarily because that is their choice, but because their choices haven't been recorded and haven't been respected.

It is fascinating to me that Dr. Billy Graham, in his recent book, talks about the Christian responsibility to spare one's family from impossible decisions like that, that it is a Christian

responsibility to have that conversation in advance, execute the appropriate papers, and make sure nobody has to guess about whether a loved one wants to be in an ICU or at home.

Dr. Bill Frist, a fellow Tennessean of my friend Dr. ROE, had an op-ed in Politico a few months ago talking about his experience. Dr. Frist was a former Republican majority leader in the Senate, but he is also a respected physician.

The SPEAKER pro tempore (Mr. FORTENBERRY). The time of the gentleman has expired.

Mr. MCDERMOTT. I yield the gentleman an additional minute.

Mr. BLUMENAUER. He is also a respected heart surgeon who has faced families in this circumstance, and he knows that they need information, that they need help, and that their wishes need to be respected.

Now, maybe instead of repealing ObamaCare the 51st or the 58th or the 100th time—legislation is not going to go any place—maybe we could take a little bit of a time out and consider the legislation that Dr. ROE and I have worked on that is not partisan, that doesn't have anything to do with ObamaCare, that would enable families in their time of need to know what their choices are and to make sure that their choices, whatever they might be, are respected, they are respected in their city, they are respected across State lines, that they protect their family, and that they get the care they want and they need as they approach end of life.

Mr. Speaker, I hope that we will find time this year from passing post office renaming and whatnot, this is a piece of legislation that could come to the floor on the suspension calendar and would make a difference for families all across America.

Ms. JENKINS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia, ERIC CANTOR, our current Republican House majority leader.

Mr. CANTOR. Mr. Speaker, I want to thank the gentlelady and congratulate her on her leadership for this bill and making sure that we reinsert a notion of fairness back into the law for the people of this country.

Mr. Speaker, I rise today in support of the SIMPLE Fairness Act.

For the past few months, the President's health care law has been wreaking havoc on the American people. After the administration's disastrous launch of the exchanges, ObamaCare has been anything but what the President had promised it would be. It has become very clear that this law is doing more harm than good.

We now know that ObamaCare has pushed up to 5 million people off the health care plan they liked, and many are now being denied the care they had. To make matters worse, many of these new plans will force Americans to pay higher premiums and higher deductibles. This leaves them with a limited number of options for health care coverage.

Many folks are also finding out that they cannot keep the doctor or the pediatrician that they want to go to and trusted. To put it simply, this is not how America should work. The American people deserve better.

Yet, time and again, the Obama administration has shown its true colors by putting politics first and unilaterally delaying parts of the law to avoid political repercussions. This has become most evident by the administration's delay in the employee mandate for big businesses and its refusal to delay the individual mandate for working Americans.

Just yesterday, it was reported the administration will announce another major unilateral delay on their minimum coverage requirements to—and I quote the publication The Hill—''ease election pressure on Democrats.''

Doesn't it say something that the authors of this legislation are worried that it is being implemented before they face voters again?

And I ask: Will future Presidents, perhaps of our party, be able to simply delay or cancel all or part of ObamaCare? Will my colleagues on the other side of the aisle withhold complaint then?

There is no greater indictment of this law or proof of its failure than the fear that full implementation invokes in its authors.

It is not fair to pick and choose which parts of an unpopular law should be enforced at the expense of working individuals for political expediency, and it is just not fair that businesses and insurance companies get delays and exemptions and not hardworking Americans. It is not fair.

Millions of Americans all over the country are already living paycheck to paycheck. The last thing they need is another brazen attack on their pocketbooks from a health care law they don't want, they didn't ask for, and that doesn't work for them.

Through this administration's ad hoc implementation of ObamaCare, some people won't have to pay the penalty, but others will. Here is who I am concerned about and who the bill before us today protects, the single mom, who for whatever reason ended up without insurance for several months.

She doesn't need a new tax bill from Uncle Sam for hundreds of dollars because she can't access the coverage that Washington says she must. She could use that money to pay the heating bill or to buy groceries for her children.

All Americans—not just some—but all Americans deserve a delay from the punishing financial penalties of the President's health care law. This is our chance to make it happen. With the legislation before us today, no one in this country would be forced to pay the individual mandate tax in 2014.

This is an opportunity to stop the political games and put working Americans first. Let's stand together and support the SIMPLE Fairness Act in bipartisan fashion and give our constituents some relief from the financial burdens of ObamaCare.

I would like to thank Chairman DAVE CAMP and Representative LYNN JENKINS for their hard work on this issue and on behalf of working Americans.

I urge my colleagues to support this important legislation.

Mr. MCDERMOTT. Mr. Speaker, may I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from Washington has 12 minutes remaining. The gentlewoman from Kansas has 15½ minutes remaining.

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

Ms. JENKINS. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana, STEVE SCALISE, the chairman of the Republican Study Committee.

Mr. SCALISE. Mr. Speaker, I thank the gentlelady from Kansas for yielding and for her leadership on this bill that I am proud to cosponsor.

The SIMPLE Fairness Act is about just that, providing fairness for hardworking taxpayers. If you look at how the President's health care law is being implemented, Mr. Speaker, you have got the President literally saying he is going to give exemption after exemption after exemption to the political class, to the select few who have special interest protections here in Washington.

The President, by the way, has said: Big businesses can get exemptions from ObamaCare. The President has said: Insurance companies can get exemptions from ObamaCare.

But then, when it comes to hardworking taxpayers, families out there who are struggling under the weight of this law, the President says no, you can't have that same exemption that he has given to everybody else.

So what we are saying here, Mr. Speaker, is if these exemptions are good enough for big businesses and if these exemptions are good enough for insurance companies, shouldn't they also be good enough for hardworking taxpayers who are struggling in this bad economy that the President has given us and under the weight of this unworkable law, that the President himself is acknowledging is unworkable, by giving all these exemptions away to everybody else?

Now, if you look at the law, Mr. Speaker, the President doesn't have the legal authority to just waive a law—to literally take out a pen and change the law.

What the President does have is the ability to work with us in Congress in a bipartisan way, which when you look at the vote on this bill, it will be bipartisan in support of giving these hardworking taxpayers that same exemption.

But this law, ObamaCare, is built on a foundation of broken promises. If you like what you have, you can keep it, of course, is probably the most broken promise in political history; but there is more. The President said insurance

costs will be lower. Insurance costs are higher for families.

The President even said he will meet with anybody who has a better idea. Well, we do have a better idea, Mr. Speaker. Over 120 Members of Congress, including medical doctors, have cosponsored the American Health Care Reform Act.

We took the President up on his promise, now almost 3 months ago, and the President has refused to fulfill that promise of meeting with anybody who has a better idea. He won't even sit down and talk with us about a better idea to put patients back in charge of health care.

There is a better way. We ought to treat people fairly. This bill does it. I urge adoption.

Mr. MCDERMOTT. Is the gentlelady from Kansas ready to close?

Ms. JENKINS. I see no other speakers, so I am prepared to close.

Mr. MCDERMOTT. Mr. Speaker, I have one Member who is in transit, but let me say a few things until he gets here.

□ 1445

I have been in Congress for 25 years, and I have listened to the Republicans talk about what we ought to do about health care. They have never brought a bill to the committee—a chairman's mark—for us to mark up and bring out on the floor.

Now, if you have a solution for the fact that health care costs are the biggest costs driving bankruptcy in this country, where is it since you don't like what we have here?

When I was younger, I lived through the implementation of Medicare. The American Medical Association—everybody—was just up and down, and it was the worst thing. If we put in Medicare, it was going to be the end of the world, and we would never have health care again in this country. We went on and on and on like that. They so poisoned the well that, when people went out to actually recruit people to get into the Medicare program, people said: I am not going to have any of that socialistic medicine in my house.

That is what it was called. That is what people were doing in 1964 and 1965. This is a rerun of that very same movie. The Republicans want to kill the idea and leave the American people out there on their own. It is probably the single best example of the difference between the Republicans and the Democrats.

The Democrats have put something out here, and we are trying to help all Americans. Is it perfect? There isn't anybody on my side who would say it is. If we had had some hearings in the Ways and Means Committee, the subcommittee could have done a whole bunch of things—there are all kinds of problems out there—but there haven't been any hearings on this bill, on how to fix it.

I talked to Bill Frist some months ago. He said: Jim, there is no reason to repeal it. You ought to fix it. Make it work. Make it work for the American people.

One of the interesting things that I hear over and over again—and it must be confusing to folks at home—is that the President said: If you like your health care, you can keep it. Now, implicit in that is that it will still exist. The President didn't say: I am going to tell the insurance companies you have got to keep those plans out there.

That wouldn't be the free enterprise system, what you have. You don't like the free enterprise system.

As soon as the President passed this bill, immediately, we had people in the insurance industry pulling down plans all over the country, sending out mailings, saying: You have lost your health care coverage.

I sometimes wonder if global warming—or climate change—is really not because of Obama's health care. I hear that it is the cause of every evil—of people losing jobs. I don't know. Whatever is going on in the country, it is because of ObamaCare. That is foolishness. When you are trying to change a program for 20 or 30 million people, you are bound to have some problems. We are having them, and we are working them out. It was awful at the beginning, and it is better now. It is better today than it was 3 months ago, and it will be. It will continue to improve because the American people need it. They absolutely need it even with the foolishness coming out of here, of trying again to convince the American people to get rid of this.

I had a woman in my district who was an opera singer. She went to Germany, and she got into the German health care system. Instantly, boom, you are in. Anybody who goes to Germany is in. Her daughter got leukemia. Her daughter was treated for leukemia, and she went into remission. The mother finished her contract and came home to the United States. She could not find an insurance company anyplace in this country that would give her insurance for her daughter—none.

Now, that is what you want to go back to. You want to go back to the time when a parent can't find an insurance company that will take care of his kid, and that is the kind of thing that we have been watching for as long as I have been in Congress and before that, and this bill has begun to stop that.

We had lifetime limits. Some cancers eat up a lot of money real quickly. Bone marrow transplants are $125,000 or more, and people wind up being unable to purchase the medication. All of that is covered by this bill, and you are saying to people: No, we want to go back to 1930. We like the Dust Bowl. We like the hard times of the thirties. We don't want any of this stuff.

In my view, this is a perfect place for Democrats to vote ''no,'' and Republicans, of course, will vote ''yes,'' and the American people will make a judgment in the next election.

I yield back the balance of my time.

Ms. JENKINS. Mr. Speaker, in closing, this bill is about fairness and about providing relief to all hardworking Americans just as the administration keeps giving to businesses. It is about leveling the playing field for the millions of individuals and middle class families who are forced to comply with this health care law.

Just last week, a stunning poll found that only 6 percent of Americans claim ObamaCare is working and want it kept intact. Opposition to this law is at an all-time high, and even the President admitted that the launch of this law was fumbled. Add that to the millions of Americans who are losing their health insurance that they like, are losing access to the doctors they have always seen, are submitting their personal data to an unsecured system, are paying higher premiums they can't afford, and clearly, we have a law that is not working and is not fair to the American people.

The court of public opinion is a powerful thing. The House will listen, and it will continue to listen, and it will continue to provide relief and fairness to middle class families. I hope the Senate and the President will also do the right thing for the American people.

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

Mr. DEFAZIO. Mr. Speaker, I have always said that Congress would need to pass fixes to improve the Affordable Care Act. The original version of the bill that passed the House in 2009, and included my provision to repeal the anti-trust exemption enjoyed by the insurance industry, was much better than the Senate version that ultimately became law. Unfortunately the House Leadership has not allowed us the opportunity to vote on real fixes to the ACA. Instead the Republican leadership continues to engage in an ideological exercise of repeatedly bringing up bills that will never move beyond the House. H.R. 4118 is no different. It won't be taken up by the Senate. The President has threatened to veto it. It is not a real fix.

Instead of bringing up bills that will never become law, Congress should be working on fixes to the Affordable Care Act that will actually help our constituents. Oregonians who want to buy insurance continue to face a state exchange website that does not function. Because of this problem I fought hard to let Oregonians to keep their current insurance plan if they wanted to. Small businesses in Oregon can't use tax credits to help them provide insurance to their employees on the SHOP small business exchange because there still is no SHOP exchange in Oregon, so I am asking for small business tax credits to be available outside of the SHOP exchange.

Americans who want to take personal responsibility for all of their healthcare costs would benefit from an alternative to the individual mandate that I have proposed. My proposal would allow people to opt out of buying insurance without facing a tax penalty as long as they commit to taking full responsibility for any healthcare costs they incur.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition once again to an attempt by the majority to defeat the Affordable Care Act.

This begins the third year that the majority has attempted to put an end to affordable, available and accessible health care for all Americans.

They have ignored the law, a Supreme Court decision and a national presidential election that affirmed the establishment, legality, and popularity of the Affordable Care Act.

I oppose this bill for three reasons: there are much more pressing issues facing our nation, this bill is wrong on the facts, and the Affordable Care Act is working.

There are much more pressing issues facing our nation: unemployment, food security, housing security and access to job training that leads to employment.

We should be debating a bill to restore emergency supplemental unemployment benefits.

We should be restoring cuts the Supplemental Nutrition Assistance Program that was cut by nearly $20 billion dollars over several years.

We should be voting to raise the minimum wage to $10.10 an hour over several years and link future increases of the minimum wage to inflation.

We should be taking up the budget process with eagerness to avoid another government shutdown.

In 2013, we had a Federal government shutdown because we lost precious legislative time voting to repeal or seriously diminish the ability of the Affordable Care Act to do what it is currently doing—providing health insurance to millions of Americans.

Every wasted vote—moves this Congress another step closer to another Federal government shutdown.

The budget process takes months of work by over a dozen committees to complete.

Each vote that stops our legislative work and bring us to the floor for a debate on legislation that will not go anywhere—is time taken away from our work to avoid another government shutdown.

The American people were unaware of the cost of over 40 votes to end Obamacare until millions of citizens were put out of work when the government shutdown last year.

They are watching what is happening in Congress very closely and the consequences will fall heaviest on those who were hurt by the last government shutdown.

The 113th Congress has 70 legislative working days left on the calendar before September 30, 2014—the end of the fiscal year for 2014 and the beginning of the fiscal year for 2015.

I call on my colleagues to bring to the floor bills like H.R. 3773, the Unemployment Jobhunters Protection and Assistance Act, a bill I introduced that would extend emergency unemployment compensation (EUC) payments for eligible individuals to weeks of employment ending on or before January 1, 2015.

This Congress would find a better use of its time if it would take up consideration of H.R. 3888, New Chance for a New Start in Life Act of 2014, that would authorize the Secretary of Labor to make grants to States, units of local government, and Indian tribes to carry out employment training programs to assist long-term unemployed job hunters to obtain the skills and training they need to reenter the workforce and fill jobs in high-growth sectors of the economy.

These are just two bills that would improve the lives of people who we all serve, but there are dozens of others introduced by members who came to the Congress to serve the will of the people and not their own will.

I oppose this bill because it is wrong on the facts.

Republicans are claiming that this bill is simply logical because the Administration has already delayed the employer responsibility provision for one year.

This claim is inaccurate and disingenuous.

Nonpartisan experts agree that there is no comparison between the impacts of a delay in the employer responsibility and individual responsibility provisions.

For example, in a report in July, the nonpartisan Urban Institute concluded, ''Delaying or eliminating the individual mandate would significantly decrease insurance coverage relative to the full Affordable Care Act's implementation, whereas delaying or eliminating the employer mandate will have essentially no effect on coverage.''

The Affordable Care Act is good for the American People

The Obamacare is popular and growing in greater popularity everyday as consumers get past the rhetoric and experience the reality of the peace of mind that health insurance for their families and themselves brings.

Thanks to the Affordable Care Act, in Texas:

5,198,000 individuals on private insurance have gained coverage for at least one free preventive health care service such as a mammogram, birth control, or an immunization in 2011 and 2012. In the first eleven months of 2013 alone, an additional 1,683,800 people with Medicare have received at least one preventive service at no out of pocket cost.

The up to 10,695,000 individuals with preexisting conditions such as asthma, cancer, or diabetes—including up to 1,632,000 children—will no longer have to worry about being denied coverage or charged higher prices because of their health status or history.

Approximately 5,189,000 Texans have gained expanded mental health and substance use disorder benefits and/or federal parity protections.

4,889,000 uninsured Texans will have new health insurance options through Medicaid or private health plans in the Marketplace.

As a result of new policies that make sure premium dollars work for the consumer, not just the insurer, in the past year insurance companies have sent rebates averaging $95 per family to approximately 726,200 consumers.

In the first ten months of 2013, 233,100 seniors and people with disabilities have saved on average $866 on prescription medications as the health care law closes Medicare's so called ''donut hole.''

357,000 young adults have gained health insurance because they can now stay on their parents' health plans until age 26.

Individuals no longer have to worry about having their health benefits cut off after they reach a lifetime limit on benefits, and starting in January, 7,536,000 Texans will no longer have to worry about annual limits, either.

Health centers have received $293,038,000 to provide primary care, establish new sites, and renovate existing centers to expand access to quality health care. Texas has approximately 400 health center sites, which served about 1,079,000 individuals in 2012.

Every day more uninsured Americans are signing up for plans as the website gets faster and more people with insurance are benefiting from the law.

I ask my colleagues on the other side of the aisle to not spend any more precious legislative work on efforts to end the Affordable Care Act or ignoring the number of people continuing to vote in favor of the new law with their insurance enrollment dollars.

Mr. Speakers, I urge my colleagues to join me in voting against this bill.

Mr. POSEY. Mr. Speaker, when the health care law was passed on a party line vote people were assured they could keep their current doctors and insurance plans, it would cost them less, it was not a tax, and there would be no rationing of medical care. Those are not my words. They are the words from the supporters of the bill in the Congress and the Obama Administration.

The stark reality is very different for many of my constituents and hundreds of them have shared with me how this health care law has adversely impacted them. I'd like to share just a few of these comments with you. They are from real people, hardworking Americans who I have the privilege of representing and they are begging for relief:

''My group rate insurance increased 100% and my deductible went from $2,500 to $7,500'' wrote Preston in Brevard, and Margaret says her ''insurances costs jumped 300%.''

Paul in Brevard writes, ''It has created a situation where I can't retire safely.''

Norma in Indian River County says her ''premiums increased $600 per year. That's a lot for someone on a fixed income.''

Tom in south Brevard wrote that the law ''increased premiums and inserted unneeded benefits into our policy.''

Rob in Melbourne fears for his kids, writing: ''My kids cannot find a job and the cost of healthcare is three times more for them than it was previously.'' And another constituent wrote: ''My grandchildren lost their insurance due to the exorbitant increase in monthly premiums by their employer.''

A friend wrote: ''My best friend's hours got cut so the company would not have to provide healthcare for him and his family.'' And, Ed in Titusville wrote of the impact on his daughters: ''Both of my daughters have had their work hours cut [so their employers could avoid providing health insurance].''

Christine in Vero shared: ''With no change in my health, my premiums went up 21% with a $2500 deductible.''

Rob in Melbourne says his insurance costs ''doubled''.

Ralph in Brevard says ''I lost my doctor and am paying for things I don't need.''

Chris in Palm Bay says he ''lost his job and was forced to move and pay higher insurance costs.''

Paul in Palm Bay says: ''The policy increased from $50 a month to $350 a month.''

Terri shares that her doctors won't take her private insurance.

Dave in central Brevard shared that: ''It has DOUBLED my premiums!! I am very upset about Obamacare! FIX IT!''

John says he lost his plan, and Norma writes: ''I have to die, because my medical bills will not be covered.''

I could go on.

This bill simply delays the individual mandate tax penalty for a year so that Americans can pick a plan that they want and that they

can afford, rather than one that the government in Washington tells them they must sign up for.

The President has already given large multinational corporations and labor unions the same waiver. We are simply extending this same flexibility to average Americans who want nothing more than to be treated equally.

Ultimately, when you have to pass a bill to find out what's in it, there's a good chance that you're not going to like what it says. The only way to fix this situation is to repeal this law and replace it with a plan that restores individual freedom and makes health insurance more affordable.

Mr. MARCHANT. Mr. Speaker, I rise today to urge my colleagues to support the Simple Fairness Act and eliminate the individual mandate tax penalty under the Affordable Care Act for a year.

Many of my constituents in the 24th District of Texas have lost their health insurance and access to doctors they liked due to the President's healthcare law. The law is hurting millions of Americans.

The President has recognized as much, as he recently issued another delay that protects businesses from his employer mandate tax. In fact, the President has delayed provisions in his own healthcare law over 20 times in the past year.

It is simply not fair for the President to give businesses a one-year delay on the tax penalty, but not give hardworking individuals and families the same relief.

My constituents, and all Americans, deserve the same thing: fairness.

I encourage my colleagues to join me in supporting the Simple Fairness Act.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to recognize the 50th time this House of Representatives has tried to repeal, defund or dismantle the Affordable Care Act.

What a sad Golden Anniversary moment for the GOP.

The Affordable Care Act, which has already helped millions of Americans, is the law of the land. Instead of playing politics, let's instead work together to address concerns over its implementation while upholding its mission: to provide quality, affordable healthcare access for all Americans.

With Americans facing so many real, pressing issues every day, I urge this Congress to focus on achieving results and serving our constituents.

Two million Americans, including about 110 thousand Floridians have lost their unemployment insurance. Our immigration system is in dire need of common sense and comprehensive reforms. Women still make less than men while working equal jobs.

The list goes on. We have work to do. We have a duty and responsibility to serve the interests of the American people. These pointless partisan attacks on the Affordable Care Act must stop.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 497, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HORSFORD. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HORSFORD. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Horsford moves to recommit the bill H.R. 4118 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following new section:

SEC. 3 PROTECTING CONSUMERS FROM PREMIUM INCREASES AND DISCRIMINATION ON THE BASIS OF PRE-EXISTING CONDITIONS.

Nothing in this Act shall be construed to alter, impact, delay, or weaken—

(1) section 1402 of the Patient Protection and Affordable Care Act that reduces out-of-pocket costs and cost-sharing for individuals and families,

(2) sections 1001 and 1401 of such Act that provide tax credits and rebates for health insurance, or

(3) section 1201 of such Act that prohibits discrimination on the basis of pre-existing conditions and gender.

Ms. JENKINS. Mr. Speaker, I reserve a point of order against the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from Nevada is recognized for 5 minutes in support of his motion.

Mr. HORSFORD. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

This Republican bill represents the 50th attempt to undermine and repeal the Affordable Care Act. The Democratic motion to recommit lowers out-of-pocket costs, secures tax credits and rebates, and ensures no discrimination against those with preexisting conditions.

The bill would delay the individual responsibility provision of the Affordable Care Act to purchase health care by 1 year, which would directly impact the out-of-pocket costs of consumers and threaten the ability of millions of Americans with preexisting conditions to have health coverage.

The nonpartisan CBO estimates that the enactment of the Republican H.R. 4118 would increase the number of uninsured by 1 million in 2014, by 2 million in 2015, and by 1 million in 2016. That is 4 million Americans who would not have access to health insurance otherwise.

The White House pointed out this morning that the individual shared responsibility provision is essential to ensuring that 129 million Americans with preexisting conditions can get coverage without being charged more or losing coverage when they get sick.

Mr. Speaker, this bill is just another example of House Republicans playing political games rather than working together to get things done for the American people. This is no longer about helping people. It never really was for the Republicans. These repeal votes are about ideological purity. They are about politics for the sake of politics. That is why people across America are frustrated and disappointed by this Congress—because this Chamber has become a bubble, and Republicans have stopped listening and have stopped working on anything productive.

It is not just on health care. It is on giving Americans a raise by increasing the Federal minimum wage. It is the refusal to bring up comprehensive immigration reform even though there are votes in the House to pass it. It is on unemployment insurance and on the failure of this Congress to extend benefits to now more than 2 million Americans who have lost coverage. It is about creating jobs and helping to improve and grow our infrastructure.

Now, this vote may seem routine. It may seem like this is just Congress' continuing Groundhog Day, but this is the 50th time that we have done this. We are wasting time, and we have a full docket of things that we need to be doing. This vote is a symptom of something very wrong in Washington, and it is time to wake up and to do something more than play Tea Party politics in this House. The bill offered by my colleagues on the other side would increase out-of-pocket costs to American consumers. It would increase health premiums and the number of uninsured Americans, and it hurts those with preexisting conditions.

Last year, I underwent a six-way bypass. Open heart surgery—no question—was terrifying, and when you are on an operating table in an emergency room, the last thing you should be focusing on is becoming medically bankrupt. You should be focusing on taking care of yourself and your family and on getting them the best care that you can. Whether it is heart disease, cancer, diabetes, or any other preexisting condition, people shouldn't go bankrupt because of an illness or a disease in this country.

Thankfully, my surgery went well. I was able to afford it. My heart condition is now a preexisting condition. There are thousands of my constituents who are in the same or worse boat but who are not financially well off. If we repeal or delay the Affordable Care Act, what are they supposed to do? There is no solution being offered by the House Republicans. It is not repeal and replace. It is repeal and return to a broken health care system. That is it. That is the Republicans' plan.

Last year, they passed H.R. 2668, a virtually identical bill to the one we are considering today. They have run out of ways to repeal this law, so now we are stuck on repeat. We should, instead, be focusing on renewing unemployment insurance benefits for 2 million struggling Americans, on passing comprehensive immigration reform so that we can fix the system that has got families torn apart, and on giving 30 million Americans a raise.

My motion to recommit would protect three of the most important provisions of the Affordable Care Act that are overwhelmingly supported by the American people: lower out-of-pocket costs for consumers, tax credits and rebates to purchase health care, and ensuring that no one in America can be denied coverage due to a preexisting condition in America.

It is time for this Congress to wake up and to do the right thing—to protect Americans and their health care.

I yield back the balance of my time.

□ 1500

Ms. JENKINS. Mr. Speaker, I withdraw my point of order and seek time in opposition to the motion.

The SPEAKER pro tempore. The point of order is withdrawn.

The gentlewoman from Kansas is recognized for 5 minutes.

Ms. JENKINS. Mr. Speaker, once again, the Democrats are simply missing the point. The President is the one who has delayed the employer mandate, the President has said this law is not ready, and the President has declined to extend the same flexibility to individuals.

This is about basic fairness. It is only fair that hardworking taxpayers are given the same treatment as businesses.

Like so many other provisions of the law that have been delayed, repealed, or declared unworkable, this is just another example that, despite the administration's promises, ObamaCare is not working for the American people.

I reject this motion.

Please support H.R. 4118, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4118, if ordered, and the motion to suspend the rules with regard to H.R. 2126.

The vote was taken by electronic device, and there were—yeas 185, nays 227, not voting 18, as follows:

[Roll No. 96]

YEAS—185

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

NAYS—227

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

NOT VOTING—18

Chaffetz
Courtney
Crawford
DeLauro
Duffy
Esty
Frankel (FL)
Gosar
Green, Gene
Himes
Hinojosa
Johnson, Sam
Jones
Larson (CT)
McCarthy (NY)
Negrete McLeod
Pastor (AZ)
Schneider

□ 1529

Mr. ROGERS of Michigan, Mrs. BLACKBURN, Messrs. FARENTHOLD, FRANKS of Arizona, REICHERT, PEARCE, and TERRY changed their vote from ''yea'' to ''nay.''

Mrs. NAPOLITANO, Messrs. BRADY of Pennsylvania, GRIJALVA, and SWALWELL of California changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HIMES. Mr. Speaker, had I been present for the vote on the Motion to Recommit with Instructions, rollcall vote 96, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 250, nays 160, not voting 20, as follows:

[Roll No. 97]

YEAS—250

Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook

Cotton
Cramer
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duckworth
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shea-Porter
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—160

Bass
Beatty
Becerra
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Foster
Fudge
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—20

Aderholt
Chaffetz
Courtney
Crawford
DeLauro
Duffy
Esty
Frankel (FL)
Gosar
Green, Gene
Himes
Hinojosa
Johnson, Sam
Jones
Larson (CT)
McCarthy (NY)
Negrete McLeod
Pastor (AZ)
Ruppersberger
Schneider

□ 1538

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 97, H.R. 4118 would increase the number of uninsured. Had I been present, I would have voted "no."

Mr. HIMES. Mr. Speaker, had I been present for the vote On Passage of H.R. 4118, rollcall vote 97, I would have voted "no."

ENERGY EFFICIENCY IMPROVEMENT ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2126) to facilitate better alignment, cooperation, and best practices between commercial real estate landlords and tenants regarding energy efficiency in buildings, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 36, not voting 19, as follows:

[Roll No. 98]

YEAS—375

Aderholt
Amodei
Bachus
Barber
Barletta
Barr
Barrow (GA)
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gowdy
Graves (MO)
Grayson
Green, Al
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Holding
Holt
Horsford
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McAllister
McCarthy (CA)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions

Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—36

Amash
Bachmann
Barton
Bass
Brady (TX)
Bridenstine
Broun (GA)
Campbell
Carter
Conaway
DeSantis
Dingell
Duncan (SC)
Fleming
Gohmert
Granger
Graves (GA)
Griffith (VA)
Hensarling
Honda
Huelskamp
Labrador
Lankford
Lummis
Marchant
Massie
McClintock
Neugebauer
Perry
Posey
Ribble
Stockman
Stutzman
Thornberry
Weber (TX)
Yoho

NOT VOTING—19

Chaffetz
Courtney
Crawford
DeLauro
Duffy
Esty
Frankel (FL)
Gosar
Green, Gene
Himes
Hinojosa
Johnson, Sam
Jones
Larson (CT)
McCarthy (NY)
Negrete McLeod
Pastor (AZ)
Scalise
Schneider

□ 1546

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

Ms. LEE of California changed her vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to promote energy efficiency, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. HIMES. Mr. Speakers, had I been present for rollcall vote 98 on passage of H.R. 2126, I would have voted "aye." I am proud of my colleagues on both sides of the aisle for coming together in support of much-needed energy savings measures.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, on March 5, 2014—I was not present for rollcall votes 93–98 due to an event in Connecticut with President Barack Obama. If I had been present for these votes, I would have voted: "nay" on rollcall vote 93, "nay" on rollcall vote 94, "aye" on rollcall vote 95, "aye" on rollcall vote 96, "nay" on rollcall vote 97, "aye" on rollcall vote 98.

PERSONAL EXPLANATION

Ms. FRANKEL of Florida. Mr. Speaker, on rollcall vote Nos. 96, 97, and 98, I was not present because of a dental emergency. Had I been present, I would have voted "yea" for rollcall vote No. 96, "nay" on rollcall vote No. 97, and "yea" on rollcall vote No. 98.

ELECTRICITY SECURITY AND AFFORDABILITY ACT

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3826.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 497 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3826.

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

□ 1549

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3826) to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes, with Mr. FORTENBERRY in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise this afternoon in support of H.R. 3826, the Electricity Security and Affordability Act.

Recently, a constitutional law professor at George Washington University named Jonathan Turley issued a dire warning. Professor Turley said that he voted for President Obama in the last election, that he agrees philosophically with President Obama on many issues, but he said that, if left unchecked, the U.S. President could effectively become a government unto himself. He was referring to the fact that this President has been overly aggressive in the use of executive orders and regulations through various governmental agencies to accomplish his political goals.

The reason that we are here today is, with this legislation, it is our hope that we can overturn one of the most extreme regulations of the Obama administration.

In January of next year, it is anticipated that they will finalize a rule from EPA that will make it impossible to build a new coal-powered plant in America. That is hard to believe that that can be the situation in our great country, particularly since 40 percent of our electricity comes from coal. The reason that it would be impossible to build a new coal-powered plant because of these new EPA regulations is the fact that the emission standards have been set so high, and I might add that it is pretty clear that those emission standards, the way they were set, violates the Energy Security Act of 2005.

We have written a letter to EPA setting out our concerns. They still have not responded to us. We have talked to lawyers throughout the country who are ready to file a lawsuit if this happens because it is impossible to believe that the three plants in America that used to set the emission standards for new coal-powered plants, none of those plants are in existence today. None of them are operating today. So our legislation, we believe, is a reasonable approach to a serious problem for America.

I might add that 41 out of 50 States last year indicated that their electricity rates have gone up under the Obama administration. I know that the President is greatly concerned about the less fortunate in our society. He has talked a lot about the minimum wage bill, for example, but these electricity rates going up hit the most vulnerable in our society the most, particularly those on fixed incomes. Yet it is his policies that are driving up these electricity costs.

So the legislation that we have on the floor today is very simple. First of all, it acknowledges for the first time by legislation that EPA can regulate greenhouse gases. This bill goes farther than any other bill has. So you can regulate greenhouse gases, but when you set the emissions standard, the unit must be in operation for a period of time. It must be commercially available to the utilities to buy it, as opposed to the proposed regulation in which the technology is simply not available.

So our legislation, as I said, we don't anticipate a new coal-powered plant to be built anytime soon in America because our natural gas prices are so low. But in Europe, which it is acknowledged is the green sector of the world, they mothballed 30 gigawatts of gas-powered plants in the last 20 months because the gas prices coming from Russia are so expensive that it is raising their electricity rates to such an extent that it is damaging the area. With our legislation, if those gas prices go up, an option available to the American people, to the American utility sector, is they can go out and build a coal-powered plant with reasonable regulations.

Then the second thing that our legislation does—and when I say ''our,'' I am talking about Senator JOE MANCHIN, a Democrat from West Virginia, has introduced this bill in the U.S. Senate. I, along with Democratic support, was able to get it out of the Energy and Commerce Committee.

So this debate is vitally important today because the President is going so fast, in such an extreme way, that it would make it impossible to use coal in America with a new plant, and we have never had a national debate on the issue. So today we can at least have this debate.

The second thing that our legislation does applies to existing plants. EPA said they are going to regulate existing coal plants. We say go ahead and do it, set the standards, but Congress will set the effective date for that regulation.

It is a very simple piece of legislation, one that I think is necessary to protect the American people and to ensure that America remains competitive in the global marketplace.

In addition to that, I want to make one other comment. Emissions from the energy sector in America are the lowest, CO_2 emissions are the lowest that they have been in 20 years. So America does not have to take a backseat to anyone on having a clean emission standard and regulation.

With that, I reserve the balance of my time.

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

Mr. Chairman, Kofi Annan, the former Secretary-General of the United Nations wrote in The Washington Post earlier this year:

> Climate change is the biggest challenge of our time. It threatens the well-being of hundreds of millions of people today, and many billions more in time.

Robert Rubin, the former Treasury Secretary, said recently:

> There are a lot of really significant monumental issues facing the global economy, but this supersedes them all.

The Energy and Commerce Committee is the committee in the House that has the power to tackle this monumental issue, the biggest challenge of our time, but we are missing in action. Instead of listening to the scientists and working on a bipartisan basis to protect the planet for our children and future generations, we are considering today a science denial bill that would strip the EPA of authority to stop dangerous carbon pollution.

The venerable JOHN DINGELL, the longtime chairman of the Energy and Commerce Committee, is famously known for pointing to a photo of the Earth, which I have here to the right, to describe the committee's jurisdiction. Under his leadership, the committee was known for listening to the experts, tackling the toughest problems, and crafting responsible science-based policies. But today we need a new symbol to represent what we are doing.

The Energy and Commerce Committee has joined The Flat Earth Society. We considered a very similar bill to this one last Congress.

Here is what Nature, one of the world's leading science journals, said at the time:

> Misinformation was presented as fact, truth was twisted, and nobody showed any inclination to listen to scientists, let alone learn from them. It has been an embarrassing display, not just for the Republican Party, but also for Congress and the U.S. citizens it represents.

□ 1600

It is hard to escape the conclusion that the U.S. Congress has entered the intellectual wilderness—The Flat Earth Society.

The United States is a major contributor to climate change. It cannot be stopped without us. We have a moral responsibility to act, but the Republican majority has brought a bill to the floor that does just the opposite. It makes the problem worse by preventing EPA from acting.

If we pass this terrible bill, we will vote to let China leap ahead of us in the race to build the clean energy economy for the future, and we will be ignoring our moral obligation to protect the planet for our children and grandchildren.

As you might have guessed, I strongly oppose this bill. Future generations will be appalled that we are considering it today. Coal-fired power plants are the largest single source of carbon pollution in the country. Today, there is no limit on how much carbon pollution these power plants can emit. That is why President Obama directed the Environmental Protection Agency to use its existing authority under law, under the Clean Air Act, to require power plants to control carbon pollution. EPA has proposed a rule to require new coal plants to use available pollution control technology to capture and sequester carbon. For existing coal plants, EPA is working with stakeholders to think through the best approach. H.R. 3826, the bill under consideration today, would stop EPA from issuing any rules and allow these plants to continue to keep emitting unlimited amounts of carbon pollution.

Republicans complain they don't like EPA's approach, but they won't even admit climate change is a problem, much less accept the President's invitation to work together on a solution. Instead, they want to pass a bill to deny the problem, block EPA action, and weaken the Clean Air Act.

My message to my Republican colleagues is simple: if you don't like what EPA is doing, tell us your plan. If you have other ideas for reducing carbon pollution to prevent catastrophic climate change, let's hear about them. If you don't, you should step aside and let the President lead.

Today is an embarrassing day for our committee on Energy and Commerce and the U.S. House of Representatives if this bill is to be passed. I hope that does not come about.

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

Mr. WHITFIELD. Mr. Chairman, at this time I yield 3 minutes to the distinguished gentleman from California (Mr. MCCARTHY), the majority whip.

Mr. MCCARTHY of California. Mr. Chairman, in 2008 in an interview with the San Francisco Chronicle, President Obama warned us that under his policies for energy, ''electricity rates will necessarily skyrocket.'' Now it appears with high electricity costs, that this is a promise that the President chose to keep.

Today, millions of Americans are suffering from one of the coldest winters in recent memory, and in some cases, the most expensive. In New York, some homes are seeing their heating bills double, but it doesn't have to be this way. The U.S. is currently enjoying a revolution in energy production, the energy that heats our homes and keeps us warm during the cold winter nights. Americans across the country should be celebrating this breakthrough. In an economy where the Nation's income today is lower than in the year 2000, abundant energy should provide a sense of relief to strained budgets, but because of this administration's policies, Americans are simply left out in the cold with their energy bills.

First, the Democrats tried cap-and-trade, but that failed in a Democrat-led Congress. Now this administration has proposed arguably the most expensive regulation ever by the EPA, one that would render the construction of any future coal power plant impossible through the mandating of technology that isn't readily attainable.

Today, coal accounts for 37 percent of total U.S. electricity production. The EPA's regulation will cost approximately $1,200 per household per year in lost income. That is $100 more a month. Most importantly, this regulation will cause the greatest amount of harm, lost jobs, diminished incomes, and higher electricity bills in areas where incomes are modest, as are the lifestyles of those who live there. It isn't the rich on Fifth Avenue or in Beverly Hills who will be impacted; it is the American working class. Communities like Indiana's Second District, home to our good friend, Congresswoman JACKIE WALORSKI; or Ohio's Fourth District, home to our friend JIM JORDAN; or the First District, home to Chairman RYAN; or even Wisconsin's Second or Iowa's First District, both represented by my colleagues on the other side. All will be unnecessarily hurt by this regulation.

For all the talk from my colleagues on the other side of the aisle about fairness, this regulation is profoundly unfair. The Electricity Security and Affordability Act sponsored by my friend, ED WHITFIELD, rejects the administration's back door attacks on America's energy bills. This legislation restores opportunity and fairness by ensuring more American paychecks do not unnecessarily go to expanding electricity and heating costs.

Mr. Chairman, at a time when energy production is booming, the cost per family should be dropping, not rising. I suppose the President actually held true to another promise: he has promised an all-the-above energy policy. I

had hoped that meant increasing energy production from all sources, not increasing prices on all consumers.

I urge my colleagues to reject the President's plan for higher energy costs and support this legislation.

Mr. WAXMAN. Mr. Chairman, the previous speaker said that heating oil prices are going up, energy costs are going up. Well, if they are going up, it is not because of what President Obama has done by regulation because he has not adopted any regulations through EPA. The bill before us would stop any regulations from being adopted under current law. They would change the current law and say nothing could be adopted in the future.

The chairman of the Subcommittee on Energy made the statement no coal power plants are being proposed, yet what he is also suggesting is that we not allow them to be built in the future should they want to be built in a way that would reduce the pollution of carbon. What is unfair, it seems to me what is unfair is that coal-burning power plants can burn all the coal they want and put out all the pollution they want, and we are allowing it even though everyone is suffering from the consequences. So I find it amazing to hear the arguments: One, coal burning power plants are not going to be built; on the other hand, we are already paying higher prices and nothing has even been passed by the EPA and put into effect.

At this time I yield 5 minutes to my colleague, the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I thank the ranking member for yielding to me, and I want to talk about this bill, H.R. 3826. Basically from where I can see, H.R. 3826 will essentially prevent the EPA from limiting coal-fired power plant emissions, including health-endangering pollution as well as carbon. We are all interested in health, but I want to talk about carbon pollution.

Climate change is one of the most important national issues we face right now, and the evidence for climate change is overwhelming, whether it is superstorms that are occurring more regularly, whether it is a record-changing drought, whether it is migration patterns of biological systems, melting of the polar icecaps and the related issue, ocean acidification, all of these current phenomenon are very dangerous and very threatening. The leading scientists of this Nation and around the world agree that this is a threat, that it is a problem. In fact, about 97 percent of planet scientists believe this is a problem, and the predictions and the models for the climate sciences are horrifying enough. Unfortunately, actual measurements and actual predictions and happenings are worse than the predictions, than the actual models are predicting, so we are facing a very dangerous situation.

I ask my colleagues, Why are you willing to take this risk? Climate change is a very big problem. It is a very big risk. Ninety-seven percent of the scientists agree it is a risk, and yet we are going to say it is not really a risk, we can worry about that later. No, we have to worry about it right now, today.

The good news out there is that carbon-capture sequestration technology is coming along pretty well. What this bill would do, unfortunately, is prevent carbon-sequestration technology from being adopted in power plants. I submit that allowing carbon sequestration technology to be developed is in the interest of the coal industry. If the technology is developed and climate change keeps happening, which it is, then the public is going to demand that we incorporate climate change, carbon sequestration technology, and if it is not there, then coal plants are going to be shut down.

So now, when we have the opportunity when technology is being developed, there is money being spent by the Federal Government and by private industry to develop carbon-capture sequestration, let's go ahead and take advantage of that, implement it in our power plants on a limited basis now so when the need is there, it will be available. I don't understand why that is being ignored.

H.R. 3826 ignores that and other possibilities. It prohibits us from using existing carbon capture projects in the United States as a technical basis for implementing that technology in coal-fired power plants. We must take advantage of this technology in the United States and abroad. We shouldn't prevent the development of this technology. CS technology is improving. It is becoming more cost effective, and it is becoming more effective technologically. It is in the best interests of the long-term coal industry, and I strongly urge opposition to this bill.

Mr. WAXMAN. Mr. Chairman, I reserve the balance of my time.

Mr. WHITFIELD. I would just reiterate that America doesn't have to take a backseat to anyone on its emissions from energy sources. Our emissions today are lower than they were 20 years ago. Why should the U.S. unilaterally take this extreme position and other countries around the world, particularly in Europe and in Asia, are using coal and using coal, and we don't even have the flexibility to do that when they finalize this rule. So that is what we are up to today.

At this time I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, many families and businesses have had to spend more to heat their homes this cold and snowy winter. Unfortunately, regulations recently introduced by unelected elites in President Obama's EPA will increase their utility and electricity bills further.

These regulations effectively ban new power plants by forcing them to meet an emissions standard that cannot be achieved with any commercially available technology. They are unworkable and unaffordable, and will result in more lost jobs.

I stand in solidarity with the hard-working coal miners, power plant workers, steelworkers, boilermakers, carpenters, and truckdrivers, but the victims of the President's war on affordable energy are the families and businesses whose energy costs are skyrocketing, and the workers who are losing their jobs and incomes because of these regulations.

I strongly support H.R. 3826, the Electricity Security and Affordability Act. The bill will direct the EPA to adopt new coal-fired power plant emission standards that make sense and subject any new regulations on existing power plants to congressional review, where the people's Representatives can be held accountable.

I urge my colleagues on both sides of the aisle to approve this job-saving bill.

Mr. WAXMAN. Mr. Chairman, House Republicans are telling us greenhouse gas emissions are falling in the United States. They suggest the U.S. doesn't need to do anything more about climate change, but they couldn't be more wrong.

A couple of years ago when the utilities were switching out of coal and going to natural gas because natural gas was cheaper, we saw some leveling off of those emissions, but what matters most is whether the U.S. emissions are on track to decline in the future by the amount needed to prevent dangerous climate change.

□ 1615

Scientists say we need to reduce carbon pollution by 80 percent by 2050, but will not get anywhere near that level of reductions if we go about business as usual and stop EPA from acting and Congress doing nothing to respond to this emergency.

At this time, I yield 4 minutes to the gentlelady from California (Mrs. CAPPS), a member of our committee.

Mrs. CAPPS. Mr. Chairman, I thank my colleague for yielding.

There is an argument on the other side of the aisle—in fact, we heard it just a few minutes ago—that we shouldn't take action to address climate change because doing so will hurt poor people.

That is a particularly galling statement because the truth is that the world's poorest have the most to lose if we don't take urgent action to cut carbon pollution.

Poor people are on the front lines of climate change. World Bank President Jim Yong Kim says that, unless we address climate change, ''We could witness the rolling back of decades of development gains and force tens of millions more to live in poverty.''

According to the United Nations Development Programme, without coordinated global action to address climate and environmental threats, 3 billion

more people could be pushed into extreme poverty by 2050.

That is the reality. The world's poorest will be the most affected by the impacts of climate change, and yet they have the fewest resources to adapt to or respond to it.

To hear the other side tell it, the only way to protect the health and well-being of poor people is to weaken EPA's ability to cut carbon pollution, and that is nonsense.

It is time to stop denying the science and accept reality. We need to take action now to cut carbon pollution. The longer we wait, the higher the costs will be, especially for the poor.

Indeed, addressing climate change is in the economic self-interest of all of us. Consider recent comments by Robert Rubin, who was a universally respected Treasury secretary.

During his tenure, the budget deficit was reduced from $290 billion to $70 billion, the Dow Jones Industrial Average more than tripled, unemployment decreased to 4.3 percent, and more than 18 million new jobs were created.

Senator Bob Dole described Secretary Rubin as a man of honesty and integrity. Alan Greenspan called him one of the most effective secretaries of the Treasury in this Nation's history. When he resigned in 1999, Secretary Rubin received glowing tributes from Democrats and Republicans alike.

Over the past year, Secretary Rubin has focused on the threat of climate change to our economic well-being. Here is what he said about climate change a few weeks ago: ''There are a lot of really significant monumental issues facing the global economy, but this one supersedes all else.''

Experts are telling us that inaction on climate change threatens the global economy. Responding to this threat isn't about disadvantaging ourselves; it is about seizing opportunities. There are already 143,000 solar jobs and 80,000 wind jobs in the United States.

Winning the global clean energy race will mean millions of jobs and faster economic growth. Our competitors in China and Europe understand this. We risk being left behind if we don't recognize it as well. We should abandon this bill and start getting serious about climate change and the economy.

Mr. WHITFIELD. Mr. Chairman, may I inquire as to how much time is remaining on both sides?

The Acting CHAIR (Mr. YODER). The gentleman from Kentucky has 19 minutes remaining. The gentleman from California has 16 minutes remaining.

Mr. WHITFIELD. At this time, I yield 2 minutes to the gentlelady from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Mr. Chairman, I rise today in support of H.R. 3826. I appreciate Congressman WHITFIELD's leadership on this commonsense bill. I am proud to be an original cosponsor.

This bill addresses President Obama's sweeping proposed rule for new power plants, which set the mediation standard so strict that the creation of a new coal-fired power plant is virtually impossible.

Indiana is the backbone of manufacturing in America, but manufacturing depends on affordable energy. More than 80 percent of Indiana's electricity is coal-powered, and electricity rates in Indiana are expected to rise 32 percent by 2023, partly due to these EPA regulations.

If President Obama is able to implement his radical environmental agenda, energy prices could skyrocket, having a devastating impact on economic growth and job creating and hurting Hoosiers trying to pay their bills.

This bill provides a commonsense way to protect our environment by setting emission standards that are actually achievable.

I urge my colleagues to support this bill.

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I appreciate the ranking member of the Energy and Commerce Committee yielding me this time, especially since we do not see eye to eye on this particular piece of legislation.

We do see eye to eye on numerous other issues before the Congress and the American people, such as protecting the health and safety of our Nation's coal miners and our American workers; and, indeed, we all, both sides of the aisle, share the common goal of wanting to provide clean water, clean air, and health and safety for our families each and every day of the year. In that sense, we all have that common ground.

There is a fear though in the coal fields today. I really wish the distinguished Majority Whip on that side of the aisle had mentioned my home State of West Virginia, one of the largest coal-producing States in the country when he mentioned and was going district by district about the various people that are going to be affected by these proposed regulations.

I do rise in support of H.R. 3826 as a cosponsor. I commend my coal country colleague, ED WHITFIELD, for his leadership on this issue and bringing it through his committee.

Those of us from the coal-producing regions of this country have truly become sick and tired—sick and tired—of this EPA turning out anti-coal regulations, while showing little or no appreciation of how these regulations will affect the lives and the livelihoods of the real people who have to work and live under them.

Granted, some are proposals; but, nevertheless, I remind my colleagues, it strikes fear—it strikes fear—in the very heart and soul of coal country.

Many of our coal companies that are laying off workers, as we speak, have this fear of what is coming down the pike as a main factor in laying off workers today.

Granted, there are many other factors affecting the current slump in the coal fields. I don't deny that for one minute; but we have been frustrated—frustrated—with an EPA that has, time after time and time again, pushed out piles of guidance documents, regulations, using slanted science, and inflating claims about the benefits of their regulatory agenda without any consideration—one iota—of the affects upon jobs—the affects upon jobs in the real America that their regulatory agenda means.

Last September, when the EPA proposed regulations limiting greenhouse gas emissions for future power plants, it did so hinged upon the promise that the technologies required to achieve the new standards were proven and ready.

Based on this claim, we have to question whether this EPA is actually using good, sound science or if it is picking and choosing science that sounds good to meet whatever ends the agency desires.

There are no power plants—there are no power plants in commercial service anywhere in the world that have installed and operated the CCS technologies necessary to comply with the proposed rule—none, nada.

The Acting CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield an additional minute to the gentleman.

Mr. RAHALL. I thank the distinguished ranking member again.

The proposed greenhouse gas rule for new power plants may be the mother of all anti-coal regulatory measures so far promoted by this particular EPA. It spells curtains for the development of new coal-fired capacity in this country. That means decreased energy reliability and increased costs for American families and businesses.

What is more, the agency readily admits that the new regulations will have nearly zero impact on the emissions of greenhouse gases as economies around the globe continue to grow their use of coal power.

That is why this legislation is so important. It would block the EPA from unilaterally imposing these caps, requiring that any such efforts be approved by the Congress.

It would help set a course for the development of cutting-edge CCS technologies needed to ensure reliable, affordable coal-fired energy for America throughout the foreseeable future.

For those of us from coal country, this legislation is fundamental to preserving the jobs of our coal miners, those who work hard every day, going beneath the bowels of this Earth to produce the energy that fuels this Nation and the economies of our communities and, indeed, a national energy security for the United States.

I urge support of this legislation.

Mr. WHITFIELD. At this time, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, my thanks to Mr. WHITFIELD, my colleague from Kentucky,

and also my thanks to my colleague who I am lucky to follow, Mr. RAHALL from West Virginia, for talking about such an important issue to my district in central Illinois.

One of the reasons I am here, Mr. Chairman, is because I saw the devastation. The largest employer in my home county 20 years ago closed down because of a signature on a piece of paper here in Washington, D.C.

Peabody Mine No. 10 shut down its coal mining families. Families whose children I went to school with and grew up with were forced to move to get a job once again.

Now, we see this attack via the EPA on coal in middle America once again. I stand here today with my colleagues to say this bill is a commonsense proposal that is going to restrict the EPA's ability to overreach and cost families—all families, even the poorest families in this country—it is going to cost them more out of their family budget to turn the light switch on; it is going to cost jobs in my district at existing coal-fired power plants.

They are some of the best jobs in central Illinois. They are organized labor jobs. This is about jobs; this is about the economy; and this is about low-cost power that allows our economy to grow.

That is what we all want, Mr. Chairman, isn't it?

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

I want to point out that the speakers in favor of this bill describe themselves as part of the coal-producing regions of the country. They are representing, they think, the coal-producing regions of the country because they fear, if the coal industry had to use some technology that would reduce carbon emissions, that would cost jobs.

I want to dispute that in two respects. One, they claim that no one is using this technology, and that is not accurate. In fact, the control technology is already in effect, being used commercially in the United States for decades. There are seven large commercial CCS—that is carbon capture and sequestration—projects operating today.

Dr. Julio Friedmann, the Deputy Assistant Secretary for Clean Coal at the U.S. Department of Energy, recently testified: ''First generation CCS technology is commercially available today.''

So why are they worried about jobs? They are being told by the coal miners that, if they have to use a technology that costs money, that would raise the price of coal and, therefore, coal will lose out to other technologies.

Well, that hasn't been the case. I have been in Congress for 40 years. I remember the coal industry coming in and saying: If we have to put scrubbers on, we will go broke; they will never burn coal again.

The coal industry uses scrubbers right now. The cost of scrubbers has gone down. They overstated how much it would cost. They cried about the lost jobs. It didn't happen.

The other thing I want to point out is that they talk about the coal jobs that will be lost. Well, coal jobs are being lost now because the utilities realize they can burn natural gas. It is cheaper, so coal is losing out in the market.

If natural gas is cheaper than burning coal now, they are going to burn natural gas. That is called the market. It is like cars replacing horse and buggies.

But the reality is that coal is going to be able to compete if we have new technologies imposed on them, just as they have been able to compete in the future. They can't compete if they are expensive, so they have got to figure out ways to produce coal that is less expensive.

That may happen, but we shouldn't subsidize coal to compete by having the world have to deal with carbon pollution.

□ 1630

We decided years ago that we weren't going to help coal compete by poisoning people with toxic mercury pollution when we required they use the technology to stop toxic mercury pollution. We decided they had to use scrubbers. They said they would go broke, that they couldn't afford it, that people would lose their jobs, but we required it because it reduced pollution that harmed people. Carbon pollution harms people on this planet, as we see the impact of climate change continue, because we refuse to require them to use less carbon and spew it out into the atmosphere.

Let me just say that you don't have to buy all of the arguments on climate change, but consider this: if there is a 10 percent chance that carbon pollution is going to cause greenhouse gases and climate change and do all of the terrible things that the scientists overwhelmingly tell us will happen, how many people want to take that 10 percent chance on the only atmosphere that we share on this planet?

I know that the coal people say they are willing to take that chance. They are afraid their constituents will turn against them because the coal companies will tell them to turn against them. They may lose their next elections. I don't think that is the case, but that is their fear. They are speaking from fear. They are speaking from a fear of jobs being lost, but that hasn't been the experience under the Clean Air Act, and we shouldn't repeal the Clean Air Act now as it relates to giving the EPA the authority to regulate these coal-burning power plants.

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

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

Mr. Chairman, I can assure you we are not speaking from fear today. I can assure you we are not being parochial about coal. Coal is still the base load for this country—for manufacturing, industrial use, electricity at home, and for our ability to compete in the world.

I have great admiration and respect for the gentleman from California, and I am sorry that he has made the decision to leave Congress after having a distinguished career, but I can tell you there is no power plant operating in America today that is using carbon capture and sequestration, because the technology is not available.

Now, there are some plants being built with government support and would not be built without that government support, but they are not in operation. There is a difference. When scrubbers were mandated by the EPA, scrubbers were already being put in plants at private expense. The government didn't pay for those scrubbers. They were already being used. Unlike this proposed regulation, there is no technology available to meet the emission standard, so there is a significant difference in what has happened and what is being proposed.

At this time, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the distinguished chairman of the full Energy and Commerce Committee.

Mr. UPTON. Mr. Chairman, today, we are going to continue our pursuit of an all-of-the-above energy strategy, taking up legislation to address the EPA's pending greenhouse gas rules for power plants, which is the latest threat by the Obama administration to affordable and reliable energy.

While the President may boast support for an all-of-the-above strategy, his policies have been anything but. The President's approach seeks to limit our energy choices, to jeopardize jobs, to raise energy costs, and, indeed, to threaten America's global competitiveness.

Our Nation has become the envy of the world because of recent breakthroughs unlocking vast amounts of oil and natural gas, but the game-changing developments do not give cause to regulate an entire fuel category out of the mix—gone—especially a resource that comprises, today, 40 percent of the fuel that provides affordable electricity for millions of Americans and countless job creators. Given that the U.S. has the world's largest coal reserves and is the largest producer of coal, it should remain a critical contributor to a diverse electricity portfolio for decades to come. We should proudly embrace that we are the Saudi Arabia of coal reserves.

Fuel diversity gives us the flexibility to keep electricity costs low and to ensure reliability, particularly for the most vulnerable. As we have heard from many witnesses in hearings, the coal-fired power plant shutdowns already underway pose a serious threat to reliability in many regions, particularly in the Midwest. That threat will continue to get worse if the shutdowns increase in the years ahead while we will limit our options for new base load power. In sum, fuel diversity gives us a more stable, reliable, and affordable

electricity supply, and any threat to coal, including the EPA's pending rules, is a threat to that diversity and a threat to affordable energy.

I applaud both Chairman WHITFIELD and Senator MANCHIN for their efforts in authoring a workable bipartisan and bicameral alternative to the EPA's pending power plant rules. Their legislation is a good faith effort that requires a critical check on the EPA's misuse of the Clean Air Act to try to accomplish through regulation what was rejected by Congress through legislation.

Their approach does not prohibit the EPA from setting a standard for new plants, but, instead, it focuses on setting standards that have been adequately demonstrated—a key ingredient missing from the EPA's regulatory proposal. Just in the last 2 weeks, as Mr. WHITFIELD indicated, we have heard testimony from administration officials that carbon capture technologies, which are not yet commercially viable, could increase electricity costs by, perhaps, as much as 80 percent. This important legislation provides a role for Congress in setting the effective date for any regulation for existing plants.

Mr. WAXMAN. Mr. Chairman, may I inquire how much time we have on both sides?

The Acting CHAIR. The gentleman from California has 7 minutes remaining, and the gentleman from Kentucky has 12 minutes remaining.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. RENACCI).

Mr. RENACCI. Mr. Chairman, I rise today in support of H.R. 3826, the Electricity Security and Affordability Act.

The United States is fortunate to have more coal than any other country in the world. This vital resource is currently used to meet nearly half of our electricity needs and to support over 550,000 jobs.

As a Representative of Ohio, a State that produces more than 24 million tons of coal per year and uses it to generate over 50 percent of our electricity, I understand firsthand the importance of keeping this abundant and affordable natural resource a part of America's energy supply. Unfortunately, over the past 5 years, this administration's policies have led to the closure of hundreds of coal-fired plants across the country. In fact, in just 1 year, Ohio's coal-generated electricity dropped nearly 20 percent as a result of the current regulatory environment.

The EPA's recently proposed greenhouse gas standards for new coal-fired plants are only the latest example of the administration's regulatory assault on America's power sector. Not only do these standards rely on a technology that is not even commercially viable at this point, but they will also lead to the loss of thousands of jobs and drive up the price of energy for American families and businesses that are already struggling to make ends meet. Ohio alone stands to lose an estimated 18,000 manufacturing jobs by 2023 as a result of these overreaching regulations. More than 1,000 of these jobs will be in my district. These estimates do not even include job losses by coal miners, utility workers, and all of those impacted directly by plant closures.

Rising energy costs are one of the main problems facing many hardworking Americans. While we are all impacted by these rules, it is the most vulnerable citizens who, unfortunately, will be hit the hardest. It is the 387,000 Ohioans who are living well below the poverty line and who spend almost 30 percent of their incomes on energy costs that these standards will hurt the most. These standards are not just an attack on coal; they are an attack on those individuals who are having to choose between paying their electric bills and providing the basic necessities for their families.

The Acting CHAIR. The time of the gentleman has expired.

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

Mr. RENACCI. The bill before us today offers a realistic alternative to the EPA's misguided and unachievable approach to regulating new and existing power plants. I applaud Representative WHITFIELD's efforts on this critical piece of legislation, and I urge my colleagues to support it.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield 2 minutes to the gentlelady from Indiana, Congresswoman BROOKS.

Mrs. BROOKS of Indiana. Mr. Chairman, I rise today in support of H.R. 3826 because, late last year, the EPA Administrator, Gina McCarthy, went on a listening tour through America to hear from the public about reducing carbon pollution from existing power plants. Unfortunately, the Administrator declined to go to those States most affected by the proposed regulations and, instead, opted to visit San Francisco, Seattle, and Boston. It is unfortunate that her stops didn't include places like my home State of Indiana, which stands to lose much from these misguided regulations.

If Ms. McCarthy had taken the time to visit Indiana or other States like Indiana, she would have heard from people like Nina, in Anderson, who wrote me an anxious letter about what penalizing the coal industry would do to families on fixed incomes. She explained her church already has had to help many families pay for their electric bills, and she worries about how her community will cope when the EPA's new regulations are enacted.

I wish I could tell Nina not to worry, but, sadly, her fears are very much warranted because the new regulations will have catastrophic impacts on our Hoosier economy. The State Utility Forecasting Group at Purdue University has estimated that, like Ohio, Indiana's electrical rates will increase 32 percent by 2023 because of EPA rules. The price increase will hurt every Hoosier who turns on a light switch. It will also cost up to 17,000 jobs in Indiana and permanently ruin the prestige that our State enjoys as being one of the Nation's most business-friendly States.

That is why I am proud to be a cosponsor of this important bill, which finally puts the brakes on unchecked EPA regulations and injects much-needed congressional oversight and consultation into the rulemaking agenda. We all have an obligation to leave the world a better place for our children and future generations, but we can't do it when we take away jobs and hurt the economy. That is why I support this bill, and I encourage all of my colleagues to do the same.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Thank you, Chairman WHITFIELD.

Mr. Chairman, I think pretty much everybody I talk to around here is familiar with the fact that North Dakota has 25,000 job openings with fewer than 10,000 people looking for work. It is not an accident. It helps, for sure, to have an 800-year supply of coal under the ground, to have some oil and some gas, but it also is an indication of a regulatory and tax climate that champions work, that champions investment, that doesn't apologize for having the lowest priced electricity rates in the country most times of the year. We also have a robust manufacturing economy as a result of those same policies.

Mr. Chairman, I believe that America's economic security and America's national security depend on America's energy security. I would love to see every Member of this body go to North Dakota and see what that type of development looks like. I would also like to have them breathe some of the cleanest air, see some of the cleanest water and some of the richest topsoil in the world. We are very proud of the fact that we can feed a hungry world while also meeting the growing demands of our economy.

If you really believe that there are several carbon-capture technology projects that are viable on power plants in this country, you should love this bill, because this bill actually prepares the standard for measuring that. It simply states that, for 12 consecutive months, six power plants—six different units—should be able to demonstrate it, with three of them being, of course, lignite, which is what we mine in North Dakota.

We don't have to compromise quality of life for a high standard of living—we don't do it in North Dakota, and we can replicate it across this country—but the EPA's overreach will hurt that.

I think this bill actually helps it, and I am very proud of my colleague Mr. WHITFIELD for his bicameral-bipartisan approach to this problem and to the solution that he has come up with. I urge all of my colleagues to vote for it.

Mr. WHITFIELD. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Kentucky has 5½ minutes remaining, and the gentleman from California has 7 minutes remaining.

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

Mr. Chairman, I just want to say that it was unfortunate to make a reference personally to Gina McCarthy, the head of the Environmental Protection Agency, on her listening tour. The Republicans have not allotted enough money to the EPA to let her go everywhere in the country, so she went to 10 regional offices as well as the Washington headquarters, and she invited people to come in and give their points of view.

□ 1645

That is the full amount of money she had available to her. So it seems to be unfair to criticize her for not going to every nook and cranny in coal country, when she went to every part of the country and had representation for those regions.

At this time I yield 3 minutes to my colleague from the State of California (Mr. PETERS).

Mr. PETERS of California. I thank the gentleman.

Mr. Chairman, proponents of this bill are arguing, in part, that EPA's plan to require carbon pollution controls under section 111 is going to hurt electric utilities. But it was just last month in the Utility Air Regulation Group v. EPA case that those same leading utilities argued to the Supreme Court that if EPA intends to address climate carbon pollution, it should act under section 111, which is what this bill would prevent EPA from doing.

The Utility Air Regulatory Group represents about 60 utilities, from Duke Energy, the Southern Company, FirstEnergy, to the Salt River Project. On February 24, they told the Supreme Court that this was the appropriate way for EPA to address carbon pollution from utilities under section 111. That is exactly what the EPA would do, if it were not for this law.

I know there may be some ideological desire to deny climate change and simply hope that the issue goes away, but that is not going to happen.

More fundamentally, what we are getting caught up in today is this false choice that you hear over and over again that you have to choose, on one hand, between a healthy environment and, on the other hand, a prosperous economy. Americans deserve nothing less than both. We have to pay attention to this.

I just offer comments from some of our leading health organizations—the American Academy of Pediatrics, the American College of Preventive Medicine, the American Lung Association, the American Public Health Association, and others—who point out:

> Cleaning up carbon pollution and other greenhouse gases saves lives. Researchers found that efforts enacted now to reduce greenhouse gases, including carbon pollution from all sources in the United States, would prevent more than 16,000 premature deaths by 2030. The lives saved are a result of a reductions in the ozone- and particulate-forming pollution that is also reduced as carbon is reduced. Cleaning up carbon pollution from power plants is essential to saving those lives.

We know, in turn, that will save money.

So it is important to remember, too, the economic effect of unregulated carbon does not just extend to the climate but also to the by-products of clean air that come and help our economy and help people be healthy and ultimately contribute to the economy.

Mr. WHITFIELD. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, I rise today in support of H.R. 3826. I appreciate the work that the bills's sponsor, Mr. WHITFIELD, has done on this issue, and I am proud to be an original cosponsor of this bill.

Wisconsin relies on coal for roughly two-thirds of our electricity production. Energy costs are consistently one of the many concerns my constituents share with me. The cold winter has made high energy bills the norm throughout Wisconsin. Instead of trying to alleviate these high costs, the EPA is pursuing policies that will drive energy prices even higher.

The EPA's New Source Performance Standards require that now power plants capture, compress, and store about 40 percent of the CO_2 produced in order to be compliant. However, the CCS technology required has not been adequately demonstrated. Ignoring the realities of today's technologies, the EPA is plowing full speed ahead.

This action clearly marks yet another salvo in the Obama administration's war on coal. The next volley will be the rules concerning existing power plants. If done incorrectly, these new rules could effectively make it too expensive for our coal-fired power plants to continue operating. While this might be the dream of some, my constituents and yours simply cannot afford it.

Fortunately, this bill restores common sense to the EPA's rulemaking process for power plants. By setting reasonable guidelines on the rules concerning new plants and subjecting any rules for current plants to congressional oversight, the bill will ensure that our constituents are able to afford their energy costs.

I urge my colleagues to support this bill and prevent the EPA from unleashing chaos in the energy sector and picking the pockets of consumers.

Mr. WAXMAN. Mr. Chairman, may I inquire how much time we have remaining on each side?

The Acting CHAIR. The gentleman from California has 4 minutes remaining, and the gentleman from Kentucky has 4 minutes remaining.

Mr. WAXMAN. Mr. Chairman, I yield the balance of my time to the gentleman from the State of Oregon (Mr. BLUMENAUER), a great champion of environmental protection.

Mr. BLUMENAUER. Thank you, Mr. WAXMAN. I appreciate your leadership and courtesy in permitting me to speak on this bill.

Mr. Chair, I would like to reference the comments a moment ago that somehow there isn't available large commercial carbon capture sequestration and that this is somehow a figment. As a matter of fact, in the United States today, there are seven large commercial carbon capture sequestration projects operating today. The projects at large commercial coal-fired power plants will come online in the United States and Canada this year.

Dr. Julio Friedmann, Deputy Assistant Secretary for Clean Coal at the U.S. Department of Energy, recently testified that:

> First generation CCS technology is commercially available today. You can call up a number of U.S. and international manufacturers, and they will sell you a unit at a large scale for capture of more than a million tons per year.

The idea that CCS technologies for coal are unavailable is simply not true. I would deeply suggest that this is one of the reasons we are having this bizarre conversation today. We are just sort of out of sync with reality.

I strongly oppose H.R. 3826. The debate on this bill is about the reality of dangerous climate change.

If you accept modern science, you cannot deny the combined weight of over 10,000 peer-reviewed, published scientific studies which tell us climate change is happening, is caused by humans, and will have extremely serious impacts. If you fight wildfires, farm, run a ski resort, or live in a low-lying coastal area, you are already living with the impacts of climate change on a daily basis.

All these studies and experiences are telling us the same thing: carbon pollution produced by human activities is warming the Earth. It is driving more extreme weather events, more heat waves and droughts, longer and more intense wildfire seasons, rising sea levels, melting permafrost, and ocean acidification.

Climate disruption is harming economic activities in my State such as agriculture and ski resorts. It is affecting the insurance industry. It is beginning to impose huge costs on those least able to bear them—people living in the poorest and most vulnerable parts of the world.

The United States is a major contributor to climate change and it cannot be mitigated without us. We have a moral responsibility to act, but H.R. 3826 does just the opposite. It makes

the problem worse by preventing EPA from acting in the interest of the environment and our country.

Coal-fired plants are the largest single source of carbon pollution. Today, there is no limit on how much carbon pollution they can emit. That is why President Obama directed EPA to use its existing authority under the Clean Air Act to require power plants to control carbon pollution, something long overdue.

EPA has proposed a rule to require new coal plants to use available pollution control technology to capture and sequester carbon pollution. For existing coal plants, EPA is working with stakeholders to think through the best approach. EPA has not yet even issued a proposal, but industries are moving on.

In my region, a major utility made the decision on sound economics and environment to shut down a coal-powered plant.

H.R. 3826 would stop EPA from issuing any rules and allow these plants to keep emitting unlimited amounts of carbon pollution. For existing plants, the bill would be straightout prohibition of any EPA rule from becoming effective unless Congress somehow passed a new law to implement the rule. As a practical matter, this repeals the EPA's existing authority to act.

Mr. Chairman, this bill is a dead letter. The Senate will never pass it, and even if it did, the President would veto it, as well he should. Let's spare him the agony and reject this misguided proposal now.

Mr. WHITFIELD. At this time I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Chairman, I am a cosponsor of the Electricity Security and Affordability Act. We have heard a lot of rhetoric on the floor about what is going on, but I want you to understand something. In Pennsylvania, over 40 percent of the electricity is generated by coal-fired power plants.

If you go back to the election, during his candidacy the President said very clearly that if you want to continue to produce electricity using coal-powered power plants, you can, but we will bankrupt you. The only thing he didn't add to that was ''period.''

That is the war on coal. That is where we are going.

When we talk about these things, and we talk about the numbers of people in our society right now, not just the middle- and the lower middle-income, but the low-income people, what are we affecting? Everything that they put in their mouth, everything they put on their backs, everything that they do to heat and light their homes.

The sum total of the cost of anything is everything that goes into it.

The cost of energy and using coal to get there just makes sense. Coal has done so much for this country for so many years. I am not just talking about a few people. If you do not believe this is affecting people, please come back to western Pennsylvania. Walk with me. Go into these little towns where there no longer is a coal mine open. Not only that—their towns are shut down.

Now isn't that a marvelous thing to accomplish and champion and say we are doing the right thing for America? We are going to drive your energy costs up and make it impossible for you to heat and light your homes. We are going to change the cost of everything you use to raise your children. It affects the cost of everything. The sum total is made up of energy costs also.

What we will do is we will raise the bar so high that it will no longer be possible for these people to operate at a profitable level and then we will back off and say, My goodness, they just couldn't meet the standard.

We ask, What does the standard have to be? Just a little bit better than it is now.

We say, How would we begin to measure it? Well, we haven't determined that yet. We have set standards for you, but we don't have any way of doing it. We can't get to the point where we can measure the metrics on it.

I would just ask you for one thing: I want you to think about those thousands and millions of people who have forever relied on coal and the electricity that we can supply and the energy we can supply at a unit that is low enough that they can continue to live a normal life. That is all we are asking.

This bill is common sense, which is so devoid in this House.

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

Mr. WHITFIELD. Mr. Chairman, to conclude, I would point out to my friends on the other side of the aisle there has been a lot of discussion today about the availability of carbon capture and sequestration. Let's not forget that the Energy Policy Act of 2005 said:

> Emission standards will not be set by plants receiving funds from the Clean Energy Initiative at the Department of Energy.

To my friend from the west coast, it is costing $5 billion, and the president of the Southern Company said:

> This plant cannot be consistently replicated on a national level and cannot be the primary basis for new emission standards.

That is because they are artificially concocted.

So our legislation simply says, in the future, if natural gas prices go up, America, like most every other country in the world, will have the option of building a new coal-powered plant.

I think it is a reasonable approach. It has bipartisan support.

This is the first time that we have been able to have a national debate with this President, who has already made up his mind he does not want coal for America. This is our opportunity to express the opinion of the American people that we need coal moving into the future.

I would urge the adoption of H.R. 3826, and I yield back the balance of my time.

Ms. ESHOO. Mr. Chair, I rise in opposition to H.R. 3826 because it would prevent the Environmental Protection Agency from ever regulating carbon emissions to stem climate change.

H.R. 3826 moves the goalposts on the EPA's carbon emissions rules and would effectively guarantee that our nation's dirtiest power plants continue to spew carbon into the atmosphere and further exacerbate global warming.

This bill is clearly a response to the President's Climate Action Plan, a series of executive actions designed to protect future generations from the harmful effects of climate change. I welcome the President's plan, and I regret the fact that House Leadership continues to steadfastly block action on climate change. Beyond the benefits to our air and climate, the EPA's proposed rules will provide regulatory certainty to fossil-fuel generators and would spur further development of renewable energy technologies that are our best chance to turn the tide of climate change.

Simply denying that climate change is occurring is not a policy and is completely out of touch with reality. The Intergovernmental Panel on Climate Change recently concluded with 95 to 100 percent certainty that humans are the principal cause of climate change. Such findings of the world's most highly regarded scientists cannot be more certain than this.

The American people know that climate change is not a ''hoax'' or a ''fraud,'' as some of our colleagues claim, because they are experiencing the hottest years on record, as well as the most severe floods, wildfires and droughts in modern history. My home state of California is currently facing an unprecedented drought which is threatening the prosperity of everyone from urban and rural communities to farmers, fishermen, wildlife, and large and small businesses.

Steps to halt and reverse the effects of climate change are well overdue, and our window to act is quickly closing. H.R. 3826 does the exact opposite, and for all these reasons, I urge my colleagues to oppose this legislation.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in thenature of a substitute consisting of the text of Rules Committee Print 113–40. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3826

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Electricity Security and Affordability Act''.

SEC. 2. STANDARDS OF PERFORMANCE FOR NEW FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) LIMITATION.—The Administrator of the Environmental Protection Agency may not

issue, implement, or enforce any proposed or final rule under section 111 of the Clean Air Act (42 U.S.C. 7411) that establishes a standard of performance for emissions of any greenhouse gas from any new source that is a fossil fuel-fired electric utility generating unit unless such rule meets the requirements under subsections (b) and (c).

(b) REQUIREMENTS.—In issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources that are fossil fuel-fired electric utility generating units, the Administrator of the Environmental Protection Agency (for purposes of establishing such standards)—

(1) shall separate sources fueled with coal and natural gas into separate categories; and

(2) shall not set a standard based on the best system of emission reduction for new sources within the coal category unless—

(A) such standard has been achieved on average for at least one continuous 12-month period (excluding planned outages) by each of at least 6 units within such category—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting such standard.

(c) COAL HAVING A HEAT CONTENT OF 8300 OR LESS BRITISH THERMAL UNITS PER POUND.—

(1) SEPARATE SUBCATEGORY.—In carrying out subsection (b)(1), the Administrator of the Environmental Protection Agency shall establish a separate subcategory for new sources that are fossil fuel-fired electric utility generating units using coal with an average heat content of 8300 or less British Thermal Units per pound.

(2) STANDARD.—Notwithstanding subsection (b)(2), in issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources in such subcategory, the Administrator of the Environmental Protection Agency shall not set a standard based on the best system of emission reduction unless—

(A) such standard has been achieved on average for at least one continuous 12-month period (excluding planned outages) by each of at least 3 units within such subcategory—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting such standard.

SEC. 3. CONGRESS TO SET EFFECTIVE DATE FOR STANDARDS OF PERFORMANCE FOR EXISTING, MODIFIED, AND RECONSTRUCTED FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) APPLICABILITY.—This section applies with respect to any rule or guidelines issued by the Administrator of the Environmental Protection Agency under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(1) establish any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(2) apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

(b) CONGRESS TO SET EFFECTIVE DATE.—A rule or guidelines described in subsection (a) shall not take effect unless a Federal law is enacted specifying such rule's or guidelines' effective date.

(c) REPORTING.—A rule or guidelines described in subsection (a) shall not take effect unless the Administrator of the Environmental Protection Agency has submitted to Congress a report containing each of the following:

(1) The text of such rule or guidelines.

(2) The economic impacts of such rule or guidelines, including the potential effects on—

(A) economic growth, competitiveness, and jobs in the United States; and

(B) electricity ratepayers, including low-income ratepayers in affected States.

(3) The amount of greenhouse gas emissions that such rule or guidelines are projected to reduce as compared to overall global greenhouse gas emissions.

SEC. 4. REPEAL OF EARLIER RULES AND GUIDELINES.

The following rules and guidelines shall be of no force or effect, and shall be treated as though such rules and guidelines had never been issued:

(1) The proposed rule—

(A) entitled ''Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'', published at 77 Fed. Reg. 22392 (April 13, 2012); and

(B) withdrawn pursuant to the notice entitled ''Withdrawal of Proposed Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'', signed by the Administrator of the Environmental Protection Agency on September 20, 2013, and identified by docket ID number EPA–HQ–OAR–2011–0660.

(2) The proposed rule entitled ''Standards of Performance for Greenhouse Gas Emissions from New Stationary Sources: Electric Utility Generating Units'', signed by the Administrator of the Environmental Protection Agency on September 20, 2013, and identified by docket ID number EPA–HQ–OAR–2013–0495.

(3) With respect to the proposed rule described in paragraph (1), any successor or substantially similar proposed or final rule that—

(A) is issued prior to the date of the enactment of this Act;

(B) is applicable to any new source that is a fossil fuel-fired electric utility generating unit; and

(C) does not meet the requirements under subsections (b) and (c) of section 2.

(4) Any proposed or final rule or guidelines under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(A) are issued prior to the date of the enactment of this Act; and

(B) establish any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit or apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

SEC. 5. DEFINITIONS.

In this Act:

(1) DEMONSTRATION PROJECT.—The term ''demonstration project'' means a project to test or demonstrate the feasibility of carbon capture and storage technologies that has received government funding or financial assistance.

(2) EXISTING SOURCE.—The term ''existing source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except such term shall not include any modified source.

(3) GREENHOUSE GAS.—The term ''greenhouse gas'' means any of the following:

(A) Carbon dioxide.

(B) Methane.

(C) Nitrous oxide.

(D) Sulfur hexafluoride.

(E) Hydrofluorocarbons.

(F) Perfluorocarbons.

(4) MODIFICATION.—The term ''modification'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(5) MODIFIED SOURCE.—The term ''modified source'' means any stationary source, the modification of which is commenced after the date of the enactment of this Act.

(6) NEW SOURCE.—The term ''new source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except that such term shall not include any modified source.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113–373. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall be not be subject to amendment, and shall not be subject to a demand for division of the question.

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AMENDMENT NO. 1 OFFERED BY MR. SMITH OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–373.

Mr. SMITH of Texas. 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 2, lines 7 to 8, strike ''within the coal category'' and insert ''within a fossil-fuel category''.

The Acting CHAIR. Pursuant to House Resolution 497, the gentleman from Texas (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we should not stand by and let the EPA tear down America one regulation at a time, so I thank the gentleman from Kentucky (Mr. WHITFIELD) for his work on H.R. 3826, the Electricity Security and Affordability Act.

Economic growth depends on job creators, not Federal regulators. We need to increase access to affordable energy, not take energy options off the table.

Now is the time to ensure a robust ''all-of-the-above'' energy strategy that includes our abundant fossil energies, as well as nuclear and renewables.

But by requiring carbon capture and storage technology that doesn't even exist, the EPA's new power proposal effectively bans new coal power. There is no coal power plant anywhere in the world that can meet the EPA's radical proposal.

What is equally troubling is that the EPA is planning to require this same unproven technology for new natural gas power.

This amendment stops the EPA's attack on natural gas. It prevents the

EPA from using make-believe technologies when setting standards.

I am interested in protecting all forms of affordable energy from EPA overreach, including coal, natural gas, and renewables, and that is what this amendment does.

Under the Clean Air Act, the EPA is required to rely on a technology that has been ''adequately demonstrated'' in the words of the law, but once again, the EPA is trying to twist the law to suit its extremist agenda.

The EPA does this by using an old legal trick: if you can't win the argument as it stands, start arguing about definition of words. By redefining what the term ''adequately demonstrated'' means, the agency is requiring the use of an unproven technology. In so doing, the EPA is making a tremendous power grab, one that reaches well beyond coal.

Only in Washington can you call something ''adequately demonstrated'' that doesn't even exist.

Over the past few months, it has become increasingly clear that the EPA isn't just going after coal. The administration has no intention of stopping there. Coal may be taking the hardest hit today, but the EPA is gearing up to take down natural gas.

This administration has tried to demonize hydraulic fracturing and prevent the construction of the Keystone XL pipeline, which would create thousands of jobs and provide many Americans with affordable energy.

As America is finding hope in an energy renaissance, the EPA plans to impose harsh power plant requirements on all forms of fossil energy. The EPA and the Department of Energy have already begun to tout these plans around the world.

This amendment requires the EPA to rely on proven technologies when it sets rules for any power plant. I urge my colleagues to join me in support of H.R. 3826, and help prevent the EPA from implementing reckless regulations that disregard the facts.

This amendment promotes an all-of-the-above-energy strategy, supports good-paying jobs, American manufacturing, and helps us secure energy independence. I urge my colleagues to support this amendment.

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

Mr. WAXMAN. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. HULTGREN). The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Chair, the underlying bill, H.R. 3826, is a radical rewrite of the Clean Air Act. It effectively repeals the EPA's existing authority to address carbon pollution from coal-powered plants.

It says that EPA cannot set a standard for new plants unless the standard is already being met by power plants using technologies that can achieve that standard.

Well, why would any power plant want to spend the money to use technology to achieve a standard that their competitors do not have to achieve?

So it is a chicken and egg problem. You cannot require them to do what they are not already doing.

Well, this amendment goes a step further and it says, for natural gas-fired power plants, they shouldn't have to do anything that they are not already doing either. They would block EPA from requiring natural gas-fired power plants to install pollution controls.

The problem is, EPA's current proposal for new natural gas plants doesn't require any pollution control technology. EPA is going to set a standard, and then let that standard be achieved however the industry would accomplish it.

So this amendment would preemptively block EPA from ever considering rules that might further reduce carbon pollution from any future power plants, whether they be coal or natural gas.

I think it makes no sense. It is a disaster for the climate. I urge my colleagues to vote against this amendment.

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

Mr. SMITH of Texas. Mr. Chairman, how much time remains on either side?

The Acting CHAIR. The gentleman from Texas has 1½ minutes remaining. The gentleman from California has 3 minutes remaining.

Mr. SMITH of Texas. Mr. Chairman, let me say to my friend from California, we have one more speaker on this side, and if he is prepared to close, then we will go to our last speaker.

Mr. WAXMAN. Mr. Chairman, I am not prepared to close. I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, if you look at what is happening with this bill and this amendment, if both were passed, combined, coal and natural gas power plants emit a third of all carbon pollution in this country. They are responsible for virtually all carbon pollution from the electricity sector.

This amendment would ensure that industry can keep building new fossil fuel power plants without modern pollution controls, whether they be natural gas or coal.

So, in effect, if this amendment is agreed to, and the underlying bill is adopted, it would say, in effect, we are not going to control any of the carbon pollution coming from any power plant.

Now, if we don't control the pollution from any power plant, and we let them emit whatever pollution they choose to emit, and it is obviously cheaper to pollute than to stop polluting, we will, in effect, condemn us to all that pollution which happens to be—let me repeat this again—it happens to be a third of the carbon pollution in this country today.

That would mean there is no chance in hell that we will ever reduce the pollution in this country that we can reduce that is adding to climate change pollution, in addition to all the other pollutants coming from around the world.

Those pollutants don't go away; they accumulate in the atmosphere, and when they accumulate in the atmosphere, we see the impact on the climate.

At some point, we are going to have so many pollutants in the atmosphere from carbon that scientists are telling us we won't be able to do anything. We won't be able to continue to contribute to that pollution without making it impossible to do anything about climate change.

We have a chance to do something about climate change now. We should not lose that chance by adopting this amendment and the underlying bill. So, I would urge that we vote against the amendment and the underlying bill.

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

Mr. SMITH of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Arizona (Mr. SCHWEIKERT), who is the chairman of the Environment Subcommittee of the Science, Space, and Technology Committee.

Mr. SCHWEIKERT. Mr. Chairman, I thank the chairman of the Science and Technology Committee, congratulations on yesterday.

Sort of a one step off, I lost the ranking member. I was going to congratulate him on his years of service now that his decision is to leave the body.

I am obviously standing here with two separate points I want to make. One is, I actually believe the underlying bill has been substantially misrepresented.

If you take the totality of the Clean Air Act, NO_X, and all the other pollutants that are regulated, that is not what this piece of legislation touches and does.

Be that as it may, I am here to stand up and advocate for amendment No. 1, which is very simple in its elegance. It does a very simple thing. It says, this bill is not only a discussion about coal, but it is actually a discussion about all fossil fuels.

If we are going to have a regime mechanic that says this technology, once it is properly demonstrated is appropriate to adopt, should not that demonstration be on other forms of fossil fuels that may be generating power?

In many ways it is that concept of sort of optionality. If we are going to create a silo that says hey, these mechanics are only about coal, that is unfair. It should be about all forms of energy, because you would hate to find out, a year or two from now, that the bright, shiny object that I believe the EPA is often chasing has moved to something else, and we have allowed a hole here in our amendment process.

Mr. SMITH of Texas. Mr. 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. SMITH).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Texas. 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.

AMENDMENT NO. 2 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–373.

Mrs. CAPPS. 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:

In section 2(b)(2)(A)(i), insert ''or elsewhere'' after ''in the United States''.

In section 2(c)(2)(A)(i), insert ''or elsewhere'' after ''in the United States''.

The Acting CHAIR. Pursuant to House Resolution 497, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Mr. Chairman, H.R. 3826 is about denial. It denies the realities of climate change. It denies EPA the ability to do its job.

The Supreme Court has clearly stated that the EPA has the authority to regulate carbon emissions from power plants, and EPA has used that authority under the Clean Air Act to propose rules to improve the quality and safety of our air.

These EPA rules are crucial to mitigating the harmful impacts of climate change, especially given the majority's refusal to take meaningful action to reduce greenhouse gas emissions.

H.R. 3826 would nullify these proposed rules and restrict EPA's ability to write new ones. This not only does nothing to address climate change, it also creates tremendous uncertainty for the power sector.

The bill also bizarrely restricts EPA to considering only pollution control technologies being used in the United States when setting new power plant standards. In other words, if a viable technology is being used abroad, EPA must pretend it doesn't exist.

Under the Clean Air Act, EPA must determine the best system of emission reduction for new coal-fired power plants, and it must set standards based on this best technology. This bill would block EPA from considering pollution controls used outside of the U.S., even if such systems are readily available and proven abroad.

As the global leader in innovation and technology, it is absurd that we would bar the EPA from even looking at the best technologies available just because of where it is being used.

My amendment would make a commonsense correction to this problem. If adopted, it would simply allow the EPA to consider all existing pollution control technologies, regardless of where they are being used.

For example, the EPA has proposed standards for new coal-fired power plants that would achieve greater carbon pollution reduction through the use of carbon capture and sequestration technology, commonly called CCS. If coal is going to be part of the clean energy future, CCS is precisely the kind of technology that we need to encourage.

Understanding this, EPA and others have provided evidence to our committee that CCS is both feasible and available, and that coal-fired power plants with CCS are moving forward.

□ 1715

Some of these projects are in the United States, but some of them are being pursued abroad; but without my amendment, these improvements or projects abroad would not be considered by this innovation. This is ridiculous and wrong.

I want to be clear. This amendment will not make this a sensible or reasonable bill, and I will be voting ''no'' even if my amendment should be adopted; but my amendment would at least avoid the embarrassment of the United States Congress requiring a science-based agency to pretend that technologies operating in other countries simply don't exist.

I know that some of my colleagues like to deny the science of climate change, but I hope there can be bipartisan agreement that we shouldn't deny science just because it is being used by someone else.

Effective CCS technologies are already being installed and used in other countries, including our neighbor to the north; and EPA surely should be allowed to consider these technologies. My amendment would simply ensure that EPA can do its job and consider all available technologies when setting pollution control standards.

So I ask my colleagues to support this simple and sensible change and support my amendment.

I reserve the balance of my time.

Mr. WHITFIELD. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chair, I certainly have a great deal of respect for the gentlelady from California, and I might add, we have heard a lot today about climate change.

Former EPA Administrator Lisa Jackson, herself, stated in a hearing:

We will not ultimately be able to change the amount of CO_2 that is accumulating in the atmosphere alone.

By that, she meant the United States, and there are a couple of reasons she said that. First of all, 96 percent of CO_2 emissions are naturally occurring; manmade is around 4 percent.

I might also point out that, in the recent fifth assessment report of the Intergovernmental Panel on Climate Change, they acknowledged a lack of warming since 1998, and they acknowledged the growing discrepancy between their climate model projections versus actual readings.

So it is not that people are denying. It is that there is a significant difference among the scientific community about what is manmade CO_2 contributing and what is naturally occurring CO_2.

To the gentlelady's amendment, the Premier of Saskatchewan was in my office today, talking about the Canadian project that the gentlewoman from California referred to. It is not in operation yet.

He did say that it would not have been built without government funds; and her amendment would simply say that, if it is working in Canada, the EPA could apply that and make it mandatory here.

We believe that the Energy Policy Act of 2005 made it illegal for EPA to even set the emissions standard that they have set in their proposed rule, and certainly, what the gentlelady's amendment would allow is the governments to put in large sums of money to make some projects work that may not, in reality, be able to be accomplished in the U.S. because of a lack of private capital.

So if technology is working in another country, it can be brought to America, and if it meets our standards set in paragraphs B and C, it would be able to be utilized; so for that reason, I would make the argument that the gentlelady's amendment should be rejected.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Chair, I would just make the comment that I think there is a little bit of a misunderstanding here. I was not implying that, if there was a technology in another country, such as Canada, it would automatically have to be used in this country.

I would just propose, in my amendment, that we wouldn't want to deny a scientist the opportunity to be able to examine other technologies just because they came from a different country, such as Canada.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chair, what I object to is that the EPA would use that and mandate that private industry build that technology here in the U.S. And I think that your amendment would allow them to do that, and that is what I object to.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Chairman, I will just add that I don't believe the word ''mandate'' or ''require'' is in my amendment. It would just be allowing the consideration of proposals and technologies from other countries, not just the United States, as far as my amendment was concerned.

Mr. Chairman, my amendment is simple and straightforward. It makes a

small change to the bill, as I just said, which would allow EPA to consider all available technologies when developing pollution controlled systems. This is an idea that really should have bipartisan support.

My colleagues across the aisle often say how the government shouldn't be picking winners and losers, yet that is precisely what this bill does. It not only declares which technologies can be winners, but it doesn't even allow all available technologies to be considered. The bill allows polluters to keep polluting while our children and grandchildren will suffer the consequences down the road.

My amendment won't make this deeply flawed legislation something I can support, but it will at least allow EPA to look at the full picture when making its decision.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chair, the purpose of our legislation is, whenever EPA sets the standard, we want the technology to be in the U.S. for at least a year—operating for a year, and six units have the proof of that; so that is why we object to the gentlelady's amendment, and I would urge Members to vote against her amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. CAPPS. Mr. 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 California will be postponed.

AMENDMENT NO. 3 OFFERED BY MRS. CAPITO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–373.

Mrs. CAPITO. I have an amendment at the desk, Mr. Chair.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 2, add the following:

(d) TECHNOLOGIES.—Nothing in this section shall be construed to preclude the issuance, implementation, or enforcement of a standard of performance that—

(1) is based on the use of one or more technologies that are developed in a foreign country, but has been demonstrated to be achievable at fossil fuel-fired electric utility generating units in the United States; and

(2) meets the requirements of subsection (b) and (c), as applicable.

The Acting CHAIR. Pursuant to House Resolution 497, the gentlewoman from West Virginia (Mrs. CAPITO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from West Virginia.

Mrs. CAPITO. Mr. Chair, I rise to say that my amendment is a simple clarifying amendment that goes right along the discussion we were just having with the previous amendment.

It makes clear that the underlying bill does not stop the EPA from relying on foreign technologies to establish a performance standard, so long as that foreign technology has been adequately demonstrated at power plants here in the United States, and I think my colleague from Kentucky was making that point in his rebuttal.

The Electricity Security and Affordability Act is necessary because the EPA has taken the unprecedented step of requiring the use of technology that has not been demonstrated on a large commercial scale here in the United States. The rule is, therefore, a de facto ban on new coal plants anywhere in the United States.

Well, why is this significant? As our existing coal fleet retires, either due to regulations or because plants have reached the end of their useful life, what takes their place to provide affordable and reliable electricity to families and businesses?

In January, when temperatures dropped across the Eastern part of the United States, American Electric Power, AEP, which provides power in my region of the country, was operating 89 percent of the coal capacity that will retire in 2015.

When that capacity is no longer available, our electric grid will be less reliable, and the energy prices paid by individuals and small businesses will increase.

West Virginia has vast supplies of both natural gas and coal, so I fully support the development and use of all our domestic energy resources. We need a diverse energy policy that includes coal, natural gas, nuclear, and renewable to support our economic growth and keep the energy bills that families pay each month from skyrocketing.

But we cannot turn away from coal, which provides 40 percent of our Nation's electricity and 95 percent of the electricity in my home State of West Virginia.

Other countries understand that coal provides the energy necessary to power their own economies. The International Energy Agency released a report in December, stating that global coal consumption will continue to rise and increase by more than 2 percent through 2018. Between 2007 and 2012, global coal consumption increased faster than oil or natural gas.

China and India are constructing new coal plants. Even Germany is increasing its coal capacity in 2013.

The rest of the world is willing to use coal. We, in the United States, have a strong competitive advantage because we have hundreds of years of supply. Increasingly, we are exporting coal for use abroad. West Virginia exports more coal than any other State.

While we are glad the coal exports allow for production that provides jobs—real jobs in our State, it is difficult to understand why we would turn away from using our own domestic resources at the same time other countries are turning towards our domestic resources.

Importantly, unilateral action by the United States will do virtually nothing to address the global problem of carbon dioxide emissions. In 2012, carbon dioxide emissions from energy production in the United States fell by 3.8 percent to their lower level since the mid-90s.

Despite this drop, carbon dioxide emissions from energy globally increased to their highest level on record. China's carbon dioxide emissions alone more than offset the decreased emissions from the United States.

That is why I introduced legislation that would delay the implementation of the U.S. carbon dioxide regulations until other countries comprising 80 percent of non-U.S. emissions enact equally stringent regulations. Acting in concert with our global competitors would minimize the economic consequences and maximize the environmental benefits.

Instead, the administration has chosen the opposite course, imposing a unilateral regulation that maximizes our economic pain and minimizes the environmental benefits. EPA's regulation means absolutely fewer West Virginia jobs and higher energy prices for consumers.

Let's be clear about what today's legislation does. This legislation does not stop the EPA from regulating greenhouse gas emissions from new coal plants. The bill simply requires EPA to base its regulations on the best performing existing coal plants.

We should encourage the implementation of newer, cleaner burning coal technologies, but a de facto ban on new coal plants won't encourage new technologies. It will leave promising research on the shelf while energy prices increase and the economic advantage offered by our natural resources is lost.

This is a good straightforward piece of legislation. My amendment makes it clear that we want the best commercially available technology to set the standards for new plants, regardless of where that technology is developed, as long as that technology is demonstrated in the United States coal plants.

I urge the amendment's adoption and reserve the balance of my time.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. I don't know how to oppose this amendment because it doesn't seem to make the underlying bill any worse.

The problem is this: The bill requires that, before a new standard for coal-powered plants is set, there has to be six coal-powered plants in this country

that are already using this technology; and we have argued: Well, that is not going to happen because no one is going to use the technology if their competitors aren't going to use the technology.

And if there is technology outside of this country that is being used successfully, EPA can't rely on that. Mrs. CAPPS' amendment would have changed that. That is still going to be voted on later.

Mrs. CAPITO's amendment says EPA could consider technologies developed in other countries, but only if those technologies are also being broadly adopted in the United States, as I understand it.

Well, in fact, that will lead to the exact same problem as we have in the underlying bill. Under both the amendment and the bill, EPA would still be prevented from proposing a standard based on cleaner coal technologies, such as ultrasupercritical boilers, which can reduce pollution by improving efficiency.

That kind of technology is already being used in more than 100 ultracritical coal units generating power in China, but the United States has only installed one. Well, we can't let that one and all the others that are being used in China allow the EPA to set a standard that would require that technology.

□ 1730

Under the bill and the amendment, that one U.S. plant won't be sufficient for EPA to set a new standard. So even if this amendment passes, EPA will still be prohibited from setting pollution control standards based on effective pollution controls that have been deployed overseas.

Well, I guess if you are going to pretend that climate change isn't happening, why not pretend that clean air technologies used in other countries don't exist, either? So I can't oppose—I am not going to ask for a rollcall vote. I am not going to even—I will even vote against your amendment. I am not going to vote for it. But it seems to me the amendment has a problem that the underlying bill already has, and it doesn't fix anything.

So if people want to vote for this amendment, vote for the amendment because it doesn't make anything any different than the problems that I see with the underlying bill.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–373.

Mr. MCKINLEY. 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 section 3, add the following new subsection:

(d) CONSULTATION.—In carrying out subsection (c), the Administrator of the Environmental Protection Agency shall consult with the Administrator of the Energy Information Administration, the Comptroller General of the United States, the Director of the National Energy Technology Laboratory, and the Under Secretary of Commerce for Standards and Technology.

The Acting CHAIR. Pursuant to House Resolution 497, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, under this legislation, the EPA is required to submit a report to Congress regarding the impacts this proposed regulation will have on the economy, our competitiveness, our job losses, and electricity rates.

Quite frankly, many here in Congress and the constituents we represent across America have come not to trust the EPA to tell the truth about the impacts the proposed New Source Performance Standard rule or the upcoming existing source rule will have on our Nation.

The amendment before us adds stakeholders with whom the EPA should consult when finalizing this report. This includes the Energy Information Agency, who will provide the EPA with the necessary statistics and background. It includes the Comptroller General who oversees the Government Accountability Office because the GAO's reports have led to hearings and legislation, billions of dollars in taxpayer savings and improvements to a wide range of government programs and services.

It also includes the National Institute of Standards and Technology, who works with industry to develop and apply our Nation's technology, measurements, and standards, and, finally, the National Energy Technology Laboratory, under the direction of the Department of Energy. NETL has been leading the charge in working with the private sector and academia in developing carbon capture and sequestration technologies.

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

The Acting CHAIR. Does anyone seek recognition in opposition to the amendment? If not, the gentleman from West Virginia is recognized to close.

Mr. MCKINLEY. Mr. Chairman, during the House debate recently on Congressman GARDNER's House bill H.R. 4480, the Domestic Energy and Jobs bill, I offered a similar amendment. This amendment passed by voice vote and ensured that NETL had a seat at the table.

As background and for those of you who are unaware, NETL is our only government research, design, and development laboratory dedicated to domestic energy sources. Last year alone, NETL worked with academia and the private sector on over 1,000 projects. This represented over 55,000 jobs and $12 billion in project funding in every State and nearly every congressional district. It is only fitting that they, along with others, are included in this process.

Let's be clear here. If we support transparency by having relevant agencies consult with the EPA, these same agencies who provide us with statistics, develop our standards, develop our technology, and keep our agencies and Congress in line and accountable, then you would support this amendment. Members of Congress consult with their staffs, their respective committees, other Members' offices, and their constituents, so it is fitting the EPA should do the same under this amendment.

Chairman WHITFIELD and his staff are to be commended for their hard work to put together such an incredible bipartisan effort in this legislation. I am a proud cosponsor to work with him and encourage all my colleagues to support this amendment and, more importantly, the underlying bill.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113–373.

Mr. MCKINLEY. 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 5, line 17, strike ''; and'' and insert a semicolon.

Page 5, line 19, strike ''States.'' and insert ''States;''.

Page 5, after line 19, insert the following:

(C) required capital investments and projected costs for operation and maintenance of new equipment required to be installed; and

(D) the global economic competitiveness of the United States.

The Acting CHAIR. Pursuant to House Resolution 497, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chair, once again, I would like to reference section 3 of the underlying bill. The amendment would strengthen the analysis and reporting the EPA is required to develop under this legislation.

One of the problems our coal, gas, and oil industries face is the vast ideologically motivated regulations they must endure, such as the New Source Performance Standards. However, other nations don't seem to impose

such burdensome policies and regulations on their industries. Instead, countries in the Middle East and Asia promote their fossil fuel businesses and work to make it easier for those countries to get their fossil fuels to market. Mr. Chairman, it is called fairness.

Now, I am sure you will hear that some of the opponents of this in the past have falsely claimed that this amendment is flawed and too broad. We have heard that this amendment might open up a Pandora's box of issues as we heard from our friends 2 years ago when I offered a similar amendment. That is simply not true, not accurate.

This amendment and legislation will make certain that the United States remains viable in its manufacturing on a global scale, ensures that we don't put more people and their families or children out on the street or with uncertainty, and we can provide them with certainty and access to abundant and affordable electricity. This amendment is about protecting our liberties and providing transparency.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to the amendment so I can make a few points about this.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. I didn't speak on the last amendment. I didn't think that last amendment did anything worse than the bill already does. This amendment modifies a section of the underlying bill which requires EPA to report to Congress on the economic impacts of any regulation of carbon pollution from existing fossil fuel-fired power plants.

Well, this reporting requirement is largely meaningless because EPA already does this analysis, and if this bill were adopted, EPA wouldn't issue any rules to trigger the reporting requirement anyway. But this amendment would add more items to be considered in EPA's report on a rule regulating carbon pollution from existing power plants.

For example, this bill would require EPA to look at the rule's potential effects on capital, operation, and maintenance costs for pollution control equipment. But that is exactly what EPA already does for every significant rule that requires pollution controls. The amendment also requires EPA to analyze how our particular pollution control requirement may affect the global economic competitiveness of the United States. I don't think that makes any sense to add this because it is questionable whether we even have reliable economic models to make this assessment.

If this bill were adopted, EPA wouldn't be doing this report anyway, so it doesn't really matter. I am not going to object to the amendment, and I am not going to vote for the amendment, but it won't have any effect because the underlying bill is going to prevent the EPA from acting whether it is a new power plant or existing power plants.

But I did want to single out this provision which I think is unreasonable to expect EPA to be able to do this global economic competitiveness analysis. That is not what EPA does. They are not in the position to do it, and to add that requirement, I think, is a very bad precedent.

I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I thank Congressman WAXMAN.

Under this amendment, the EPA is required, as he just stated, is required to take into account the economic impacts this rule could have on our global competitiveness and the required capital investments and costs for operations and maintenance of new equipment.

We know that, under the New Source Performance Standards rule, the cost of electricity could skyrocket by as much as 70 percent. This cost will be passed on to the consumers. Consequently, American manufacturers will indeed be put at a global disadvantage, and many will lose their business.

We have seen testimony by economists, academics, and scientists who say that, under this proposed regulation, capital costs will increase by as much as 110 percent. This is unconscionable. At a time when Saudi Arabia, China, and India are helping their job creators thrive and open up global opportunities for them, this administration and its ideologically motivated EPA are exporting jobs, trading uncertainty, and trying to decarbonize America with little to show for health and economic benefits.

The EPA needs to look at what other nations are doing to grow, stabilize, and sustain their fossil fuel industries. This amendment will help us show how we can improve and stop hindering the development of our natural resources.

Ultimately, I offered this amendment because we are supposed to be a nation leading by example over the rest of the world. With nearly 23 million people underemployed or unemployed, we really ought to be saying to our regulators: Just because you can doesn't mean you should.

Mr. Chairman, again, I wish to thank Mr. UPTON and Mr. WHITFIELD for their support of this amendment and the underlying bill that goes with it. Mr. WHITFIELD's work on the overall bill shows his true leadership and caring for the people of Appalachia and all across America.

This country is a leader of the world, an innovator, and a job creator. It is time that it reins in the excessive regulations that create burdens resulting in families, children, husbands, and spouses worried about tomorrow. It is time their regulators pull back in. This amendment and this legislation overall will create that ability that we have in the American Dream again, but not an American Dream that is driven by regulations.

I urge all my colleagues on both sides of the aisle to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. SCHAKOWSKY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113–373.

Ms. SCHAKOWSKY. Mr. Chair, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Redesignate section 5 as section 6 and insert after section 4 the following:

SEC. 5. CONGRESSIONAL ACCEPTANCE OF SCIENTIFIC FINDINGS.

Congress accepts the scientific finding (contained in the proposed rule referred to in section 4(2)) that greenhouse gas pollution is ''contributing to long-lasting changes in our climate that can have a range of negative effects''.

The Acting CHAIR. Pursuant to House Resolution 497, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Mr. Chairman, I yield myself 4 minutes.

My dear colleagues, this is the simplest of simple amendments. It asks of this House only one thing, to acknowledge the truth of these words:

Greenhouse gas pollution is contributing to long-lasting changes in our climate that can have a range of negative effects.

Our country and this Congress are at a critical moment in the history of our small planet. We are privileged as leaders of the most powerful country on Earth to be in a position to lead the world in combating climate change. There is still time.

□ 1745

If we act now, we can protect our natural resources, like water, promote job growth, and ensure that our descendants are able to live healthy lives on this planet long after we are gone.

Making the right choice begins with accepting the fact of climate change. It is hard to ignore this reality. The 10 hottest years in human history all occurred since 1998. This time last year, we had just completed the hottest year ever in the United States, a full degree hotter in terms of average temperature than the previous record. Though we are dealing with cold in many parts of the U.S. this year, the scientists tell us global temperatures are continuing to warm.

Micronesia, the Marshall Islands, and Palau, among others, will be submerged during this century unless meaningful action is taken. Here at home, we are seeing more and more severe droughts, wildfires, storms, and hurricanes—often all in the same year.

There are tremendous economic incentives for the United States to take climate change seriously. In December, the Pew Charitable Trust estimated that the clean energy sector could generate $1.9 trillion in revenue from 2012 to 2018. We also know that there are three times as many jobs created per dollar spent on renewable energy than on fossil fuel. As we work to create an economy that supports 21st century jobs, how can we overlook one of the world's fastest-growing industrial sectors and the millions of jobs it would support?

Large multinational corporations have joined environmentalists, scientists, and the vast majority of the American public who recognize the impact of carbon pollution on our world. For example, Coca-Cola has already suffered from a global water shortage that is driving up costs, and Coke has recognized climate change as a challenge to its future profitability.

The business plans of ExxonMobil and other Big Five oil companies assume they will have to pay for the cost of carbon in the future. This Congress should recognize the same facts that these business leaders have accepted: climate change is real and requires a different game plan. History will not be kind to climate change deniers.

The Schakowsky-Lowenthal amendment doesn't ask for much. It doesn't change the bill's provisions. It simply asks us as 21st century leaders of the most powerful country in the world to say ''yes'' to this simple fact: climate change is real and can have negative consequences.

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

Mr. WHITFIELD. Mr. Chairman, I rise to oppose the gentlelady's amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I have a great deal of respect and admiration for the gentlelady from Illinois. I might say, this legislation would never have been necessary if EPA had adopted a standard that had been adequately demonstrated and was not in violation of the Energy Policy Act of 2005.

I would also say in wanting to add this language to the bill, EPA itself, in discussing its proposed regulation, projected that its rule would result in almost zero CO_2 emission changes or quantified benefits in cost by 2022. So even EPA does not think that their regulation is going to really significantly reduce CO_2 emissions because 96 percent of CO_2 emissions are naturally occurring; less than 4 percent are manmade.

I might also point out once again that no one is a denier of climate change, but more and more scientists seem to be disagreeing with the impact of manmade CO_2 versus naturally occurring CO_2.

After the Fifth Assessment Report of the Intergovernmental Panel on Climate Change in the fall of last year, a group of scientists from the non-governmental Intergovernmental Panel on Climate Change in a 1,200-page report with thousands of references to peer reviewed papers made the argument that natural forces, not man-made forces, are really driving the Earth's climate. So we are particularly concerned that this regulation would prevent America from flexibility. In the future if natural gas prices go up, we would not have the option, like most every other country in the world, of building a coal plant, and so that is why we respectfully oppose her amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. I thank the gentlewoman from Illinois for yielding and for being a steadfast leader on this issue.

Mr. Chairman, this amendment simply confirms what world's scientists already know: that greenhouse gases contribute to long-lasting changes in our climate that can have a range of harmful effects.

Disinformation by entities with conflicts of interest have fueled reports of scientific disagreement. However, the scientific community is not divided because there is no compelling scientific evidence denying human's role in climate change, period. Case closed.

Every minute we waste on the myth of disagreement is a minute longer we wait to take concrete action, making our inevitable energy transition even more expensive.

Mr. Chairman, we will be judged by our children for what we do here today. I urge an ''aye ''vote.

Ms. SCHAKOWSKY. I yield back the balance of my time.

Mr. WHITFIELD. I yield myself the balance of my time.

In reply to this case closed argument, I would just point out that the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, which came out in the fall, acknowledged a lack of warming since 1998 and a growing discrepancy between the model projections and the reality of the observations actually made; that the discrepancy between the models and reality was increasing. It also acknowledged the evidence of decreased climate sensitivity to the increases in atmospheric CO_2 concentrations. It also acknowledged that sea level rising during the period 1920–1950 was the same as in 1995 to 2012. Now that is the United Nations Intergovernmental Panel on Climate Change.

With that, I respectfully request that we defeat the gentlelady's 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. 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 gentlewoman from Illinois will be postponed.

Mr. WHITFIELD. 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. MCKINLEY) 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 bill (H.R. 3826) to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2824, PREVENTING GOVERNMENT WASTE AND PROTECTING COAL MINING JOBS IN AMERICA; PROVIDING FOR CONSIDERATION OF H.R. 2641, RESPONSIBLY AND PROFESSIONALLY INVIGORATING DEVELOPMENT ACT OF 2013; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WEBSTER of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 113–374) on the resolution (H. Res. 501) providing for consideration of the bill (H.R. 2824) to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes; providing for consideration of the bill (H.R. 2641) to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes; and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

ELECTRICITY SECURITY AND AFFORDABILITY ACT

The SPEAKER pro tempore. Pursuant to House Resolution 497 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3826.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1756

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the further consideration of the bill (H.R. 3826) to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 6 printed in House Report 113–373 offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) had been postponed.

AMENDMENT NO. 7 OFFERED BY MR. LATTA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113–373.

Mr. LATTA. Mr. Chairman, I rise to offer my amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 4, strike ''government'' and insert ''Federal Government''.

The Acting CHAIR. Pursuant to House Resolution 497, the gentleman from Ohio (Mr. LATTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Chairman, I rise in support of my amendment to H.R. 3826. This amendment would make a clarification to the bill to make explicit that ''demonstration projects'' refer to projects that have received Federal Government funding or assistance. This responds to comments raised when the bill was marked up that the definition of ''demonstration project'' could be construed to sweep in any project receiving government support, including local tax assistance.

This amendment helps clarify the bill and also highlights the provisions of the Energy Policy Act of 2005 which apply to the EPA's proposed standards for new plants. The Energy Policy Act expressly prohibits EPA from considering technologies at Federally funded projects under DOE's Clean Coal Power Initiative to be adequately demonstrated. The purpose of this is to prevent the premature mandating of technologies that are commercially viable.

EPA's determination that ''carbon capture and storage'' or CCS, technologies for new coal-fired power plants have been ''adequately demonstrated'' is not borne out in the real world. In the agency's proposed rule, the EPA cites four government-subsidized CCS power plant demonstration projects that are in various stages of planning development.

First, Southern Company's Kemper County, Mississippi, project is still under construction, subject to delays and cost overruns. In the company running the project's own words, this plant ''cannot be consistently replicated on a national level'' and ''should not serve as a primary basis for new emissions standards impacting all new coal-fired power plants.''

Next, Summit's Texas clean energy project is still in the planning stage. It does not yet have financing and has also been subject to multiple delays.

The third project, Hydrogen Energy California LLC's project, is still in the planning and permitting stages.

Lastly, SaskPower's Boundary Dam CCS project, a government funded, small 110-megawatt facility rebuild project in Canada is still under construction and reportedly $115 million over budget.

It seems very clear to the companies and institutions most involved with these CCS projects that they are not yet ready to be considered for commercial deployment. As one former Assistant Secretary for Fossil Energy in the Obama administration suggested, it is disingenuous for the EPA to say that CCS is ready.

□ 1800

It should be very clear to the American taxpayers that this administration is working day and night to eliminate the use of coal in this country. In places like my home State of Ohio, where 78 percent of our energy comes from coal, the result will be higher electric bills for our families and seniors already dealing with increased health care costs as a result of ObamaCare.

We should be pursuing energy policies that will lead to more energy that is less expensive for people, rather than less energy that is more expensive for our citizens. As we know, increased energy costs impact the most vulnerable citizens in our country.

Mr. Chairman, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Chairman, the underlying bill prevents EPA from setting a standard or requirements for new—new coal-powered plants.

Instead of telling a new coal-powered plant they have to use technology to reduce their carbon emissions, this bill says they can't require that of new plants, unless new plants are already using technology to reduce emissions.

Well, okay, if they are already using technology, we can say everybody ought to use that technology; but then the underlying bill goes further and says: Well, not only are they using technology that accomplishes the goal, but there has got to be six plants represented all over the country that are achieving the standard using technologies, and then EPA can consider a standard for new power plants.

This is like the belts and suspenders. They can't look at foreign technology. They have to use six plants that are using technology.

Of course, one would ask: Why would anybody spend money to use technology to reduce carbon pollution if they are not required to do it? It costs money.

So it is so unlikely that they are ever going to be able to set a new standard at the Environmental Protection Agency, given the underlying bill.

But the bill also says, if there are six plants that are using technology, they better not use technology that has been funded by the government. Well, why not? That is what the government does.

We provide DOE grants to have demonstrations of new technologies. That is what the underlying bill says. If they are achieving reductions in carbon pollution because it is involving government funds, we are not going to count those.

Well, now, we have the Latta amendment that says: Well, wait a second. What if it is funds for demonstrations that are not using Federal dollars, but local dollars?

Well, fine. I don't have any objection to that, but I don't know why we would say Federal dollars can't be used to demonstrate technologies that are successful, so the Latta amendment narrows the underlying bill, but really doesn't accomplish much.

Why, I would ask: Would we want to say that the Department of Energy, using taxpayer dollars for projects to find new and better ways to improve air quality for the American people, should not be used by EPA to set a standard for future power plants?

These projects funded by the Federal Government help companies figure out how to reduce air pollution more effectively and at a lower cost. The whole point is to develop technologies that can be applied across the industry to reduce air pollution.

So if the Federal Government funds those new technologies and they are successful, we are not going to let a standard be based on that; but if the State funds the development of the new technologies that accomplish these goals, oh, we can use that, but they better be part of six, and they better fit this underlying standard—this underlying requirement that there be six in different parts of the country and on and on and on.

Well, I don't object to this amendment. I don't see what the amendment particularly does to make the bill any better. It doesn't solve any particular problem that I see, but I just want to point out how offensive this underlying bill is to not let EPA set standards for new plants when we know that technologies can reduce the carbon pollution.

But we are not going to look at it for real, unless they meet a higher standard, which is six plants; but they better not be using government-funded technologies from the Federal Government, which would be the case if this amendment is adopted.

So I just want to make these points rhetorically because I think people ought to understand how offensive this bill is.

I reserve the balance of my time.

Mr. LATTA. Mr. Chairman, does the gentleman have anything further?

Mr. WAXMAN. Mr. Chairman, may I inquire who closes the debate on this amendment?

The Acting CHAIR. The gentleman from California has the right to close.

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

Mr. WAXMAN. 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. LATTA).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113–373.

Mr. WAXMAN. 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 the bill, add the following:

SEC. 6. EFFECTIVE DATE.

This Act shall take effect when the Administrator of the Energy Information Administration certifies that a Federal program, other than a program under section 111 of the Clean Air Act (42 U.S.C. 7411), will reduce carbon pollution in at least equivalent quantities to, with similar timing, and from the same sources as the carbon pollution reductions required in the aggregate by the rules and guidelines listed in paragraphs (2), (3), and (4) of section 4.

The Acting CHAIR. Pursuant to House Resolution 497, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, President Obama reached out to the Congress, to the Republican majority of this House, and he said: Let's work on ideas that could help us deal with this problem of climate change.

But he also said he wanted to make it very clear that, if the Republicans won't act because this House majority won't do anything to address climate change, he will.

The bill we are considering today shows that the Republicans' plan on climate change is to give up hope. Their plan is to let our children and grandchildren suffer the effects of climate change without lifting a finger to protect them; worse, the Republicans' plan is to stop any meaningful action to slow climate change. I think this position is indefensible.

Today's bill would amend the Clean Air Act to ensure that coal-fired power plants are able to pollute indefinitely with impunity. This bill would condition EPA's authority on conditions that simply can never be met or at least not as long as it is cheaper to dump pollution into the air rather than clean it up.

Republicans complain they don't like EPA's approach. Well, what is their plan to address climate change? For years, Democratic Members have shown that we are willing to consider any suggestion to reduce carbon pollution and to slow climate change.

We could put a price on carbon. We could put a limit on carbon pollution. We could support the development of clean energy. In the bill that I authored with now-Senator MARKEY, we dedicated $60 billion to deploy carbon capture and sequestration technology on new coal power plants.

But what Congress can't do is simply say no to everything, no to a price on carbon, no to a limit on carbon, no to regulation on carbon.

What my amendment suggests is, if they don't want EPA to act to reduce the pollution from carbon coming from coal-burning power plants, we are saying: All right, address this problem, make sure we have some other alternative that will work.

Because if they don't have an alternative that will work, in effect, the Republicans are saying: We are not going to do anything, either we don't believe there is a problem called climate change, the scientists are all lying to us—of course, we will never let them come before our committee and testify because they will only lie to us about it—the science is wrong, we don't have to worry about it.

We have heard over and over again from Mr. WHITFIELD that 96 percent of the problem is naturally occurring carbon. Well, naturally occurring carbon is balanced; it is absorbed by photosynthesis and other processes.

But that 4 percent is upsetting the balance, and that balance that is being upset is a threat to this planet. It is a threat to our atmosphere. It is a threat to our Nation when we see hurricanes, floods, droughts, all these climate events that we hear about every night in the evening news.

So what is their alternative? If they don't want coal-burning power plants regulated, give us an alternative that will reduce that 4 percent that is upsetting the balance.

I would suggest that they are telling us they have no alternative whatsoever. I don't think that is an adequate answer to what many experts believe is the leading threat to our survival on this planet.

I would urge that we adopt this amendment. If they don't like what EPA is doing, tell us their plan. If they have other ideas for reducing carbon pollution to prevent catastrophic climate change, let's hear them; but if they don't, they should step aside and let the President lead.

I urge support for this amendment, and I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, I would point out once again, as I did in the beginning of this debate, that the Constitutional law professor Jonathan Turley, testifying before the Judiciary Committee, recently made the statement that:

> If left unchecked, the United States President could effectively become a government unto himself because of excessive executive orders and excessive regulations.

The only reason that we are here today is that the President, without any really national debate, went to Copenhagen and other international groups and made commitments for the U.S. on the reduction of CO_2 emissions.

In the energy sector, our emissions are the lowest that they have been in 20 years. If EPA had adopted emission standards and technology was available that had been adequately demonstrated to meet those standards, we wouldn't have any problem, but they did not do that. In fact, they violated the 2005 Energy Policy Act in setting these emission standards.

We tried to talk to EPA; we tried to talk to the President; we tried to talk to his representatives; and we got the cold shoulder. So the only option available to us in trying to overcome these executive orders and regulations is to adopt some legislation.

In our legislation, we don't expect a coal plant to be built, but if natural gas prices go up, America—like every other country in the world practically—will be able to build a coal plant, and the technology will be available to meet those emission standards.

With that, I would respectfully oppose the gentleman's amendment, and I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, my amendment doesn't stop EPA from acting if we can get an alternative, an alternative that would reduce the carbon pollution to the same level the EPA is proposing.

My friend and colleague, Mr. WHITFIELD, said the President, if left unchecked, would make these commitments. Well, President George H. W. Bush made a commitment on behalf of this country that we would try to achieve reduction of carbon to 1990 levels.

If the Republicans want to do something on their own and not let the President do it, tell us how you can accomplish these goals. If you don't want to achieve these goals, it is either because you don't believe we need to achieve them or you are not willing to do anything about the problem.

I urge support for the amendment, and I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I would just say that we believe the President's views are extreme when he sets a goal of reducing by 83 percent below the 2005 emission levels.

For that, we think this legislation is absolutely essential to give the American people the flexibility in the future to build a coal plant to help meet the electricity needs of this great country.

With that, I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WAXMAN. 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.

□ 1815

Mr. WHITFIELD. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YOHO) 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 bill (H.R. 3826) to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING ON TOMORROW

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:00 a.m. tomorrow.

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

There was no objection.

THE ULTIMATE PRICE FOR FREEDOM

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

Mr. OLSON. Mr. Speaker, on March 6, 1836, nearly 200 Texans took their last breaths at the Alamo. A week before that, their commander, William Barret Travis, sent a final plea for help. Here are parts of that inspiring letter:

> To the people of Texas and all Americans in the world, I am besieged by a thousand or more Mexicans under Santa Anna. I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion; otherwise, the Garrison are to be put to the sword.
>
> I call on you in the name of liberty, of patriotism, of everything dear to the American character to come to our aid. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor, that of his country, victory or death.

May God and history always remember the Alamo.

CONGRATULATIONS TO THE HIGH SCHOOLS IN ALABAMA's SEVENTH DISTRICT THAT WON THE STATE BASKETBALL CHAMPIONSHIPS IN 2014

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

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to declare Alabama's Seventh Congressional District to be the district of high school basketball champions.

This year, in 2014, at the State tournament held by the Alabama High School Athletic Association, teams from the Seventh Congressional District of Alabama dominated, winning four boys basketball State championship titles and one girls.

I ask my colleagues to join me in congratulating Class 1A boys basketball State champions, St. Jude Educational Institute of Montgomery, Alabama; Class 3A boys basketball State champions, Midfield High School of Midfield, Alabama; Class 4A boys basketball State champions, Dallas County High School of Plantersville, Alabama; Class 5A boys basketball State champions, Parker High School of Birmingham; Class 5A girls basketball champions, Wenonah High School of Birmingham, Alabama.

No doubt that in the Seventh Congressional District of Alabama we breed winners. I plan to provide individual remarks about each school's victory so that each school is recognized in the CONGRESSIONAL RECORD. For now, I ask my colleagues in the House of Representatives to join me in congratulating and honoring the State of Alabama high school basketball champions from Alabama's Seventh Congressional District, the district of high school basketball champions.

HONORING HENRY WILLIS NEAL

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

Ms. JACKSON LEE. Mr. Speaker, it is with heavy heart but a joy for his life that I rise today to honor Henry Willis ''Hanq'' Neal of Houston, Texas, who lost his battle in life last week. He was the music minister at the Wheeler Avenue Baptist Church, an awesome tenor voice anointed by God.

Mr. Speaker, I rise to pay tribute to Henry Willis ''Hanq'' Neal, the legendary minister of music at Houston's Wheeler Avenue Baptist Church, who was called home by the Lord on Thursday, February 27, 2014. He was 57 years old.

The attack that took his life occurred the Sunday preceding, after a number of church services where he led the music ministry, and then concluding at another church a few miles away, never stopping, never ceasing to lead to the glory the Lord.

Hanq Neal possessed a distinctive singing voice that enthralled all audiences, the churched and the unchurched. According to the Reverend Marcus D. Cosby, Wheeler Avenue Baptist Church's senior pastor, because of Hanq, people's lives have been comforted and we have been enriched by his musical genius.

Hanq Neal was born on September 4, 1956, one of eight children. He was raised in Ft. Wayne, Indiana, where he began to play the organ at 4 and took up the violin at 7. He performed in school orchestras and sang in the church on Sunday. He dreamed of becoming a teacher, a gifted musician, and vocalist.

Hanq Neal and two church friends formed a gospel trio, the Pentecostal Ambassadors. The group was discovered at a Gospel Music Workshop of America conference and signed to a recording contract by the gospel legend, Reverend James Cleveland.

Hanq Neal sang the lead on ''If You Move Yourself,'' the title track of the 1980 gospel album recorded live in Detroit by the Donald Vails Choraleers.

The main thing that I want to share with all of you is that Hanq Neal was a friend. He sang at Erica Lee's, my daughter's wedding. And he sang this song, Mr. Speaker, for the late Congressman Mickey Leland, ''There Is Hope.''

Hanq Neal gave hope to the world. We loved Hanq Neal. He was a hero, an American hero. We have lost a unique talent. We wish our deepest sympathy to his family, and he will be missed. You may not know him, Congress, but he is an American hero.

Mr. Speaker, I rise to pay tribute to Henry Willis 'Hanq' Neal, the legendary Minister of Music at Houston's Wheeler Baptist Church, who was called home by the Lord on Thursday, February 27, 2014. He was 57 years old.

Hanq Neal possessed a distinctive singing voice that enthralled all audiences, the churched and unchurched. According to the Rev. Marcus D. Cosby, Wheeler Baptist Church's senior pastor, because of Hanq, "people's lives have been comforted and we have been enriched by a musical genius."

Hanq Neal was born September 4, 1956, one of eight children. He was raised in Fort Wayne, Indiana, where he began playing the organ at 4 and took up the violin at 7. He performed in school orchestras and sang in church on Sunday. He dreamed of becoming a teacher.

A gifted musician and vocalist, Hanq Neal and two church friends formed a gospel trio, the Pentecostal Ambassadors. The group was discovered at a Gospel Music Workshop of America conference and signed to a recording contract by gospel legend, Rev. James Cleveland.

Hanq Neal sang the lead on "If You Move Yourself," the title track of the 1980 gospel album recorded live in Detroit by The Donald Vails Choraleers.

In 1984, Hanq joined the Windsor Village United Methodist Church, a small-but-growing Houston congregation, and eventually established five choirs with a total membership of 600. He served there until 2001 and helped Windsor become the denomination's largest congregation.

Hanq Neal ''had an awesome tenor voice anointed by God,'' according to Kathy Taylor, the nationally known gospel artist who succeeded him as Windsor Village's music minister.

Mr. Speaker, Hanq Neal was the preferred vocalist for Houston public occasions. He performed at mayoral inaugurations and for Queen Elizabeth II when she visited the city in 1991.

It was at the memorial service for the late Congressman Mickey Leland in 1989 that Hanq Neal gained national recognition and critical acclaim for his rendition of ''There Is Hope,'' which became one of his signature songs.

When Hanq finished that song there were no dry eyes in the room every heart was lifted.

Hanq Neal's operatic rendition of ''The Lord's Prayer'' made him a popular soloist at funerals and other solemn occasions.

Hanq Neal was a unique talent and an American original. He was genuine. He broke and crossed barriers. His music brought the church to the community and the community to the church.

Mr. Speaker, Hanq Neal was a great man who touched the lives of all who heard him. He will be missed but never forgotten.

I ask a moment of silence in memory of Henry Willis 'Hanq' Neal.

THE RUSSIAN INVASION OF UKRAINE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the majority leader.

Mr. POE of Texas. Mr. Speaker, the Russians are invading Ukraine. I think a history lesson is in order.

I take you back to 1938. Adolph Hitler annexes a neighbor, Austria. Just took them. Took them over. The West, the world, the freedom-loving people watched. He got away with that. He took them over because he wanted to, in his statement, unify the German-speaking peoples.

That was in March of 1938. Then in October of 1938, Adolph Hitler just decided that he wanted part of Czechoslovakia, the Sudetenland, saying the same thing, that German-speaking people were being persecuted and that he wanted to help them, and he annexed the Sudetenland.

The West really agreed to that. We have heard about the appeasement of Chamberlain. Agreed to it, waived his paper, peace in our time. Not long after that, Hitler decided he wanted more Czechoslovakia. Then he invaded Poland, and then World War II started, and he invaded other countries. That was in the beginning of 1938.

Now take you to today. Vladimir Putin, Russia. He invades the Republic of Georgia, and he did so in August of 2008, and he took one-third of the country.

I happened to be in the Republic of Georgia shortly after the Russians invaded. I saw the Russian tanks on the horizon. Remember, Mr. Speaker, Putin invaded Georgia, took one-third of the land, and the Russians are still there. The world just moved on.

The Georgians are trying to figure out some way to deal with Putin's imperialistic attitude, but the Russians were there, are there—no consequences for that action.

Now that brings us to March of 2014. Of course, Georgia as we all know was a former Soviet Republic. Now Putin has his eyes on another former Soviet Republic, Ukraine. The Russian military, even though they went in with unmarked uniforms, just decided to move in and take over part of Ukraine—Crimea. That is the latest activity.

This is similar to what Adolf Hitler did back in the thirties and the forties. So, yes, Putin is similar to Adolph Hitler in that he has this appetite for other people's land, and he tries to justify it some way and he just waits to see if anybody is going to do anything about it.

This is a photograph taken by the Associated Press, Mr. Speaker, and it is some Ukrainian women that are holding up signs. Here is a photograph of Adolph Hitler over here on the far right. They are holding a sign. This is a Russian flag with a swastika in the middle. Here is another poster being held up showing the Russian flag, comparing Putin to Hitler and the Nazis' quest and their appetite to take other people's sovereign land.

I think the analogy is in order. I think the world should understand that Putin has it somewhere in his brain that he can just, on his own, justify the taking of other people's sovereign land. I think it is important that we recognize the obvious. And what we will do about it, we shall see.

When the Russians moved into Georgia, I personally don't think much happened to the world, other than the Georgians didn't complain too much. So the Russians understood that they could do it and get away with it, Putin did. Six years later, deja vu, it is all over again. He believes that he can get away with the invading of sovereign nations because of this reason: these nations, to some extent, depend on Russia for their energy, including, specifically, natural gas.

The Kremlin is working to reestablish its empire by bullying countries like Ukraine, its neighbor who broke away from the Soviet Union years ago but never was quite able to get away from the influence and intimidation of Putin.

Russia has used its competitive advantage to maintain a stronghold over Eastern Europe and the European states that were formerly aligned to the Soviet Union. This is my opinion: that Russia—Putin—has its goal to try to rebring in those former Soviet Republics under the sphere of influence of Russia under some new name. That is my opinion. It looks like they have already started this.

Seventy percent of the gas that goes to Ukraine comes from Russia. Six nations in the European Union rely on Russia for 100 percent of their natural gas.

□ 1830

Much of Europe relies on the Kremlin for natural gas, although they don't get 100 percent of their gas from them.

So you have got Europe, the former Soviet Republics, and Ukraine depending on energy, natural gas, from Russia. The Russians know that. Reliance on the Russian gas shapes the foreign policy of Eastern European countries, Western European countries, and especially the former Soviet Republics, and jeopardizes, I think, political and economic reforms.

Russia understands the stranglehold and the monopoly. They can get away with the bullying because they are the source of natural gas. Two times in the last 10 years, for political reasons, they have been punished economically—that is, the Ukrainians—by the Russians turning off the gas.

I happened to be in the Ukraine when the Russians turned off the gas one winter. Mr. Speaker, it gets cold in the Ukraine without heat. The Russians did that to make sure that the Ukrainians, I believe, come around and support Russian politics.

This past weekend, the Russians warned that the Ukrainians were not going to be able to continue to get some kind of discounted rate unless they reinstated the former Ukrainian President. They are blackmailing the Ukrainians. They want a president different than the one the Russians support.

So we can change that. People back home in Texas, like most Americans, don't think it is legal or right for the Russians to invade another country and just start moving in and taking over, but they ask this question: What are we going to do about it?

Remember, back when Hitler was in charge, it took a while for the West to react—and finally had to react militarily. Maybe we should try to react sooner and not have to react militarily, and we should do it economically.

The way to do that, I believe, is to give the Ukrainians, the former Soviet Republics, and Eastern and Western Europe an alternative to being held hostage by Putin because of their energy issues and the lack of natural gas and the lack of having an alternative.

Where should they look? They should look to the United States, and the United States should look to helping out these countries. Also, it would help us economically. We should be ready and eager to export our abundant natural gas to our European friends.

I think very few people in the energy industry would have believed 5 years ago that the United States would have so much natural gas that we would be able to export it; that we can produce it in such an efficient and clean way that we can export it to foreign countries. This is an opportunity to do so, and we should do so.

There is an ice cream company down in Texas that makes the best ice cream in the world. It is Blue Bell Ice Cream from Brenham, Texas. Their slogan is:

We eat all we can and we sell the rest.

That should be our slogan with natural gas. We use all we can in the United States and we sell the rest.

Who should we sell it to? We could start with these Eastern European Nations that are being intimidated by the Russians. We should help them economically, but also help the United States, and we should start with the Ukrainians.

An abundant and steady supply of natural gas exported from the United States would be beneficial to our allies, Eastern Europe, and let the world know that they are not going to be held hostage by the kleptocratic Kremlin any longer.

We can export natural gas in several ways. That debate has already taken place here in the House of Representatives and in the Department of Energy about whether or not we should or could export natural gas, setting aside the Ukrainian issue.

I think that we should. We have that opportunity. It is something that we can do to relieve the pressure of the intimidation by Putin and his attitude about moving in and taking over other people's property. The demand is there in Europe and the supply is overwhelming in the United States. The only thing that stands in the way is our own government.

So what do we do about that?

For the first time in our history, we can export natural gas to foreign countries. The United States has so much, we could not use all of it in our lifetime. It is beneficial to the United States to sell natural gas abroad. It will create jobs in the United States. It will create an income. It will make us—and we have heard this phrase since we were children—''energy independent'' by using natural gas, but also by selling it to our allies and our friends. The only thing that is stopping it, as I mentioned, is bureaucratic red tape.

It is ironic we talked about the year 1938. In 1938, Congress passed a law that required that any company that wanted to export natural gas had to get approval from the Department of Energy. That is in addition to the other permitting requirements that are required by FERC.

Over the last 70 years, this bureaucratic requirement that began in 1938, ironically, was hardly noticed anywhere in the United States because we were importing natural gas into the United States. By exporting, the United States can now become the Saudi Arabia of natural gas.

So technology has changed and we have an abundant amount of natural gas here in our own country. We can update the 1938 law and dismantle the bureaucratic roadblocks and take the Department of Energy out of the export license-granting process altogether. I think this country should be supporting and not stonewalling the development of this valuable resource. We can do that by legislation.

I have introduced legislation today, in fact, that would have the Department of Energy expedite the approval process for exporting natural gas to the Ukraine, former Soviet Republics, and to Europe. Let's get on with it.

Sure, it will take some time to get all of the logistics set up so we can actually send it to these countries, but we should help them. We should give them an alternative. We can do it on an economically good basis for these countries and for the United States. We can encourage folks to look to the West, as many of the Ukrainians already do, and give them an alternative.

The second thing that we can do to let the Russians know that we don't really approve of Putin moving into other people's countries—just like Hitler moved into other people's countries—is to look at it diplomatically, in the sense that until the Russians move out of somebody else's land—the Ukrainians—they shouldn't be getting any diplomatic visas into the United States. You stay out of the United States. You respect the international rule of law. Don't be an aggressor nation. Come into the world community of non-aggressing nations, like Russia says they are.

So there should be some consequences for this activity of invading other countries. What are the consequences? No visas for Russian diplomats to come to the United States. That is a good place to start. Meanwhile, let's approve exporting natural gas to the former Soviet Republics.

So I have introduced two bills that would do both of these things. They are something we can do immediately. Let the Ukrainians know that they have a friend in the United States, and we really do believe in supporting freedom and letting a nation itself figure out what they want to do, who they want to rule over them. Let them figure out that process.

It is difficult, and they disagree, as I am speaking tonight, on what course they should take, but let them decide, not let the Russians force them into becoming another puppet of Putin.

I hope we can move this legislation as fast as we possibly can.

And that's just the way it is.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ESTY (at the request of Ms. PELOSI) for today on account of official business in her district.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 23. An act to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

ADJOURNMENT

Mr. POE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 6, 2014, 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:

4889. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility, Rockland County, NY, et al. [Docket ID: FEMA-2013-0002] [Internal Agency Docket No.: FEMA-8319] received February 14, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4890. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — World Trade Center Health Program; Amendments to List of WTC-Related Health Conditions; Cancer; Revision [Docket No.: CDC-2014-0004; NIOSH-268] (RIN: 0920-AA50) received February 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4891. A letter from the Acting Director, Directorate of Whistleblower Protection Programs, Department of Labor, transmitting the Department's final rule — Procedures for Handling Retaliation Complaints Under Section 402 of the FDA Food Safety Modernization Act [Docket Number: OSHA-2011-0859] (RIN: 1218-AC58) received February 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4892. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Standard Permit for Oil and Gas Facilities and Standard Permit Applicability [EPA-R06-OAR-2011-0528; FRL-9906-60-Region 6] received February 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4893. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus thuringiensis Cry1F Protein in Soybean; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2013-0704; FRL-9905-59] received February 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4894. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenpropidin; Pesticide Tolerances [EPA-HQ-OPP-2012-0454; FRL-9904-31] received February 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4895. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Linuron; Pesticide Tolerances [EPA-HQ-OPP-2012-0791; FRL-9905-22] received February 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4896. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Test Methods

and Testing Regulations [EPA-HQ-OAR-2010-0114; FRL-9906-23-OAR] (RIN: 2060-AQ01) received February 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4897. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2013-0739; FRL-9903-70] (RIN: 2070-AB27) received February 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4898. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiram; Pesticide Tolerances [EPA-HQ-OPP-2012-0925; FRL-9904-22] received February 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4899. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations, Oklahoma City, Oklahoma [MB Docket No.: 13-302] [RM-11709] received February 19, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4900. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-281, ''Annie's Way Designation Act of 2014''; to the Committee on Oversight and Government Reform.

4901. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-279, ''Expedited Partner Therapy Act of 2014''; to the Committee on Oversight and Government Reform.

4902. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-280, ''Closing of a Public Alley in Square 150, S.O. 13-10218, Act of 2014''; to the Committee on Oversight and Government Reform.

4903. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Wavier by Joint Action of Visa and Passport Requirements for Members of Armed Forces and Coast Guards of Foreign Countries (RIN: 1400-AD51) received February 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4904. A letter from the Secretary, Department of Transportation, transmitting Annual Report on Disability-Related Air Travel Complaints Pursuant to the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21); to the Committee on Transportation and Infrastructure.

4905. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Amount of the life insurance reserves taken into account under section 807 of the IRC for variable contracts (Rev. Rul. 2014-7) received February 24, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4906. A letter from the Acting Commissioner, Social Security Administration, transmitting the November 2013 Annual Report of Payment Recapture Audits in Compliance with Section 2(h)(2)(D)(ii) of the Improper Payments Elimination and Recovery Act of 2010; to the Committee on Ways and Means.

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. WEBSTER of Florida: Committee on Rules. H. Res. 501. Resolution providing for consideration of the bill (H.R. 2824) to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes; providing for consideration of the bill (H.R. 2641) to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes; and providing for consideration of motions to suspend the rules (Rept. 113–374). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

[Omitted from the Record of March 4, 2014]

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 3189 referred to the Committee of the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MORAN:

H.R. 4148. A bill to phase out cosmetic animal testing and the sale of cosmetics tested on animals; to the Committee on Energy and Commerce.

By Ms. BROWNLEY of California (for herself and Mr. TAKANO):

H.R. 4149. A bill to amend the VOW to Hire Heroes Act of 2011 to extend the Veterans Retraining Assistance Program, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOK (for himself and Ms. TITUS):

H.R. 4150. A bill to amend title 38, United States Code, to direct the Secretary of Labor to enter into a contract for the conduct of a longitudinal study of the job counseling, training, and placement services for veterans provided by the Secretary, and for other purposes; to the Committee on Veterans' Affairs, 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. BILIRAKIS (for himself and Mrs. KIRKPATRICK):

H.R. 4151. A bill to direct the Secretary of Veterans Affairs to enter into a contract with a non-government entity to conduct a survey of individuals who have use or are using their entitlement to educational assistance under the educational assistance programs administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Kentucky (for himself and Mrs. LOWEY):

H.R. 4152. A bill to provide for the costs of loan guarantees for Ukraine; to the Committee on Appropriations, and in addition to the Committee on Foreign 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. FORBES:

H.R. 4153. A bill to expedite the deployment of highway construction projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas:

H.R. 4154. A bill to deny visas and entry to the United States to officials and employees of the Government of the Russian Federation due to the Russian military intervention in Ukraine, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas:

H.R. 4155. A bill to authorize natural gas exports to certain foreign countries, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign 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. ROYCE (for himself and Mr. ENGEL):

H.J. Res. 112. A joint resolution providing for the approval of the Congress of the proposed Third Amendment to the Agreement for Co-operation Between the United States of America and the International Atomic Energy Agency that was transmitted to Congress on January 29, 2014; to the Committee on Foreign Affairs.

By Mr. MEADOWS:

H. Con. Res. 89. Concurrent resolution expressing support for designation of October 28, annually, as ''Honoring the Nation's First Responders Day''; to the Committee on Transportation and Infrastructure.

By Mr. ROYCE (for himself, Mr. ENGEL, Mr. COOK, Mr. MARINO, Mr. KEATING, Mr. KINZINGER of Illinois, Ms. ROS-LEHTINEN, Mr. SHERMAN, Mr. DEUTCH, Mr. HOLDING, Mr. HOLT, Mr. MESSER, Mr. SMITH of New Jersey, Mr. CHABOT, Mr. KELLY of Pennsylvania, Mr. PERRY, Mr. POE of Texas, and Mr. SIRES):

H. Res. 499. A resolution condemning the violation of Ukrainian sovereignty, independence, and territorial integrity by military forces of the Russian Federation; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. BURGESS, and Mr. VAN HOLLEN):

H. Res. 500. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; to the Committee on Energy and Commerce.

By Mr. RUSH:

H. Res. 502. A resolution congratulating the Minority Business Development Agency on its 45th anniversary and commending its achievements in fostering the establishment and growth of minority businesses in the United States; to the Committee on Financial Services, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Ms. BASS, Mr. MCCAUL, Mr. WOLF, and Mr. WEBER of Texas):

H. Res. 503. A resolution expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and

recent grievances to allow for a peaceful society with good governance; to the Committee on Foreign Affairs.

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. MORAN:

H.R. 4148.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. BROWNLEY of California:

H.R. 4149.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. COOK:

H.R. 4150.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution.

By Mr. BILIRAKIS:

H.R. 4151.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause XII—XIV of the Constitution of the United States, which gives Congress the authority to:

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

By Mr. ROGERS of Kentucky:

H.R. 4152.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. FORBES:

H.R. 4153.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. POE of Texas:

H.R. 4154.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. POE of Texas:

H.R. 4155.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ROYCE:

H.J. Res. 112.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 118: Ms. JACKSON LEE.
H.R. 184: Mr. GARAMENDI.
H.R. 198: Ms. LOFGREN.
H.R. 411: Mr. NEAL.
H.R. 564: Ms. PINGREE of Maine.
H.R. 594: Mr. FINCHER, Mr. WOLF, and Mr. DAINES.
H.R. 630: Mr. MORAN.
H.R. 715: Ms. TITUS, Mr. DELANEY, and Mr. AL GREEN of Texas.
H.R. 719: Mrs. NEGRETE MCLEOD.
H.R. 732: Mr. SMITH of Nebraska.
H.R. 736: Ms. SHEA-PORTER.
H.R. 755: Ms. DELBENE.
H.R. 861: Ms. LOFGREN.
H.R. 921: Mr. BRIDENSTINE.
H.R. 938: Mr. SCOTT of Virginia.
H.R. 1094: Ms. CLARK of Massachusetts.
H.R. 1240: Mrs. NAPOLITANO and Mr. DANNY K. DAVIS of Illinois.
H.R. 1249: Mr. GRAVES of Georgia, Mr. WHITFIELD, Mrs. BROOKS of Indiana, and Mrs. LUMMIS.
H.R. 1250: Mr. DENT.
H.R. 1263: Mr. DAVID SCOTT of Georgia and Ms. DELBENE.
H.R. 1461: Mr. CRENSHAW.
H.R. 1462: Mr. ROSS and Mr. BILIRAKIS.
H.R. 1507: Ms. ESTY.
H.R. 1523: Mr. PERLMUTTER and Mr. SHERMAN.
H.R. 1563: Mr. ISRAEL.
H.R. 1579: Mr. NOLAN.
H.R. 1726: Mr. MCINTYRE.
H.R. 1798: Mr. FARR.
H.R. 1812: Mr. MCCARTHY of California.
H.R. 1852: Mr. MEADOWS.
H.R. 2001: Mr. CARSON of Indiana and Mr. COHEN.
H.R. 2016: Mr. COOPER.
H.R. 2328: Mrs. ELLMERS, Ms. HERRERA BEUTLER, and Mr. ROGERS of Kentucky.
H.R. 2377: Mr. HUNTER.
H.R. 2413: Mr. STUTZMAN, Mr. SALMON, and Mr. YOHO.
H.R. 2444: Ms. JACKSON LEE.
H.R. 2575: Mr. LAMBORN.
H.R. 2591: Mr. RUPPERSBERGER.
H.R. 2663: Mr. POCAN.
H.R. 2734: Mr. HECK of Washington.
H.R. 2745: Mr. OLSON.
H.R. 2772: Mr. FARENTHOLD.
H.R. 2812: Ms. CLARKE of New York.
H.R. 2852: Ms. LOFGREN.
H.R. 2882: Ms. HERRERA BEUTLER.
H.R. 2994: Mr. HIGGINS, Mrs. NEGRETE MCLEOD, and Mr. GRAYSON.
H.R. 2996: Mr. RENACCI, Mr. RODNEY DAVIS of Illinois, Mr. GRIFFIN of Arkansas, and Mr. KELLY of Pennsylvania.
H.R. 3086: Mr. HOLT, Mr. FINCHER, Mr. WILSON of South Carolina, Mr. MCKEON, Ms. LORETTA SANCHEZ of California, Mr. LATTA, Mr. BARR, and Ms. WILSON of Florida.
H.R. 3121: Mr. CRENSHAW.
H.R. 3211: Mr. COTTON.
H.R. 3240: Ms. NORTON, Mrs. NEGRETE MCLEOD, and Mr. HUFFMAN.
H.R. 3318: Mrs. BROOKS of Indiana.
H.R. 3344: Mr. COTTON, Mr. SCHOCK, and Mr. PITTENGER.
H.R. 3352: Mr. CARTWRIGHT and Mr. BARBER.
H.R. 3361: Mr. NEAL.
H.R. 3383: Mr. COHEN and Ms. BROWNLEY of California.
H.R. 3435: Mr. COHEN.
H.R. 3445: Mr. COHEN.
H.R. 3529: Mr. KING of New York.
H.R. 3543: Ms. BASS.
H.R. 3549: Mrs. BROOKS of Indiana.
H.R. 3556: Mr. TIERNEY and Mr. ELLISON.
H.R. 3571: Mr. MEEHAN and Mr. VAN HOLLEN.
H.R. 3600: Ms. BORDALLO, Mr. JOHNSON of Georgia, and Mrs. LOWEY.
H.R. 3658: Mr. GARAMENDI and Mr. O'ROURKE.
H.R. 3698: Mr. GRIFFIN of Arkansas.
H.R. 3708: Mr. YOUNG of Indiana and Mr. ROHRABACHER.
H.R. 3833: Mr. COFFMAN.
H.R. 3872: Mr. CARSON of Indiana and Ms. SHEA-PORTER.
H.R. 3879: Mr. NOLAN.
H.R. 3914: Mr. DOGGETT.
H.R. 3973: Mr. POE of Texas.
H.R. 3991: Mr. MESSER and Mr. SCHOCK.
H.R. 3992: Ms. MCCOLLUM, Mr. COLE, and Ms. HERRERA BEUTLER.
H.R. 4007: Mr. MARINO.
H.R. 4015: Mr. PETERS of Michigan, Mr. HECK of Nevada, Mr. SCHRADER, Mr. TIBERI, Mr. RANGEL, Mr. BUCHANAN, Ms. DEGETTE, Mr. RUPPERSBERGER, Mr. DAVID SCOTT of Georgia, Mr. MATHESON, Mr. BISHOP of Georgia, Mr. STIVERS, Mr. SABLAN, Mr. LONG, Mr. GUTHRIE, Mr. PRICE of Georgia, Ms. MATSUI, Mr. WHITFIELD, Mrs. BLACKURN, Mrs. NEGRETE MCLEOD, Mr. JOHNSON of Ohio, Mr. WESTMORELAND, Mr. DINGELL, Mr. BARR, Mr. HUFFMAN, Mr. HECK of Washington, Mr. PETRI, Mr. THOMPSON of California, Mr. HUDSON, Mr. DENT, and Ms. EDWARDS.
H.R. 4026: Mr. THOMPSON of Mississippi and Mr. RICHMOND.
H.R. 4031: Mr. BENTIVOLIO, Mr. ROSS, and Mr. DESANTIS.
H.R. 4064: Mr. NEUGEBAUER, Mr. BRIDENSTINE, Mr. FLEMING, Mr. COLE, Mr. CRAMER, Mrs. LUMMIS, Mr. LAMALFA, Mr. GIBBS, and Mr. PRICE of Georgia.
H.R. 4065: Mr. RANGEL, Mr. GRAYSON, Mr. BISHOP of New York, Mr. PASCRELL, Mr. GRIJALVA, Mr. FARR, Mr. VARGAS, Mr. GUTIÉRREZ, Mr. THOMPSON of Mississippi, Mr. MEEKS, Ms. VELÁZQUEZ, Mr. FATTAH, and Mr. LANGEVIN.
H.R. 4080: Mr. CUELLAR.
H.R. 4118: Mr. SCALISE, Mr. JONES, and Mr. KELLY of Pennsylvania.
H.R. 4132: Mr. FOSTER.
H.R. 4133: Mr. FOSTER.
H.R. 4137: Mr. NUNES.
H.R. 4139: Mr. CRAMER, Mr. COTTON, Mr. HALL, Mr. GINGREY of Georgia, Mr. JOHNSON of Ohio, and Mr. MCCAUL.
H.R. 4142: Mr. COOK.
H. J. Res. 68: Mrs. BROOKS of Indiana.
H. Con. Res. 86: Mr. NOLAN, Mr. BRALEY of Iowa, Ms. KUSTER, Mr. CONAWAY, Mr. KING of Iowa, Mr. RIBBLE, and Mr. FORTENBERRY.
H. Res. 109: Mr. GIBSON.
H. Res. 221: Mr. HIMES.
H. Res. 231: Mr. SMITH of Texas.
H. Res. 422: Mr. ELLISON.
H. Res. 456: Mr. O'ROURKE.
H. Res. 480: Mr. KING of New York.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative JACKSON LEE, or a designee, to H.R. 2641, the Amendment numbered 4, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative LOWENTHAL, or a designee, to H.R. 2824, the Preventing Government Waste and Protecting Coal Mining Jobs in America, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. ROGERS OF KENTUCKY

H.R. 4152, to provide for the costs of loan guarantees for Ukraine, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy God, because of Your great love, we do not cringe or falter at the challenges our Nation faces, for You have never forsaken us in our hour of need. Lord, give our lawmakers a desire to seek Your wisdom and to follow You where You lead. May they claim Your promise that no weapon formed against us will prosper. Help them to not permit the world to squeeze them into its mold as they seek to be transformed by Your powerful presence. Thank You for our many freedoms and empower us to use them to bless others.

We pray in Your mighty 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 PRESIDENT pro tempore. The majority leader is recognized.

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 2014—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 309, the Child Care and Development Block Grant Act.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1086) to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, because of the inclement weather we have had to rearrange things. Senator MCCONNELL and I have been directing our staffs to help us get through what we need to do. We should be able to finish this week's work tomorrow, but that is not assured. So we are going to be working throughout the day to move forward as quickly as we can. Everyone should be aware that we could have some votes into the evening tonight and tomorrow. We may have to be here on Friday.

Following my remarks and those of the Republican leader, the Senate will proceed to executive session with the time until 11:45 equally divided and controlled. At 11:45 there will be up to three rollcall votes. We expect to recess following those votes to allow for the weekly caucus meetings and work through the remaining nominations this afternoon. Senators will be notified when the votes are scheduled.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARKEY). 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. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER: The Republican leader is recognized.

ADEGBILE NOMINATION

Mr. MCCONNELL. Mr. President, the Department of Justice and this administration have too often put politics ahead of the law. The record of the nominee before us to head the Civil Rights Division strongly indicates that if he were confirmed, the politicization of the Justice Department would increase even further. He has a long record of leftwing advocacy marked by ideologically driven positions and very poor judgment.

In the District of Columbia v. Heller he argued in the Supreme Court that it would be ''radical'' to recognize ''an individual right to keep and bear arms.'' In fact, before the Supreme Court he repeatedly described the principle of individual liberty protected by the Second Amendment as a ''radical'' proposition. It was the position advocated by the nominee, however, that the Supreme Court rule was woefully at odds with the Constitution and individual liberty.

He also called the requirement to present identification before voting a ''modern poll tax.'' Americans strongly support this basic safeguard for the integrity of our elections. It has been endorsed by liberal Democrats such as President Carter. Not surprisingly, in Crawford v. Marion County the Supreme Court rejected the nominee's views on that subject as well.

In Hosanna-Tabor v. EEOC he took the position in the Supreme Court that a church did not have the First Amendment right to hire or fire individuals who were responsible for conveying the church's message and implementing its mission. The position the nominee advocated would greatly infringe on the free exercise of rights of religious institutions. The Supreme Court rejected his views there too, this time 9 to 0.

But it is his advocacy on behalf of the Nation's most notorious cop killer that most calls into question his fitness for the powerful government position he seeks. Back in December of 1981, 25-year-old officer Daniel Faulkner was conducting a routine traffic stop when Wesley Cook, also known as Mumia Abu-Jamal, shot him in the back. He then stood over Officer Faulkner and shot him several more times in the chest. As Officer Faulkner laid dying in the streets defenseless, Abu-Jamal shot him in the face, killing him. At the hospital Abu-Jamal bragged that he had shot Officer Faulkner and expressed his hope that he would die.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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At trial he was remorseless. He turned the trial into political theater, interrupting the proceedings, insulting the judge, and even smirking at Officer Faulkner's widow when the bloodstained shirt was held up in court as evidence. Four eyewitnesses saw Abu-Jamal gun down Officer Faulkner—four eyewitnesses. Three more witnesses at the hospital heard him confess to the crime. Ballistics evidence proved that Officer Faulkner had been shot with a handgun that was registered to Abu-Jamal, which was found at the scene of the murder, along with the shell casings.

Based on this overwhelming evidence, Abu-Jamal was tried, convicted, and sentenced to death. What followed was a 30-year effort by the far left to glorify Abu-Jamal and to exonerate him. This effort was taken up by law professors, leftwing activists, and in 2009 by the organization which the nominee before us led for several years, the NAACP Legal Defense Fund.

When the Legal Defense Fund became Abu-Jamal's cocounsel in 2011, its press release called him a ''symbol'' of ''racial injustice.'' It said: ''Abu-Jamal's conviction and death sentence are relics of a time and place that was notorious for police abuse and racial discrimination.'' An LDF lawyer attended rallies for Abu-Jamal. She said it was absolutely an ''honor'' to represent him and that doing so was her ''pleasure.'' She said: ''There is no question in the mind of anyone at the Legal Defense Fund that the justice system has completely and utterly failed Mumia Abu-Jamal.'' This demagoguery of the murder of a defenseless police officer has shocked and offended law enforcement officers from across the country. Current District Attorney of Philadelphia Seth Williams wrote the Judiciary Committee last month to oppose this nominee's confirmation. Here is what he had to say:

> Apart from being patently false, moreover, these claims are personally insulting to me. As an African-American, I know all too well the grievous consequences of racial discrimination and prejudice. I also know that Abu-Jamal was convicted and sentenced because of the evidence, not because of his race. And I have continued to fight for the jury's verdict because it was the just result.

District Attorney Williams notes that, given all the cases in which the Legal Defense Fund could be involved, it was ''telling'' that the nominee would go out of his way to inject himself and his organization into this one. ''His decision to champion the cause of an extremist cop-killer . . . sends a message of contempt to police officers.''

The national Fraternal Order of Police wrote President Obama to express its ''vehement opposition to the nomination.'' The FOP wrote that ''as word of this nomination spreads through the law enforcement community, reactions range from anger to incredulity,'' and that it ''can be interpreted in only one way: It is a thumb in the eye of our nation's law enforcement officers.''

The Kentucky Narcotics Officers' Association wrote me a powerful letter in opposition to the nomination as well. In it they note: ''The thought that [the nominee] would be rewarded, in part, for the work he did for Officer Faulkner's killer is revolting.''

The nominee has acknowledged that as the director of litigation for the Legal Defense Fund, he ''supervised [its' entire legal staff.'' According to LDF's own Web site, the director is responsible for coordinating ''the selection of cases'' the LDF chooses to get involved in. He manages ''all aspects of the legal docket.'' He oversees ''all aspects of discovery, motion practice, briefs, trials, appellate work and amicus briefing.''

As director of litigation he is responsible for advocacy both in the courts of law and in the court of public opinion.

Let me repeat. He is responsible for advocacy both in the courts of law and in the court of public opinion. As the head of the Civil Rights Division, the nominee now would be responsible for fulfilling the Division's mission of upholding the civil and constitutional rights of all individuals. He would have powerful resources at his disposal as well as the discretion to determine how and on whose behalf to use them.

As the junior Senator from Pennsylvania has noted, the head of the Civil Rights Division must have an absolute commitment to truth and justice. My friend from Pennsylvania goes on to observe that, while there are many highly qualified Americans who could carry out this critical mission, the nominee's record creates serious doubts that he is one of them.

I might point out that the senior Senator from Pennsylvania also opposes this nominee. So I could not say it any better. Everyone deserves a fair trial and a zealous legal defense. Lawyers are not personally responsible for the actions of their clients. But lawyers are responsible for their own actions. In this case the nominee inserted his office in an effort to turn reality on its head, impugn honorable and selfless law enforcement officers, and glorify an unrepentant cop killer.

This is not required by our legal system. On the contrary, it is noxious to it. I therefore will oppose the nomination and strongly urge my colleagues to do so as well.

Finally, I would like to note the manner in which this nomination may come to an up-or-down vote. Last fall the majority chose to break the rules of the Senate in order to change the rules of the Senate. In so doing, they violated the right of the minority under the rules to require extended debate on controversial nominees to powerful Federal positions. This serious breach of the rules is an ongoing violation. It is highlighted again today by the majority's effort to muscle through the current nominee under a procedure they came up with in the majority leader's conference room, not through the rules committee and regular order as was promised.

Members of the majority who voted for this heavyhanded procedure last fall will be responsible for the nominee's confirmation today—if that occurs—regardless of how they vote on the nomination itself. And they should not be heard to complain that the nomination process is not as productive as it was only a few months ago—before they threw caution to the wind and violated our rights under the Standing Rules of the Senate.

UKRAINE

Mr. President, last week's military intervention by Russian forces into Crimea makes it clear that President Putin is determined to maintain the Russian sphere of influence there—and at a cost to his country. That is why Washington and its allies will now be of such critical importance in Ukraine.

According to the Budapest agreement, Russia has an obligation to respect the sovereignty of its neighbor, and the West should stand united in holding President Putin to that agreement.

The United States, NATO, and the EU should also work together to support the interim government in Kiev by supporting free and fair elections. And Members of Congress are already discussing loan guarantees and additional sanctions against Russia.

But if there is one thing Russia's military intervention into Crimea also makes absolutely clear, despite the best hopes of some, it is this: The foundation of the international system is governed by force, capability, and interest. Let me say that again. The foundation of the international system is governed by force, capability, and interest. That is the reality by which we should be guided in approaching this conflict, and it is a reality by which we should be guided when it comes to American power more generally.

As I have argued before, this President has eroded American credibility in the world:

> [It starts] with the arbitrary deadlines for military withdrawal . . . and the triumph and declaration that Guantanamo would be closed within a year, without any plan for what to do with its detainees. . . . there were the executive orders that ended the Central Intelligence Agency's detention and interrogation programs . . .
>
> We all saw the so-called reset with Russia, and how the President's stated commitment to a world without nuclear weapons led him to hastily sign an arms treaty with Russia that did nothing to substantially reduce its stockpile, or its tactical nuclear weapons.
>
> We saw the President announce a strategic pivot to the Asia-Pacific, without any real plan to fund it, and an effort to end the capture, interrogation, and detention of terrorists, as well as the return of the old idea that terrorism should be treated as a law enforcement matter.
>
> After a decade-long counterinsurgency in Afghanistan, we've seen the President's failure to invest in the kind of strategic modernization that's needed to make his pivot into Asia meaningful.
>
> Specifically, his failure to make the kind of investments that are needed to maintain our dominance in the Asia Pacific theater, in the kind of naval, air, and Marine Corps

forces that we'll need there in the years ahead, could have tragic consequences down the road.

Let's be clear. Whether it is recent reports suggesting the Obama administration knew for years about potential Russian violations of the treaty that regulates medium-range missiles or whether it is Russia's refusal to negotiate a reduction in tactical nuclear weapons, its shipment of arms to the Syrian Government, or its invasion of Crimea, we can now put to rest for good any notion that the relationship with Russia has been reset.

President Putin sees himself as the authoritarian ruler of a great power—and one who is determined to preserve his regime. That is how we should understand him.

In invading Crimea he clearly concluded that protecting Russia's sphere of influence there was worth the risk of Russian lives and of any response on the part of the United States and Europe. We and our allies pay a price when our capabilities diminish. That is why I have continually advocated for investments in the modernization of our forces, for marrying our commitments to our capabilities, and for a recognition that receding from the world comes with consequences—mainly bad ones.

We remain a member of NATO and have treaty commitments to our fellow members. We also know that in Asia, China has pursued a policy of coercing its neighbors and exploiting territorial disputes. American military might is the backbone of the international order, but when we diminish our capabilities, we must understand that regional powers will fill the void.

Our President is still the leader of the free world. We will support him however we can to ensure a satisfactory outcome for the Ukrainian people and to prevent this conflict from escalating into a wider war. Ukrainians deserve our support. But this is a moment when President Obama is going to have to lead.

HONORING OUR ARMED FORCES

CHIEF PETTY OFFICER COLLIN T. THOMAS

Mr. President, I rise to speak in tribute to a brave Kentuckian who has given his life in service to his country. CPO Collin T. Thomas, a highly distinguished and decorated Navy SEAL, was killed in his final mission on August 18, 2010, in eastern Afghanistan in direct combat with the enemy. In his final act, he killed a Taliban fighter who had shot him and other members of his team, thus saving his teammates. For these acts of valor, he received the Silver Star Medal. He was 33 years old.

Chief Petty Officer Thomas held a rating of chief special warfare operator, was a Navy SEAL for 10 years, and served in the Navy for 13. In that time he received many awards, medals, and decorations, including the Silver Star Medal for the actions I have described, three Bronze Star Medals with combat ''V'' distinguishing device, a Purple Heart, the Defense Meritorious Service Medal, two Joint Service Commendation Medals with combat ''V'' distinguishing device, a Navy and Marine Corps Commendation Medal, six Marine Corps and Navy Achievement Medals, two Combat Action Ribbons, four Good Conduct Medals, the National Defense Service Medal, Afghanistan Campaign Medals with two campaign stars, the Iraq Campaign Medal, Marksmanship Medals with ''expert'' service device for both rifle and pistol, and a multitude of personal, unit and campaign awards.

On September 11, 2001, Collin Thomas's cousin, Navy weatherman AG1 Edward Earhart, was the first identified military casualty of the terrorist attack that struck the Pentagon. Sadly, this was not the first time terrorism had directly struck Collin's family. His uncle, Maj. John Macroglou, was the senior marine killed in the Beirut barracks bombing in 1983.

Then a Navy SEAL for a little over 1 year, Collin vowed to his family to make amends for the death of his uncle and his cousin. Collin's father Clayton says:

> When asked by his grandfather why he continued to be a SEAL, Collin would say that he was going to be the one to capture or kill bin Laden.

Collin was born in San Diego, and by high school he had lived in seven States and two countries. But he always considered himself a Kentuckian.

After his father's retirement from the U.S. Marine Corps, the Thomas family settled in Morehead, where Collin attended Rowan County Senior High School. He ran track and played varsity football. Collin enjoyed camping and hunting. He liked to shoot and was good at it. His grandmother would prepare squirrel gravy from the spoils of Collin's hunting expeditions reluctantly because as much as she wanted to celebrate her grandson's marksmanship, squirrel was not a favored delicacy in her household.

A story from Collin's high school years demonstrates that the motivation to help others that was the driving force behind his Navy SEAL career was present at a young age. At age 14 Collin stood up for some younger children to bullies on the schoolbus. ''He didn't even know these children, but he knew they were being bullied and denied a bus seat by bigger and older children,'' Clayton remembers. He ''gave them his seat and told the bullies they would have to answer to him if he ever saw them bullying these or any other children again. . . . The character and sense of fairness he demonstrated taking on bullies he did not know to protect others would be repeated throughout his life.''

Collin was very driven and focused from a young age on his life's goal—becoming a Navy SEAL. He began his unofficial training at age 15 after talking with a Navy master chief at the Naval Academy, who gave him an idea of the physical, academic, and psychological training Collin would need to undergo to follow his dream. By the time he received his driver's license, Collin had also completed his SCUBA open water dive certification.

Collin graduated from high school in 1995, and at Morehead State University he took every ROTC class available. The summer after his first year of college, Collin was selected for basic airborne training by his ROTC commander. He met many Active-Duty Navy SEALs there and came away convinced he was ready.

Collin enlisted in the Navy on February 20, 1997, and his oath was administered by his father Clayton, a retired marine lieutenant colonel.

Collin completed basic training, was an honor graduate at the hospital corpsman school, and trained in basic underwater demolition. He was then assigned to a SEAL team to develop his skills as a special warfare operator. He became a SEAL on June 9, 2000, and was sent on his first deployment to South America.

Chief Petty Officer Thomas was a highly skilled and capable SEAL, and his constant training took him around the world. He became certified as a paramedic and a lead climber, able to scale near-vertical cliffs. He was a master parachutist specializing in nighttime high-altitude operations. He mastered underwater diving and was able to stay underwater for over 4 hours. He won inter-unit shooting competitions with both longbarrelled and shortbarrelled weapons. He excelled in snow skiing and skied the most difficult airdrop courses in South America, Europe, and America.

In April 2010 Collin achieved a lifetime goal when he and two of his SEAL teammates climbed Mount Kilimanjaro in Tanzania, the highest freestanding mountain in the world at 19,341 feet above sea level. They made most of the climb in speedy time. Near the summit, however, Collin encountered two women from California who were ill from altitude sickness. Against his guide's advice, Collin stopped to give them medical attention, delaying his final ascent. Collin's father recalled, ''Somehow, one of the women found out that Collin had been killed, and she sent a letter telling the family how kind he was to them, and she felt he had saved their lives.'' Once again, the same young man who had stood up to bullies on a schoolbus had set his own interests aside to save others.

Collin was buried with full military honors at Forest Lawn Memorial Gardens in Rowan County, KY.

We are thinking of his loved ones today, including his parents Clayton and Paul; his sister Meghan; his fiancee Sarah Saunders, and many other beloved family members and friends.

To his father Clayton I say ''Semper fidelis''—your son was always faithful.

One of Collin's senior officers, engaged in many highly sensitive and consequential missions, was unable to give his name for attribution on the Senate floor. However, he was able to

say these words about Collin, which I will share with all of you. This unnamed officer said:

Collin Thomas was a brave American patriot and an incredibly gifted Navy SEAL. His tireless professionalism, inspiring passion for life, and humble demeanor made him a role model for all who knew him. We are deeply saddened by this tremendous loss of a brother in arms.

I know my colleagues share these sentiments, and we mourn the loss of CPO Collin T. Thomas. We extend our deepest condolences to his family. No words spoken in this Chamber can take away the sadness and loss Collin's family must feel, but I do want them to know this Nation and this Senate are deeply grateful for CPO Collin T. Thomas's service and sacrifice. We are humbled to pay tribute to his life and legacy.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF DEBO P. ADEGBILE TO BE AN ASSISTANT ATTORNEY GENERAL

The PRESIDING OFFICER. Under the previous order the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Debo P. Adegbile, of New York, to be an Assistant Attorney General.

The PRESIDING OFFICER. Under the previous order, the time until 11:45 a.m. will be equally divided between the Senator from Vermont and the Senator from Iowa or their designees.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, similar to my Republican leader, I come to the floor to share my concerns about Mr. Adegbile's nomination, and I will explain my voting no today.

I begin by saying I believe the nominee possesses high moral character and personal integrity. I have met him. I am also aware he has been working on the chairman's staff of the Judiciary Committee for the last few months. Unfortunately, I have reached the conclusion that this nominee isn't the right pick to lead the Civil Rights Division.

First of all, it is no secret that I believe the last individual to lead this office, the current Secretary of Labor, was very political and extremely committed to a host of political causes. Of course, I don't expect President Obama to nominate conservatives to his political appointments, but as we all know, these are very important and powerful jobs. The individual who holds them wields a tremendous amount of power on behalf of the Department of Justice.

I expect the President's nominees to be liberal, maybe even very liberal, and in the vast majority of cases the President is entitled to have people of his own choosing serving in these important positions, but the Senate must provide its advice and consent, which is what we are doing today.

In my view the President's nominees can't be so committed to political causes and so devoted to political ideology that it clouds his or her judgment. This is particularly important here, given that this office, under the leadership of the last Assistant Attorney General, was marked by controversy, and those controversies, in my view, were directly linked to that individual's deep commitment to a host of liberal causes, regardless of how well held they were. At the end of the day I believe it clouded his judgment.

With that brief bit of background, I would first note there is bipartisan opposition to this nomination. As I will discuss in a few minutes, there is also widespread opposition from the law enforcement community.

Seth Williams, a Democrat and Philadelphia's district attorney, opposes this nomination. Many of the largest national law enforcement organizations, including the Fraternal Order of Police and the National Association of Police Organizations, vigorously oppose this nomination as well. This opposition is based upon the nominee's record—and the nominee's record, in my view, demonstrates that the nominee has a long history of advocating legal positions far outside the mainstream. I believe it is a record which demonstrates he is simply too deeply committed to these causes to be an effective and fair leader of this very important Civil Rights Division of the Department of Justice.

I am not going to mention every aspect of the nominee's record I find troubling but a few will be mentioned.

His record on First Amendment issues should give us all pause. For example, in the Hosanna-Tabor case before the Supreme Court, the nominee advocated for a position which would have infringed on the free-exercise rights of religious organizations. Specifically, he argued that a church didn't have the right to freely hire or fire individuals who were responsible for conveying the church's message and carrying out its religious mission. This is at the core of what religious freedom means under our Constitution. The nominee's view was a dramatic departure from established First Amendment jurisprudence. In fact, it was so outside the mainstream that the Supreme Court unanimously rejected it 9 to 0.

Likewise, the nominee's views on the Second Amendment to our Federal Constitution are out of step with the law. In Heller he argued, ''The Second Amendment does not protect an individual's right to keep and bear arms for purely private purposes.'' He also argued that ''the right protected by the Second Amendment are ones that exist only in the context of a lawfully organized militia.''

The Supreme Court, of course, rejected that view, as we all know, and the Supreme Court's decision very much strengthened the right of individuals to bear arms.

I have also been disappointed by the answers the nominee provided to a number of my questions. For example, I asked whether he believed voter-ID requirements—which have been upheld by the Supreme Court in the Crawford case—are the modern-day equivalent of a poll tax. I asked this question for several reasons.

First of all, according to press reports, this nominee said as much in 2005 during a discussion in Georgia regarding voter-ID laws. According to press reports, he called voter-ID cards ''a modern poll tax.'' But the Supreme Court upheld Indiana's voter-ID law as constitutional in the Crawford case in 2008.

So, if the nominee continues to believe that voter-ID laws are the modern-day equivalent of a poll tax and is firmly committed to that principle, I am concerned—we all ought to be concerned—that he would look for creative ways to undermine and challenge those laws, notwithstanding the Crawford case upholding Indiana's voter-ID law.

It goes without saying, of course, a significant part of this job is the enforcement of voting-rights laws, and that enforcement power should be entrusted only to someone we are confident will apply the law in an even-handed way and, obviously, uphold what the Supreme Court has already said was constitutional.

I have also repeatedly asked the nominee whether, if confirmed, he would commit to implementing the recommendations made by the Department of Justice's Inspector General regarding the hiring process in the Civil Rights Division. The IG's report exposed a hiring process in that division which was structured in a way that systematically screened out conservative applicants. So, evidently, only one point of view is welcomed in that division. But the nominee will not commit to implementing the recommendations the IG's report has put out which addressed those issues so the office has the benefit of an ideologically diverse group of lawyers. This concerns me, and it ought to concern my colleagues. Again, this is a division in the Department of Justice which needs a clean break from the political partisanship which plagued the office under the last Assistant Attorney General.

Finally, I wish to address the nominee's involvement with and representation of Mumia Abu-Jamal. To understand why the nominee's involvement in this case is so concerning to many of us, a bit of history is in order.

Mr. Abu-Jamal is this country's most notorious cop-killer. The facts of the Abu-Jamal case are well known and cannot be seriously disputed.

Back in December of 1981 Abu-Jamal—then known as Wesley Cook—gunned down Philadelphia police officer Daniel Faulkner. Abu-Jamal first shot Officer Faulkner in the back and then several more times in his chest at close range. As Officer Faulkner lay dying in the street, Abu-Jamal stood over him and shot him in the face. At the hospital a short while later, Abu-Jamal actually boasted he had shot a police officer and said he hoped the officer would die. Ballistics evidence proved Officer Faulkner had been shot with a .38-caliber revolver registered to Abu-Jamal and found at the scene, along with spent shell casings.

No serious observer of this case can question the overwhelming evidence of his guilt. Based on the evidence, he was tried. A jury—including white and African-American jurors—convicted him and sentenced him to death.

Nonetheless, over the course of the next 25 years, opponents of capital punishment and other critics of our justice system have elevated Mr. Abu-Jamal to celebrity status. Those critics have charged that the conviction was tainted by racial discrimination. They slandered police officers and prosecutors and they have leveled accusations of police abuse. They have even organized rallies which portrayed this murderer as the victim.

Amazingly, Mr. Abu-Jamal's campaign has been somewhat successful. He has actually convinced a lot of people he is a political prisoner—if you can imagine that—and his fame isn't confined to the borders of this country. The French went so far as to name a street after him in the suburbs of Paris. In fact, it became such a high-profile issue that in 2006 the House of Representatives overwhelmingly passed a bipartisan resolution 368 to 31 condemning the murder of Officer Faulkner and urging the French town to change the name of its street.

I must say the disgust with Mr. Abu-Jamal's celebrity status isn't defined by partisanship. In fact, five of today's Senate Democrats were in the House of Representatives in 2006 when that resolution was passed. Four of those five voted in favor of that resolution, rejecting the political celebrity of a murderer.

In short, this case is about much more than hyper-technical legal challenges to the imposition of the death penalty. It has become, quite plainly, a cause. So it is with that background that I would like to discuss the nominee's involvement in that matter.

In 2009, Mr. Adegbile was Director of Litigation for the NAACP's legal defense fund, and it was in that role that he worked as an advocate on Abu-Jamal's behalf. The nominee and the legal defense fund first got involved when they volunteered as an amicus and then later as lead counsel for Abu-Jamal's post-conviction proceedings.

In this first phase, the legal defense fund alleged that Philadelphia prosecutors discriminated against African-American jurors in the jury-selection process during the trial. After the Third Circuit rejected that argument, the nominee submitted an amicus brief to the U.S. Supreme Court urging the Court to take the case and hear the same arguments. The Court declined to hear that case.

After this effort failed, in 2011 the legal defense fund signed on as Abu-Jamal's lead counsel for his post-conviction challenges. It was at this point the nominee again challenged the conviction in the Third Circuit but this time under a different theory.

The nominee argued that the jury instructions were constitutionally infirm. The Third Circuit agreed, and the Supreme Court refused to hear further argument.

Now, keep in mind that Abu-Jamal never ran the risk of lacking adequate legal counsel. Highly motivated attorneys, highly motivated law professors, and legions of activists have represented him for years. They have filed literally hundreds of motions and briefs on his behalf. So this isn't a case of the nominee and the legal defense fund intervening to vindicate the rights of an indigent defendant who has been denied due process, nor is this a case of a lawyer stepping in to defend an unpopular client who couldn't otherwise find a lawyer. Abu-Jamal has enjoyed the zealous representation of some of the country's best lawyers for almost three decades.

In short, this is not John Adams defending the British soldiers after the Boston Massacre. That is not what is happening. The first attempt to challenge the conviction was unsuccessful, so the nominee and the legal defense fund redoubled their efforts and mounted a second challenge under a different theory. This was a cause in search of a legal justification.

We know this, of course, because the statements and press releases that the legal defense fund made at the time confirmed the understanding that this was a cause.

The nominee's colleagues and co-counsels explained the legal defense fund's motivations for getting involved in this case at a rally for Abu-Jamal in 2011. A lawyer with the legal defense fund said:

> There is no question in the mind of anyone at the legal defense fund that the justice system has completely and utterly failed Mumia Abu-Jamal, and in our view, that has everything to do with race, and that is why the legal defense fund is in this case.

In fact, when the legal defense fund signed on as lead counsel in 2011, their press release declared:

> Abu-Jamal's conviction and death sentence are relics of a time and place that was notorious for police abuse and racial discrimination.

Again, this is, in fact, a cause. It was a cause premised on the notion that this country's most notorious cop killer, Mumia Abu-Jamal, was a victim rather than a murderer, and the police officers and prosecutors and the entire judicial system were to blame, not the person who did the killing.

At bottom, this is why the law-enforcement community is so staunchly opposed to this nomination. That is why the Fraternal Order of Police calls this nomination a ''thumb in the eye of our Nation's law enforcement officers.''

That is why Philadelphia District Attorney Seth Williams wrote this in his letter of opposition:

> Despite the overwhelming evidence of guilt, his lawyers have consistently attempted to turn reality on its head, arguing that Abu-Jamal was framed, and that it was he, rather than Officer Faulkner, who was the victim of racism.

District Attorney Williams went on to say:

> Aside from being patently false, moreover, these claims are personally insulting to me. As an African-American, I know all too well the grievous consequences of racial discrimination and prejudice. I also know that Abu-Jamal was convicted and sentenced because of the evidence, not because of his race.

Finally, that is why Maureen Faulkner, whose husband was murdered by Abu-Jamal, wrote two letters to the Judiciary Committee, and why she wrote this:

> Officers who knew Danny and who, like him, put their lives on the line every day, must now witness Adegbile, a man proud to have chosen to aid the murderer of their friend, singled out for honors and high office by the Government of the United States. It is an abomination to now reward Adegbile as if he had done something wonderful.

So to my colleagues and to the President of this body, for the reasons I have outlined here, I cannot support this nomination. I don't believe he is the right nominee to lead this office at this time. I will oppose this nominee, and I urge my colleagues to do the same.

I reserve the remainder of my time.

Madam President, I would suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the role.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I ask unanimous consent that the time spent in quorum calls this morning be divided equally between the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. 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. TOOMEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. Madam President, I rise this morning to speak on the nomination of Debo P. Adegbile as the candidate to serve as the Director of the Civil Rights Division of the Justice Department. He would be the assistant attorney general in the Justice Department if he were to be confirmed.

It was 3:55 a.m. on December 9, 1981, when 25-year-old Philadelphia police officer Daniel Faulkner was brutally murdered in the line of duty.

A few weeks ago, Officer Faulkner's widow Maureen Faulkner pleaded with the Senate Judiciary Committee to listen to her story. It is a heartbreaking story. It is a story about how 32 years ago a coldblooded killer murdered her husband and how political opportunists then seized the chance to deny her justice and propagate a very pernicious set of lies.

It is also a story about how President Obama's current nominee to head the Civil Rights Department, this fellow, Debo Adegbile, joined in this gross abuse of our legal system. Unfortunately, our colleagues on the Senate Judiciary Committee—our Democratic colleagues—did not allow Maureen Faulkner to testify when the committee was considering this nominee. I think Maureen Faulkner deserves to be heard. I think she has a right to be heard. We have heard a lot of voices and a lot of arguments in this discussion. I think Maureen Faulkner's voice deserves to be heard.

Since she was not permitted to testify before the committee, I wish to read to my colleagues in the Senate the letter she sent to all of us, and I will begin now. Maureen Faulkner writes:

Dear Senators, while I would have preferred to do so personally, I'm writing this letter appealing to your sense of right and wrong, good and evil, as you consider the nomination of Debo Adegbile to be the next head of the Civil Rights Division of the Department of Justice.

Thirty-three years ago my husband, Philadelphia Police Officer Daniel Faulkner, was violently murdered by a self-professed ''revolutionary'' named Mumia Abu-Jamal.

I was 24 years old.

While most of my friends spent their summer at the Jersey Shore, I sat in a hot steamy courtroom and watched in horror and disbelief as the man who murdered my husband tried to turn the courtroom into a political stage where he could spew his hatred and contempt for this country and our judicial system.

At the moment my husband's blood stained shirt was displayed by the evidence handler, Mumia Abu-Jamal turned in his chair and smirked at me; demonstrating his contempt for law enforcement.

Thankfully, a racially mixed jury that was selected by Abu-Jamal while representing himself, found him guilty.

The following day they sentenced him to death for the brutal act he committed.

That's when my second nightmare began.

For three decades, my family and I endured appeal after appeal, each rooted in lies, distortions, and allegations of civil rights violations.

And year after year, judge after judge, the conviction and sentence were unanimously upheld.

Then, thirty years after the fact, my family, society and I were denied justice when three Federal District Court judges who have found error in every capital case that has come before them, overturned the death sentence.

Today, as my husband lies thirty-three years in the grave, his killer has become a wealthy celebrity.

He pens books and social commentaries critical of our country.

He regularly uses his nearly unlimited access to the prison telephone to do radio programs, has cable TV in his cell and is permitted to hold his wife, children and grandchildren in his arms when they visit.

Old wounds have once again been ripped open and additional insult is brought upon our law enforcement community in this country by President Obama's nomination of Debo Adegbile.

While publicly demonstrating that he doesn't even know my husband's name, Mr. Adegbile feigns sympathy and caring for my family and me.

In reality, Mr. Adegbile was a willing and enthusiastic accomplice in Mumia Abu-Jamal's bid to cheat us of the justice we had waited so many years for.

Mr. Adegbile freely chose to throw the weight of his organization behind Mumia Abu-Jamal, and he has publicly stated that he would get Mumia Abu-Jamal off death row.

Mr. Adegbile holds Mumia Abu-Jamal, a remorseless unrepentant cop killer, in high esteem.

We know this because attorneys working under Mr. Adegbile stood before public rallies held in support of my husband's killer and openly professed that it was ''an extreme honor'' to represent the man who put a hollow based bullet into my husband's brain as he lay on the ground, wounded, unarmed and defenseless.

And while Mr. Adegbile and those who support his nomination will undoubtedly argue that he did not personally make such statements, he did nothing to counter or stop them.

In the end, like so many attorneys before him, Mr. Adegbile's allegations of civil rights abuse rang hollow.

Mumia Abu-Jamal's death sentence was overturned not because of civil rights abuse as alleged by Mr. Adegbile, but because three judges with a personal dislike for capital punishment conveniently determined that the wording in a standard form given to a jury might have confused them.

While Debo Adegbile may be a well-qualified and competent litigator, through his words, his decisions and his actions he has clearly and repeatedly demonstrated that he is not the best person to fill this important position.

Certainly there are others with similar qualifications that would be better choices.

I would argue that Mr. Adegbile's decision to defend a cop killer should preclude him from holding any public position.

Your decision means a lot to me personally.

The thought that Mr. Adegbile will be rewarded, in part, for the work he did for my husband's killer is revolting.

Throughout my long ordeal I have frequently been labeled a racist by many who support my husband's killer simply because he is black and I white.

I have also been asked to throw my name, my voice and my support behind political candidates from both parties.

In each case I have declined.

I have always believed that my husband's death and my quest for justice transcends politics and race.

From my heart, I'm asking you to do the same thing.

Set aside any partisan feelings you have and do the right thing today when you vote on Mr. Adegbile's confirmation.

Please spare my family and me from further pain.

Sincerely,

Maureen Faulkner.

To conclude, as the Justice Department's Web site explains, the Civil Rights Division ''fulfills a critical mission in upholding the civil and constitutional rights of all individuals.'' This requires the head of the Civil Rights Division to have an absolute commitment to truth and justice.

There are many highly qualified Americans who can carry out this critical mission—and it is a critical mission. Mr. Adegbile's record and what he actually has done create serious doubt that he is one of them.

For these reasons I urge my colleagues to vote against cloture on the nomination of Mr. Adegbile to serve as Assistant Attorney General for the Justice Department's Civil Rights Division.

Mr. CASEY. Mr. President, I rise today to discuss the nomination of Debo Adegbile to serve as Assistant Attorney General for the Civil Rights Division of the U.S. Department of Justice. As a representative of the city of Philadelphia, the Philadelphia police, and the family of slain officer Daniel Faulkner, I feel compelled to voice my concerns about this nomination for the record.

In 2009, while Mr. Adegbile was serving as director of litigation for the National Association for the Advancement of Colored People Legal Defense and Education Fund, that organization took on the defense of Mumia Abu-Jamal. Mr. Abu-Jamal had 27 years earlier been convicted of the first-degree murder of Daniel Faulkner, a Philadelphia police officer. The political theatrics surrounding this case have deprived Officer Faulkner's widow Maureen Faulkner and others of the orderly process of justice they should have received as victims of a heinous crime.

I believe strongly that people should have the right to criminal defense no matter what the circumstances. However, I am troubled by the legal defense fund's involvement in Mr. Abu-Jamal's defense at a time when he was ably represented by other counsel. The facts in the murder of Officer Daniel Faulkner while in the line of duty are not in dispute. The events and theatrics that surrounded this trial and that were fueled by the defense team here took an incredible toll on the Faulkner family, the law enforcement community, and the city of Philadelphia. From as early as the pretrial stage, Mr. Abu-Jamal disrupted the court proceedings by demanding representation by a nonattorney, refusing to accept judicial rulings on his motions and reportedly threatening the judge with violence. Since his conviction, Mr. Abu-Jamal and his supporters have engaged in an effort to discredit the judges, the Philadelphia police, Maureen Faulkner, and Officer Faulkner in this case.

For many of my constituents, a vote for this nominee would have validated the activities of the supporters of Mr. Abu Jamal.

Mr. Adegbile has had a long and accomplished career as a civil rights advocate, including arguing twice before the Supreme Court in defense of the Voting Rights Act of 1965, a landmark piece of civil rights legislation. For years he has been actively working to defend voting rights and recently has been engaged in efforts to restore the protections of the Voting Rights Act for millions of Americans following the Supreme Court's ruling in Shelby County v. Holder. Mr. Adegbile's work on the Voting Rights Act is commendable, and all Americans benefit from his commitment to ensuring equal access to the ballot. I take very seriously my duty to advise and consent, and I have considered Mr. Adegbile's history of public service as well as my concerns about his involvement in the Abu-Jamal case.

Pennsylvanians and citizens across the country deserve to have full confidence in their public representatives—both elected and appointed. The Assistant Attorney General for Civil Rights is one of the top law enforcement positions in our Nation, and the full faith and confidence of the law enforcement community is an important consideration for a nominee for this position. The vicious murder of Officer Faulkner in the line of duty and the events that followed in the 30 years since his death have left open wounds for Maureen Faulkner and her family as well as the city of Philadelphia. After careful consideration and having met with Mr. Adegbile as well as the Fraternal Order of Police, I decided to vote against this nomination.

I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, Debo Adegbile has the keen intellect, life experience, and knowledge sufficient to be an excellent assistant attorney general. What an American story we find in his life.

The son of Nigerian and Irish immigrants, he worked his way up from poverty—including periods of homelessness and reliance on welfare—to the top of the legal profession. He graduated from Connecticut College and NYU Law School and spent the early years of his career in one of the most highly regarded law firms in New York. Then he decided to start working at the NAACP legal defense fund, ultimately becoming the organization's acting president and directing counsel. For those who don't know the NAACP legal defense fund, I would commend to them a book called ''Devil in the Grove.'' It is a Pulitzer Prize-winning story of the work of Thurgood Marshall in the 1940s and 1950s when the fund was literally the only voice for those who were poor and Black in America. Time and again, Thurgood Marshall would journey to parts of America and risk his life to defend someone accused of a crime. They were the only ones who would stand and speak for the poor and those who were in minority status.

Mr. Adegbile joined the NAACP legal defense fund, and during his 20-year career he has gained experience and perspective on a wide range of issues, certainly qualifying him for this job with the Civil Rights Division. He has widespread enthusiastic support from a broad spectrum of civil rights groups, law enforcement organizations, police officers, prosecutors, business leaders, government officials, and prominent members of both political parties.

Mr. Adegbile has twice been called on to defend the constitutionality of the Voting Rights Act in oral arguments before the U.S. Supreme Court. In the year 2013, he was the only—only—African-American attorney to argue before the Supreme Court. There is no question about his competency.

He led the NAACP Legal Defense and Education Fund's legislative outreach and public education efforts on the Voting Rights Reauthorization Act of 2006 which was passed by a unanimous 98–0 vote in the Senate and 390–33 in the House.

He has represented minorities in case after case involving employment discrimination. He led the efforts to repeal the proposition 36 initiative, California's overly punitive three strikes law, and it passed with 70 percent of the votes of Californians.

In his private practice he has successfully represented pro bono clients. His is an extraordinary legal resume.

As these select career highlights demonstrate, he is an effective advocate who can lead the Civil Rights Division. Don't take my word for it though.

The Bush administration Solicitor General Paul Clement stated:

> I've litigated both with and against Debo and have heard him argue in the Supreme Court. I have always found him to be a formidable advocate of the highest intellect, skills and integrity.

Mr. Adegbile's representation of Mumia-Abu-Jamal does not mean he lacks respect for the rule of law, and it certainly should not disqualify him from this important civil rights job.

In fact, his willingness to represent an unpopular defendant in an emotionally charged case demonstrates his appreciation for the rule of law, as well as his respect for the criminal justice system.

His critics have attempted to characterize him as someone who actively sought out this case, someone who disparaged the officer who was cut down in the line of duty, Officer Faulkner, and someone who is responsible for Abu-Jamal's death sentence being overturned.

Each of these characterizations is wrong, inaccurate, and unfair.

The NAACP legal defense fund was not involved in the Abu-Jamal case until 2006, nearly 25 years after the trial of this individual and his conviction and 5 years after the death sentence was overturned, being converted to life in prison.

LDF's president, not Mr. Adegbile, made the decision for the organization to be involved in the case. Moreover, as Adegbile stated before the committee, the briefs he signed ''made no negative comments [whatsoever] about the tragic loss of Officer Faulkner.''

I see the chairman of the committee is in the Chamber, and I know my time is short. Let me just say this. Time and again in the history of the United States people have stood, understanding the Constitution and the responsibility of the bar, to represent unpopular defendants.

John Adams set the standard when he made the unpopular decision to represent British soldiers on the eve of the Revolutionary War.

The Senate recalled that example in 2003 when it confirmed John Roberts to the DC Circuit. At the time, not one single Senator raised a concern about then-Judge Roberts providing pro bono representation to a man who had been convicted of killing eight people and was awaiting execution on Florida's death row.

What John Roberts did—now the Chief Justice of the Supreme Court—was entirely consistent with our Constitution and the responsibility of those of us in the legal profession.

I would say at this point we have an extraordinary man, with an extraordinary background, who has offered his services to this government in an important division where he can serve in a capacity that few can match.

The full scope of his life experience and his distinguished record make him well qualified, and I will support his nomination.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I so strongly concur with the statement of the senior Senator from Illinois, the deputy majority leader. It is similar to statements he has made not only here but in private and in public. He has been one of Mr. Adegbile's strongest supporters throughout this matter.

Both he and I know this nominee well. We know he is qualified to be the Assistant Attorney General for the Civil Rights Division in the Department of Justice. More than that, we know Debo Patrick Adegbile as a real person and not as the caricature we have heard from some on the other side. I think all of us have a responsibility to vote yes or no on any issue, and at least to deal with the facts as they are, not with distortions like some of the ones we have heard about this wonderful person.

The Civil Rights Division was created in 1957 in the wake of the landmark decision in Brown v. Board of Education,

and is charged with enforcing Federal laws prohibiting discrimination, and upholding the civil and constitutional rights of the most vulnerable members of our society. From protecting voting rights to combating human trafficking to protecting against religious or racial discrimination, we all know that more work needs to be done. The Civil Rights Division plays a pivotal role in protecting the civil rights of all Americans.

Debo is a man of the highest character and the utmost integrity. He is the kind of proven leader we need at the Civil Rights Division. He is a superb lawyer, to begin with. He has a compelling personal story of triumph over adversity.

He is the son of immigrants from Ireland and Nigeria. He was born in the Bronx. He grew up in poverty, amidst periods of homelessness, but he overcame all these obstacles to attend Connecticut College and the New York University School of Law. He then litigated for 7 years at one of the Nation's top law firms—picked because he was the best of the best of the best.

He then served as legal director of the NAACP Legal Defense and Educational Fund, the LDF. This is a civil rights organization founded nearly 70 years ago by the great Thurgood Marshall, who recognized the need for people to stand up for the constitutional right of all Americans to fair, honest, and competent legal representation. During his time at LDF, Debo argued two landmark cases on voting rights before the U.S. Supreme Court. The nominee is widely regarded as an expert on civil rights law. He has received an outpouring of support from the civil rights community.

Think of some of the people who support him. Congressman JOHN LEWIS has expressed his ''unwavering support'' for Debo's nomination, stating that his ''intelligence, legal acumen, experience, and commitment to his craft, reflect deeply on his ability to offer the Civil Rights Division outstanding leadership into the future.''

The Leadership Conference on Civil and Human Rights and 83 other civil rights organizations called Debo ''a tireless advocate, a skilled litigator, and a well-respected member of the legal community who is extraordinarily qualified for and suited to this position.''

And the Congressional Black Caucus stated that he is ''one of the preeminent civil rights litigators of his generation,'' and ''offers precisely the type of experience, professionalism, and leadership skills necessary to run the Division.''

Support for Debo's nomination extends from the civil rights community to supporters business and law enforcement. Kenneth Chenault, chairman and chief executive officer of American Express, wrote that he has been ''continually impressed by his skills and professionalism—along with his steadfast commitment to upholding civil rights.''

The National Organization of Black Law Enforcement Executives gave its ''unwavering support'' to his nomination. We have letters of support from Detective Terrance Daniels, a retired member of the New York City Police Department; the New York State Attorney General; and several district attorneys and Federal prosecutors.

Paul Clement, the Solicitor General under President George W. Bush, said: ''I have litigated both with and against Debo and have heard him argue in the Supreme Court. I have always found him to be a formidable advocate of the highest intellect, skills and integrity.''

We have a huge list of his supporters, and I ask unanimous consent that the whole list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTERS OF SUPPORT FOR THE NOMINATION OF DEBO ADEGBILE TO BE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS DIVISION

(As of March 5, 2014)

CURRENT AND FORMER PUBLIC OFFICIALS

Drew S. Days, III, Former Assistant Attorney General for the Civil Rights Division, Department of Justice; Congressman Hakeem S. Jeffries, Member of the House of Representatives for the 8th District of New York; Congressman John Lewis, 5th District, Georgia; Governor Deval L. Patrick, Commonwealth of Massachusetts and Former Assistant Attorney General for the Civil Rights Division, Department of Justice; Seth P. Waxman, Former Solicitor General of the United States, Department of Justice.

CURRENT AND FORMER PROSECUTORS AND LAW ENFORCEMENT COMMUNITY

John I. Dixon, National President, National Organization of Black Law Enforcement Executives; David Godosky, former Assistant District Attorney, Bronx County; former Criminal Court Judge, City of New York; David Raskin, former Assistant U.S. Attorney, Southern District of New York; New York State Attorney General, Eric Schneiderman; Kenneth P. Thompson, District Attorney, Kings County, Brooklyn, New York; Detective Terrance Daniels, Retired, New York City Police Department.

CIVIL RIGHTS ORGANIZATIONS

A. Philip Randolph Institute; Advancement Project; AFL-CIO; African American Ministers In Action; Alliance for Justice; American Association for Affirmative Action; American Association of Colleges for Teacher Education; American Association of People with Disabilities (AAPD); American Federation of Government Employees; American-Arab Anti-Discrimination Committee; Americans for Financial Reform; Anti-Defamation League; Asian American Legal Defense and Education Fund; Asian Americans Advancing Justice—AAJC; Asian and Pacific Islander American Vote (APIAVote); Asian Pacific American Labor Alliance; Asian Pacific American Institute for Congressional Studies; Bazelon Center for Mental Health Law; Black Women's Roundtable.

Campaign Legal Center; Center for APA Women; Center for Community Change; Chicago Lawyers' Committee for Civil Rights Under Law; Children's Defense Fund; Colorado Lawyers' Committee; Communications Workers of America; Congressional Black Caucus; The Consortium for Citizens with Disabilities Rights Task Force; Demos; Disability Rights Education & Defense Fund; Earthjustice; Fair Elections Legal Network; FairVote; Freedom to Work; Gay, Lesbian & Straight Education Network (GLSEN); Hindu American Foundation; Hispanic National Bar Association; Hmong National Development, Inc.; Human Rights Campaign; International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW; Iota Phi Lambda Sorority, Inc.; Japanese American Citizens League.

LatinoJustice PRLDEF; Lawyers' Committee for Civil Rights Under Law; Lawyers' Committee for Civil Rights Under Law of the Boston Bar Association; Lawyers' Committee for Civil Rights Under Law of the San Francisco Bay Area; The Leadership Conference on Civil and Human Rights; League of United Latin American Citizens; Legal Momentum; MALDEF; Mississippi Center for Justice; NAACP; NAACP Legal Defense & Educational Fund, Inc. (LDF); NALEO Educational Fund; National Action Network; National Association of Human Rights Workers (NAHRW); National Association of Social Workers; National Bar Association; National Black Justice Coalition; National Center for Lesbian Rights; National Center for Transgender Equality; National Coalition for Asian Pacific American Community Development; National Coalition on Black Civic Participation; National Conference of Black Mayors, Inc.; National Council of Jewish Women; National Council of La Raza; National Council on Independent Living.

National Disability Rights Network; National Education Association; National Employment Law Project; National Employment Lawyers Association; National Fair Housing Alliance; National Gay and Lesbian Task Force Action Fund; National Immigration Law Center; National Latina Institute for Reproductive Health; National Legal Aid & Defender Association; National Organization for Women; National Partnership for Women & Families; National Senior Citizens Law Center; National Urban League; National Women's Law Center; Native American Rights Fund.

People For the American Way; PFLAG National; Poverty & Race Research Action Council; Prison Policy Initiative; Project Vote; Public Counsel; Public Interest Law Center of Philadelphia; Sikh American Legal Defense and Education Fund (SALDEF); South Asian Americans Leading Together (SAALT); Southern Coalition for Social Justice; Southern Poverty Law Center; United Food and Commercial Workers International Union; United Steelworkers International Union; Vera Institute of Justice; Washington Lawyers' Committee for Civil Rights And Urban Affairs; Wider Opportunities for Women.

MEMBERS OF THE UNITED STATES SUPREME COURT BAR

Lisa S. Blatt, Arnold & Porter LLP; Stephen B. Bright, Southern Center for Human Rights; David W. DeBruin, Jenner & Block; Jeffrey L. Fisher, Stanford Law School; Jeffrey T. Green, Sidley Austin LLP; George H. Kendall, Squire Sanders LLP; Peter J. Neufeld, Innocence Project; Andrew H. Schapiro, Quinn Emanuel; William F. Sheehan, Goodwin Procter LLP; Paul M. Smith, Jenner & Block.

OTHER SUPPORTERS

Paul Lancaster Adams, Philadelphia Managing Shareholder, Ogletree, Deakins, Nash, Smoak & Stewart, P.C.; Abed A. Ayoub, Director of Policy & Legal Affairs, American-Arab Anti-Discrimination Committee; Ken Chenault, Chairman and CEO of American Express; Donna B. Coaxum, Vice President, General Counsel & Secretary, OSI Group, LLC; Alan Dial, Partner, King & Spalding; Randy Hertz, Professor of Clinical Law, New

York University School of Law; Frederick R. Nance, Regional Managing Partner, Squire Sanders; LaFonte Nesbitt, Partner, Holland & Knight; John E. Page, Vice President, General Counsel & Secretary, Golden State Foods Corporation.

Nicholas J. Panarella; Christopher C. Panarella; Former NYU Classmates Anthony T. Pierce, D.C. Managing Partner, Akin Gump Strauss Hauer & Feld; Hilary O. Shelton, Director, NAACP Washington Bureau & Senior Vice President for Advocacy and Policy; James R. Silkenat, President, American Bar Association; Theodore V. Wells, Jr., Co-Chair of the Litigation Department at Paul, Weiss, Rifkind, Wharton & Garrison LLP; Kwamina Williford, Partner, Holland & Knight; Benjamin F. Wilson, Managing Partner, Beveridge & Diamond, P.C.; Pamela D. Zilly, Former President of the Connecticut College Board of Trustees Current and Former Presidents of Connecticut College.

Mr. LEAHY. I have been privileged to work in civil practice, where I defended people, and also to have spent 8 years as a prosecutor. I stand behind nobody in my support of law enforcement. I was picked as one of the three outstanding prosecutors in this country when I was a prosecutor. But I believed throughout all that time that everybody who was prosecuted deserved the best of representation.

Despite Debo's expertise, some are opposing his nomination based on a single case: Mumia Abu-Jamal's appeal of his death sentence for the 1981 murder of Officer Daniel Faulkner. I condemn that murder. I condemn the murderer for it. But, just as the British in the Boston Massacre deserved representation, and got it from John Adams; just as the man who murdered a number of people, including a couple of teenagers, deserved representation from John Roberts, a Republican who is now Chief Justice of the U.S. Supreme Court; so, too, did Mumia Abu-Jamal deserve legal representation.

The murder of Officer Faulkner was a horrific tragedy, and my heart goes out to Mrs. Faulkner and all family members who have lost a loved one in the line of duty. Officer Faulkner served bravely to protect our community and to defend our system of justice and our Constitution. We are trying to defend it too.

It is officers like Officer Faulkner that drive many of us to support programs like the Bulletproof Vest Partnership Grant program. I might point out to some of my friends who stand here in righteous indignation against this nomination, saying they are standing up for law enforcement, that former Senator Ben Nighthorse Campbell and I began a bulletproof vest program that has bought bulletproof vests for officers all over this country. It is up for reauthorization. It has saved the lives of police officers. Not a single Republican has joined me in the effort to reauthorize what was a bipartisan piece of legislation that actually saves the lives of police officers. But, they will come down here and wax eloquently and misleadingly against this good nominee.

If you listen to them or you listen to FOX News, you might think the nominee himself is a criminal. Of course he is not. These attacks launched against this nominee demonstrate a fundamental misunderstanding of the role of a lawyer and the very constitutional system of justice that law enforcement officers all swear an oath to protect. It is time to clear the record.

First, the assertion that Debo made the decision for LDF to take on Abu-Jamal's case is simply not accurate. That decision was made by the previous president of LDF. The nominee we are considering today has testified under oath that it was not his decision. But once the decision was made, and he was appointed to do it, he had a duty, as an officer of the court, to do his best to represent his client, no matter how distasteful or unpopular.

Debo's role in the Abu-Jamal case was limited to two Supreme Court briefs and one Third Circuit brief. Attempts to attribute more to Debo, including the out-of-court statements by other LDF attorneys, are unfounded. These remind me of the attacks that were made against Thurgood Marshall when he was nominated to the Second Circuit Court of Appeals. At the time, Republican Senator Keating provided an articulate response of why such attacks are unreasonable and unfair:

> If counsel is suggesting something that Judge Marshall must have the responsibility for every little action that is taken by any lawyer who has been appearing in an NAACP case, he is imposing a standard of responsibility which certainly goes beyond any point of reasonableness. Judge Marshall's conduct and his ethical standards have not been questioned in these hearings. It is ridiculous to suggest that he may be disqualified for judicial service because some other lawyers who appeared in an NAACP case may or may not have done things which counsel considers questionable and where there is absolutely no showing that Judge Marshall has anything to do with the conduct at issue.

Second, and perhaps more importantly, even if it had been Debo's decision to represent Mr. Abu-Jamal, that should not disqualify him from public service. Our legal system is an adversary system, predicated upon advocacy for both sides. Without this, our justice system would be a sham. We do not criticize John Adams; we do not criticize John Roberts. Now-Chief Justice Roberts said at his confirmation hearing in 2005:

> [I]t's a tradition of the American Bar that goes back before the founding of the country that lawyers are not identified with the positions of their clients. The most famous example probably was John Adams, who represented the British soldiers charged in the Boston Massacre. He did that for a reason, because he wanted to show that the Revolution in which he was involved was not about overturning the rule of law, it was about vindicating the rule of law . . . [T]hat you don't identify the lawyer with the particular views of the client, or the views that the lawyer advances on behalf of the client, is critical to the fair administration of justice.

It is for this reason that as a nominee before the Senate John Roberts was not criticized for choosing to provide pro bono assistance to John Errol Ferguson, a prisoner in Florida who had been sentenced to death for killing eight people, including two teenagers, in the late 1970s.

I agree with what John Adams did. I agree with what John Roberts did. I agree with what Debo did, too. Whether it is John Adams or John Roberts, the principle that all sides deserve an effective counsel is at the bedrock of our constitutional system. We cannot equate the lawyer with the conduct of those we represent if we want our justice system to endure. After Debo's confirmation hearing in early January, the ranking member of the Judiciary Committee himself expressed the same sentiment when he said: ''You always have to take into consideration that everybody under our constitution is entitled to a defense.''

Some have argued that the Abu-Jamal case is somehow different because it became a ''political cause'' and was no longer just a case about defending an unpopular client. But regardless of who the defendant might be, the constitutional right to a fair trial has nothing to do with politics and cannot be dismissed as merely a ''political cause.'' In 2011, the U.S. Supreme Court declined to accept the district attorney's appeal of the lower court decisions, thereby affirming the decisions to vacate the death sentence. However unpopular LDF's decision to represent Abu-Jamal might be, these decisions by independent Federal judges affirm that this case was about defending the rights guaranteed by our Constitution and not merely some political stunt.

Finally, while criticism of a nominee's qualifications is certainly part of the appointment process, some attacks are—by any measure—out of bounds. Last month, while Debo's nomination was still in the Judiciary Committee, the Washington Times published an editorial caricature of Debo that was racially-tinged, offensive, and beyond the pale. I have spoken out against the insulting attempts to defame the nominees of Democratic and Republican Presidents, and I do so again today. I would also hope that those who are opposing Debo's nomination would similarly distance themselves from them.

Debo Adegbile is one of the Nation's leading civil rights lawyers. Those of us who have worked with him cannot recognize the caricature that some are trying to paint. I have seen him testify before a crowded Senate hearing room. I have heard him quietly give counsel in a private meeting room. I know him to be a thoughtful, respectful, and competent person, a good family man, a good husband and father.

I regret these attacks. I have been here 40 years. I do not know if I have ever heard a time in those 40 years when a person was so misrepresented in the attacks against him. I hope now some of those who attack him, saying they are standing up for law enforcement, would do things like join on the bulletproof vest bill and others they refuse to.

I see the majority leader. I ask unanimous consent that the majority leader have whatever time he needs.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority leader.

Mr. REID. Madam President, Debo Adegbile is the President's nominee to lead the Civil Rights Division of the Department of Justice. He is a man who renews my faith in the American dream. He is the son of Irish and Nigerian immigrants.

To say he grew up in poverty is an understatement. There were times when he and his mom—he was raised mostly by a single mom—were homeless. Despite these challenges, he worked his way through the educational system and to the top of the legal profession.

He graduated from prestigious New York University Law School. He argued two of the most important civil rights cases of his generation before the U.S. Supreme Court. He has received numerous awards for his legal prowess and his commitment to civil rights.

He is one of the Nation's foremost civil rights attorneys. He is eminently qualified to lead the office that enforces Federal laws prohibiting every type of discrimination, including discriminatory voting practices.

His job—the job of that person who is in the Civil Rights Division—is to do everything they can do to make sure people have the opportunity to vote. We know what has happened around the country. We know how Republican Governors and other Republican officials have done everything they can to stop voting. Early voting they eliminate or they shorten the time period. They take away voting places that make it easier for people to vote.

This is an important position. The person that is best qualified to do that is going to have a vote in just a few minutes. Despite all this nominee has achieved, Republicans have not given this man a fair shot at confirmation. His time at the NAACP, where he worked for 12 years, involved many different things. But one of the things he did not do, he did not step foot into a courtroom representing that violent murderer in Philadelphia that occurred in 1981 when he was 13 years old.

Although the condemned man was undoubtedly a very bad man, as I understand the facts: 3 o'clock, 3:30 in the morning a cab is stopped; the murderer's brother is in the cab, just by coincidence. So there were a lot of problems in Philadelphia at the time. The murderer gets out of the car and shoots a police officer viciously and wantonly, for no reason, in the head—terrible murder.

He was a bad man who was convicted of a heinous crime and given the death sentence. When the nominee got into this case, the murder had taken place 25 years earlier. Five years before he got into the case, the death penalty had already been overturned, was already gone. Where did the death penalty overturn come from? That is pretty interesting. It came from a Reagan appointee. Then the circuit court affirmed what the district court had done. They got rid of the death penalty. That district court decision was upheld by President Bush's appointees. I am sorry. The district court opinion was issued by an appointee of the first President Bush, H.W. Bush. The Third Circuit opinion that upheld it was composed of two Ronald Reagan appointees, including one of the most famous jurists of all time, John Sirica.

It is interesting. A person who wrote an op-ed piece in the Wall Street Journal not long ago—who is the district attorney—chose not to reseek the death penalty even though he is writing op-ed pieces about what a bad guy this is, a man who had nothing to do with the case.

The defendant in 2001 was resentenced to life in prison without parole. The death penalty was gone. How can we engage in guilt by association? I repeat, the nominee did not step into a courtroom, a courtroom for the murderer. He did not write one word in a brief for the murderer. He worked at the NAACP and oversaw the litigation and signed the brief third down the row. He had nothing to do with the appeal as far as arguing it.

Even the Philadelphia Inquirer, the hometown newspaper where this murder of the police officer who was so tragically slain took place, said: ''It would be hard to find a better candidate for the position.'' I agree with that.

> To argue that [the nominee], one of the country's foremost legal scholars—especially when it comes to civil rights law—should be disqualified from the Justice post because he participated in [these] appeals is an affront to what it means to live in America. This country allows every convict to exhaustively appeal a verdict, even when all the prior evidence appears to have assured his guilt.

I have met with this man on several occasions. I spent the morning in my office with him. He is a fine man. What a story of the American dream. He has devoted his life to public service. He could be like a lot of other lawyers—nothing wrong with that—go out and see how much money he can make, but he decided not to do that. He believes in public service. He is married, has two beautiful girls.

But I am afraid he is treated by the Republicans kind of like Congressman Watt, Mel Watt, Jeh Johnson, Todd Jones, Circuit Court Judge Wilkins. They have distorted this man's good name in an attempt to score points politically and block confirmation of a faithful defender of voting rights, which the Republicans do everything they can to not prevent. They want fewer people voting. They do not want people to vote. They especially do not want poor people to vote.

The NAACP, we know their record. So much has changed in America because of their legal defense fund. Thurgood Marshall is the most famous of all, but there have been great lawyers who have been part of that program. The organization stands for the constitutional right of every American to a fair trial regardless of the nature of the crime or the content of their character. I think that is what the legal profession is all about. That is what I thought it was about when I practiced law.

I represented some very bad people. I did it a lot of time for no pay. The NAACP also advances the cause of civic engagement, economic opportunity, education, health care, freedom from discrimination. That is for all Americans. They are not out representing just African Americans—all Americans. But there is no question Mr. Adegbile actually specializes in voting rights issues.

He has worked for years at the NAACP and every other thing he has done to safeguard the right of every American to cast a ballot without discrimination or intimidation. That is how the legal defense fund got involved in this case. He did not step into a courtroom. He did not write one single word of any brief. He did not make the decision to represent the Philadelphia defendant, who was a very bad guy, nor did he appear in court or write a word in this case.

They have attempted to paint him as sympathetic to the convict. The man is still in jail. That is where he should be. The truth is lawyers—not all of them but lawyers represent unpopular clients at some point in their cause and in their careers. John Roberts, he is not known as a great trial lawyer, but he is known as a great lawyer. Chief Justice Roberts provided pro bono assistance, for example, to the defense of a prisoner on Florida's death row who was convicted of killing eight people. That was not brought up during his confirmation hearing by us because he had a job to do.

As he said, advocacy on behalf of a client is not about overturning the rule of law, but it is vindicating the rule of law. This nominee has strong support from groups all over America. I cannot express strongly enough what a fine man he is. The President of the American Bar Association wrote the Judiciary Committee. Here is what he said to Chairman LEAHY and other members of the committee. He was ''alarmed to learn . . . [about] opposition to [his] nomination based solely on his efforts to protect the fundamental rights of an unpopular client.''

That is all it was about this murderer. He was a bad guy, but he is entitled to a lawyer. I repeat for the fourth time: The nominee did not step into a courtroom for this guy. He did not write a word of any brief. He has constantly—this nominee stood for the constitutional rights as well as Americans' fundamental right to participate in our democracy. He is exceptionally well qualified for the job for which he is nominated.

Opponents have used his defense of the Constitution as a political weapon

against him. He deserves an affirmative vote, to be judged on the body of his work and the admirable qualities of his character. I thought that is what we did here. It is a real shame that people are questioning whether he deserves this vote.

I ask unanimous consent that following the cloture vote on the Hernandez nomination, the Senate recess until 2:15 p.m. for the weekly caucus meetings; that at 2:15 p.m. the Senate proceed to legislative session and a period of morning business until 3:30 p.m. with Senators permitted to speak up to 10 minutes each; that at 3:30 p.m. the Senate resume executive session and the consideration of the Hernandez nomination with the time until 4 p.m. equally divided between the chairman and ranking member of the Judiciary Committee; that at 4 p.m. all remaining postcloture time be yielded back on the Hernandez nomination and the Senate proceed to vote on the confirmation of the Hernandez nomination; that upon disposition of the Hernandez nomination, the Senate proceed to the votes on the remaining motions to invoke cloture which were filed Thursday, February 27, on Executive Calendar Nos. 569, 565, 571, and 636; that if cloture is invoked on any of the nominees, with the exception of the Gottemoeller nomination, all postcloture time be yielded back and the Senate proceed to vote on the confirmation of the nominations; that there be 2 minutes equally divided in the usual form prior to each cloture vote; finally, all after the first vote be 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I would close by saying I sure hope we get enough votes for this good man. If we do not, maybe it is time America had a good discussion on civil rights. If this man who is defending the right of the Constitution—that is what he has done. Does the Constitution mean anything? Should a man who has had nothing to do with the case of a violent murderer be used as a scapegoat for the Republicans to try to stop people from voting? I hope not.

We will have a discussion if this good man does not have the votes. We will have a discussion on civil rights. I think he will have a lot to do with the direction the discussion will take.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Debo P. Adegbile, of New York, to be an Assistant Attorney General.

Harry Reid, Patrick J. Leahy, Richard J. Durbin, Patty Murray, Barbara Boxer, Sheldon Whitehouse, Jack Reed, Carl Levin, Debbie Stabenow, Tom Udall, Martin Heinrich, Christopher Murphy, Michael F. Bennet, Maria Cantwell, Amy Klobuchar, Richard Blumenthal, Tom Harkin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the nomination of Debo P. Adegbile, of New York, to be an Assistant Attorney General be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN would have voted ''nay.''

The VICE PRESIDENT. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 47, nays 52, as follows:

[Rollcall Vote No. 48 Ex.]

YEAS—47

Baldwin	Heinrich	Nelson
Begich	Hirono	Reed
Bennet	Johnson (SD)	Rockefeller
Blumenthal	Kaine	Sanders
Booker	King	Schatz
Boxer	Klobuchar	Schumer
Brown	Landrieu	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Levin	Tester
Carper	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden
Harkin	Murray	

NAYS—52

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Pryor
Boozman	Hatch	Reid
Burr	Heitkamp	Risch
Casey	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Coons	Kirk	Toomey
Corker	Lee	Vitter
Crapo	Manchin	Walsh
Cruz	McCain	Wicker
Donnelly	McConnell	
Enzi	Moran	

NOT VOTING—1

Cornyn

The VICE PRESIDENT. On this vote the yeas are 47, the nays are 52. The motion is rejected.

The Senator from Nevada.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked on this nomination.

The VICE PRESIDENT. The motion is entered.

CLOTURE MOTION

The VICE PRESIDENT. The cloture motion having been presented, under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Pedro A. Delgado Hernandez, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Harry Reid, Patrick J. Leahy, Benjamin L. Cardin, Mark L. Pryor, Mark Begich, Tom Harkin, Amy Klobuchar, Christopher Murphy, Patty Murray, Jon Tester, Richard J. Durbin, Barbara Boxer, Angus S. King, Jr., Claire McCaskill, Richard Blumenthal, Sheldon Whitehouse, Jack Reed.

The VICE PRESIDENT. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Pedro A. Delgado Hernandez, of Puerto Rico, to be United States District Judge for the District of Puerto Rico, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. HATCH (when his name was called). ''Present.''

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''nay.''

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 41, as follows:

[Rollcall Vote No. 49 Ex.]

YEAS—57

Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murkowski	Whitehouse
Hagan	Murphy	Wyden

NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Corker	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

ANSWERED ''PRESENT''—1

Hatch

NOT VOTING—1

Cornyn

The PRESIDING OFFICER. On this vote the yeas are 57, the nays are 41, with one Senator voting ''present.''

The motion to invoke cloture is agreed to.

NOMINATION OF PEDRO A. DELGADO HERNANDEZ TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Pedro A. Delgado Hernandez, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:54 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. COONS).

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 3:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The assistant majority leader is recognized.

UKRAINE

Mr. DURBIN. Mr. President, Sunday was a perfect Chicago afternoon—not in terms of weather, which has not been too kind to us lately, but in terms of my events and schedule.

My first stop was at Navy Pier for the Lithuanian Independence Day celebration, an event which is important to me personally because my mother was born there. I happened to be on hand for the latest round of independence in Lithuania when the Soviet Union was finally dispelled and this country was allowed to stand on its feet. It was a great celebration with regional food people might expect, dancing and music.

I left there to go over to a section of Chicago known as Ukrainian Village. I asked, after church on Sunday, if my friends in the Ukrainian-American community would come gather and we would invite a telephone call from Kiev from the American Ambassador, Geoffrey Pyatt. I expected a nice crowd. I didn't expect an overflowing crowd, but that is what I found.

The concern of Ukrainian-Americans and many others about the situation in that country is very tense and very personal. Many of them have family members there and strong cultural family ties, and they are very worried. So the Ambassador called in and gave a few moments of remarks and then answered questions. Then we met later to talk about some of the possibilities as we consider the future of Ukraine.

I looked through the audience and found many of my Polish friends, many of my Lithuanian friends—friends from all of the different ethnic groups which had endured some form of Soviet Union or Russian aggression in the past. They felt bonded with the people of Ukraine, the Ukrainian-Americans, as we discussed this.

I had hoped a few weeks ago that we had turned a corner in Ukraine—that the difficult events of the last few months were coming to an end—but that didn't happen. We saw horrific violence in Maidan Square and sadly many innocent people were killed. Just as Ukraine seemed to be emerging from this difficult period with the departure of President Yanukovych, the Russians moved into Crimea. I think that situation has moderated somewhat, although I don't know because it changes by the hour, but their decision to have a show of force in Crimea is one we cannot ignore.

The operation in Crimea was so well orchestrated that it had to have been planned by Russian President Vladimir Putin during the 22nd Winter Olympic Games hosted in Sochi, Russia. Can anyone imagine anything so crass or brazen as to lavishly try to present Russia to the world as a peaceful and moderate nation while secretly planning the military occupation of another neighboring country? The Russian taxpayers should get their $51 billion back they paid to set up the Olympics. It was money wasted by Vladimir Putin to try to create an impression of Russia which sadly does not exist.

The former Ukraine President, Viktor Yanukovych, freely elected, also squandered a historic opportunity to further modernize Ukraine, to overcome corruption, and to lift the aspirations of his people. He unnecessarily and cynically divided his Nation. Instead of strengthening economic and political ties with Europe, reforming his economy, and respecting Ukraine's historical ties to Russia, he set off to become a pawn in Moscow. He saw his survival politically teaming up with Vladimir Putin. As the emerging pictures from Yanukovych's opulent palace illustrate, he enriched himself personally and his enablers while allowing the country's promising yet troubled economy to deteriorate. Ultimately, his government led the bloody assault on his own people using heavily armed snipers to massacre the Ukrainian people on the streets of Kiev.

I met with Mr. Yanukovych and many in his government just a year and a half ago. Yanukovych said he truly saw his country's future with greater ties to the West. But under enormous Russian pressure and unable to let go of his own political grudges and terrified of the transparency that an Association Agreement with the European Union would mean for his corrupt regime, he ultimately put his own political future ahead of the good and the needs of the Ukrainian people.

We all know the likely tragic consequences of such self-serving political calculations. Look at President Assad in Syria and President Maduro in Venezuela. The Ukraine will be no different.

I understand the Crimea region of Ukraine has a long and complicated history. I understand that then-Soviet Premier Nikita Khrushchev actually gave Crimea to Ukraine in 1954, probably never imagining the collapse of the Soviet Union and an independent Ukraine to follow.

Let's be clear about what happened. Ukraine wasn't joining NATO. Ukraine wasn't joining the European Union. Ukraine wasn't proposing cutting off its economic and political ties with Russia. Ukraine was simply contemplating signing a long-negotiated trade agreement with the European Union. For that rationale alone, Vladimir Putin decided to militarily invade and occupy Ukraine.

I know Mr. Putin says he was protecting Russian citizens, but there have been no credible examples of threats to any Russian citizens in Ukraine. In fact, the New York Times reported this week that Russian tourists have been sent to eastern Ukraine, where they are stirring up anger and resentment against the Ukrainian Government in Kiev. Arguing that Russia can militarily invade another country any time to protect the Russian people is an ominous suggestion that raises alarms for independent sovereign nations all along the Russian borders, and it also raises the chapters of history back in the middle of the 20th century which we need not recount in detail.

One need only look at the two regions of Georgia—South Ossetia and Abkhazia—that have been militarily occupied by Russia since 2008. Russia continues to illegally occupy these areas and has erected fences along administrative lines and permanent military bases in violation of the cease-fire agreement negotiated with the European Union. I have been there myself, and I have seen the deeply troubling permanent bases and boundary fences in Georgia.

The Prime Minister of the Republic of Georgia came to see me the day after the final Olympic ceremonies at Sochi, and he said there was a report that morning after the final ceremony that the Russians were stringing barbed wire around the perimeters of the places they were occupying in Georgia. Russia even stopped some of the demarcation during the Olympics but started again, as I have said, after the games' conclusion. Russian actions in Ukraine and Georgia are a clear violation of international obligations and treaties.

For example, Russia was a signatory to the 1994 Budapest Memorandum that

reaffirmed its commitment to Ukraine to respect the independence and sovereignty and existing borders of that nation, to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine, to refrain from economic coercion to subordinate Ukraine to Russia's interests, and to consult in the event a situation arises that raises a question concerning these commitments.

Remember why the Budapest Memorandum was entered into by Russia, the United States, and the United Kingdom as well as Ukraine. It was entered into because the Ukrainians were surrendering their nuclear weapons. They had decided to give up their nuclear arsenal as long as they had an assurance they would be protected and their sovereignty would be respected. Russia signed on and then summarily ignored it by basically an act of aggression in Crimea in this last week.

In 1997, the Russian Federation and Ukraine signed a friendship treaty. It was during that time that Russian President Boris Yeltsin said in Kiev, ''We respect and honor the territorial integrity of Ukraine.'' As a participating state in the Final Act of the Conference for Security and Cooperation in Europe in 1975, Russia committed to respect the sovereign equality and individuality of other participating States.

It is clear that in many respects Russia has violated the very agreements it signed. It has shown an act of aggression in the sovereign nation of Ukraine.

I will concede the situation is complicated because of the basic agreement between Russia and Ukraine when it comes to that critical piece of real estate in the Black Sea, but it still does not warrant the efforts that have been made by Putin to destabilize an effort for a peaceful government.

Mr. Putin has argued that the change in government in Ukraine was just the mob in the street. Nothing could be further from the truth. The change in government in Ukraine occurred through its Parliament, through its Constitution, and with the promise of an open and free election on May 25. It is up to us in the West and all countries that believe Ukraine deserves our assistance and support to make sure that election is carefully monitored, is totally legal and free, and the people of Ukraine have the last word about their future and their leadership.

Mr. Putin ought to be part of the observation team—at least his representatives—so that there is no argument about a free and fair election in Ukraine.

We also need to help this country that is going through some extremely difficult economic times. A recent article I read suggested Ukraine needs our assistance—way beyond the $1 billion Secretary Kerry has talked about in his visit. But in order to achieve that, they are going to have to make some significant and maybe unpopular reforms in their economy, in their gas program, and the like. It is tricky. To do that runs the risk of an unpopular backlash against these reformers. But without the reforms there can be no meaningful aid package. We need to stand with Ukraine, and Ukraine needs to stand for the reforms necessary to strengthen their economy.

This week I am working with Senators BROWN, SHAHEEN, WICKER, MURPHY, Kaine, COLLINS, and WARNER to construct a resolution condemning the Russian action in Crimea. There is more to be done. Senator MENENDEZ, at our luncheon, spoke today about the need to discuss aid, as well as sanctions, that may be necessary. I sincerely hope the sanctions will not be necessary. I hope Vladimir Putin and the Russians understand they cannot show this kind of aggression toward Crimea without a cost, but I hope they will do it soon so we can see the return of stability to Ukraine.

Ukraine is a critically important country, the second largest country in Europe today. It was a major part of the Soviet Union, and its independence, I am sure, has rankled Mr. Putin and his dreams of Russian empire. But the people of Ukraine should decide their future, not Vladimir Putin. We need to work with those people in Ukraine to give them that chance of self-governance, to give them a chance to pursue those values which we share here in the United States.

I hope my colleagues on a bipartisan basis will join us in this effort condemning this Russian aggression and standing by the people of Ukraine.

I see another colleague in the Chamber.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

INCREASED EXPORTS

Mr. BARRASSO. Mr. President, a few years ago—actually in 2010—President Obama announced something he called the National Export Initiative. The goal of the initiative was to double American exports in 5 years. That is right, double American exports in 5 years—something certainly I support. It has been more than 4 years now, and it is pretty clear we are going to fall way short of the President's goal.

During his State of the Union Address this January, the President pledged once again to open new markets to American goods. The President specifically requested trade promotion authority. The very next day the Democrats' majority leader rejected the request. I come to the floor today to discuss how President Obama can increase American exports despite the opposition from his own party.

The President should focus on energy, and the President should take the steps needed to increase exports of American natural gas, oil, and coal. Energy exports are going to create good jobs here in America and reduce our Nation's trade deficit. American natural gas, our oil, and our coal exports will also reap important foreign policy benefits, such as helping nations in Europe such as Ukraine free themselves from Russian manipulation. That is what it is—Russian manipulation.

Last month the magazine The Economist published an article with the headline ''The petro-state of America: The energy boom is good for America and the world. It would be nice if Barack Obama helped a bit.'' That is from The Economist last month. The article explained that the United States may already have surpassed Russia as the world's largest oil and natural gas producer. The Economist went on to discuss the benefits of liquefied natural gas exports from the United States. It said that natural gas exports ''could generate tanker loads of cash''—''tanker loads of cash''—for America.

However, The Economist also pointed out that the process for obtaining the permits—the permits needed to export that American natural gas—is ''insanely slow.'' This is not an exaggeration. Over the past 3½ years the Department of Energy has used its discretion to approve only six applications to export liquefied natural gas. Meanwhile, the Department of Energy is sitting on 24 other applications. Fourteen of those have been pending for more than 1 year, and two of them have been pending for more than 2 years. To put this in context, the United States has approved only two-thirds of the amount of liquefied natural gas exports that Canada has.

Last year I introduced a piece of legislation, S. 192, the Expedited LNG for American Allies Act. It is a bipartisan bill, with supporters on both sides of the aisle, cosponsors on both sides of the aisle. This would require the Department of Energy to approve applications to export natural gas to members of NATO, to Japan, and to any other country where gas exports would promote U.S. national security interests. Think about the country of Ukraine. As Congress considers this legislation, President Obama should direct his Energy Department to expedite the existing permitting process. He should set firm deadlines for the Department in acting on pending applications.

These exports are going to create jobs all across this country—from natural gas fields in Wyoming, to steel mills in the Midwest, to ports along our coasts.

Liquefied natural gas exports will also help reduce our Nation's trade deficit, which stood at nearly $39 billion in December.

Finally, natural gas exports will help our allies in Europe. Ukraine imports about 60 percent of its natural gas from Russia. So what is Russia's position on this? Well, we know that Vladimir Putin—Russia had actually cut off natural gas supplies to Ukraine twice before—in 2006 and in 2009. Earlier this

week the Wall Street Journal reported that Russia's state-owned energy giant, Gazprom, is now threatening to raise gas prices in the Ukraine. American natural gas exports could help Ukraine and other European countries reduce their dependence on Russia.

President Obama can also increase American exports by lifting the ban on exporting crude oil. The International Energy Agency estimates that the United States is going to overtake Saudi Arabia as the world's largest producer of crude oil by 2020. This really is a remarkable development, and it has happened because of hydraulic fracturing and unconventional oil and gas production. It is estimated that unconventional oil and gas production is going to create up to 1.7 million new jobs in this country by 2020. But in January the International Energy Agency warned that the ban on crude oil exports—the ban that exists on those exports—could impede American crude oil production.

If the President does not lift the export ban, he is going to put American oil production and thousands of jobs at risk. He will also pass up on an incredible opportunity—an opportunity to reshape the global oil market. For generations, Americans have been subject to the whims of the global oil market. Americans pay more at the pump when oil production goes offline, wherever it is located. American crude oil exports would boost the world's oil supply and help stabilize prices for American consumers.

American exports would also undermine the influence of oil-rich countries that do not like us very much. For years the United States has asked Japan and India to reduce their imports of Iranian oil. These are two of the world's largest oil importers—Japan and India. In 2012 Japan imported more than 4 percent of its oil from Iran. India imported about 8 percent of its oil from Iran. American crude oil exports could help cut off a vital supply of funding to the Iranian regime. If my colleagues are serious about ensuring that countries abide by U.S. sanctions on Iran, they should support American crude oil exports, not oppose them.

Finally, President Obama needs to promote exports of American coal. Like natural gas and oil, coal exports are going to create good jobs all across the country.

Over the last several years the Environmental Protection Agency has taken steps to block American coal exports. The EPA is asking the Army Corps of Engineers to radically expand the environmental review process for new export terminals. It wants the Corps to consider the carbon emissions that would be produced by exports after they leave the United States. I want to repeat that. The EPA wants to block exports because of the carbon emissions the exports would produce when they are used after they leave the United States.

The National Association of Manufacturers says the EPA's actions would set ''a very dangerous precedent that could be used to block exports of all types.'' That includes exports of American automobiles, exports of civilian aircraft, exports of heavy equipment that we manufacture here in the United States.

To its credit, the Army Corps of Engineers has said it will not expand the environmental review process for new export terminals. President Obama should ensure that the Corps will complete its work in a timely manner and do so without interference from the EPA or any other agency.

President Obama is fond of saying he has a pen and he has a phone. He has boasted about ignoring the will of Congress. He seems to take delight in finding legal authority where he has none. President Obama should stop using his so-called authority that is authority he does not have, and he should start using authority he does have. He needs to use his authority to promote American exports. President Obama needs to lift restrictions on exports of natural gas and on oil and coal so Americans can get back to work and our country can regain its stature in the world.

THE BUDGET

I also want to speak very briefly about another area where I think the President's administration is really not doing enough.

Yesterday the White House finally released the President's budget. This budget included no evidence of leadership and no sign that the President is ready to make a single responsible decision when it comes to Washington's out-of-control debt. The budget increases spending by $791 billion over the next 10 years. It is a 63-percent increase over where we are today—63 percent. It adds another $8.3 trillion of debt over the next decade. That is on top of $6.8 trillion in debt the President has already racked up. The President has never submitted a balanced budget in his life, and this one is no exception.

President Obama is now a lameduck President. That becomes more obvious every time he puts out a partisan political agenda such as this one instead of putting out a serious plan for how government should spend taxpayers' money. The President's budget does nothing to reform Washington's entitlement spending. Is this really the legacy the President wants to leave for America's young people?

The White House has called this plan ''Opportunity for All.'' There is no opportunity in this budget. It is just more debt, more taxes, more accounting gimmicks, budget tricks so the President does not have to make the tough, responsible decisions one would expect of the President of the United States.

On energy exports and on the budget, the President should be taking opportunities to solve some of the real challenges facing our country, not letting them pass him by.

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. 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.

THE BUDGET

Mr. HATCH. Mr. President, I rise to offer some remarks on President Obama's fiscal year 2015 budget proposal, some of which was released yesterday. As we all know, the release of the President's budget is an annual event here in Washington. It sets in motion a chain of processes and events that drive much of what we do right here in Congress.

Unfortunately, with President Obama's budgets in particular, this annual chain of events, for the most part, becomes an empty, almost meaningless exercise. The first problem with this year's budget is that we received it just yesterday, a full month past the statutory deadline.

What budget information we did receive yesterday is certainly incomplete. For example, when you look at the appendix of the budget, there is often reference to a section called ''analytical perspectives.'' But those perspectives are nowhere to be found. I assume the rest of the budget information is forthcoming. Still, we can only wonder why it is being released a few pieces at a time.

Of course, the problems with this budget go well beyond the delays and the sporadic release of information. Put simply, no one in their right mind would say the substance of this budget was worth the wait. Despite the fact that they took an extra month to put this budget together, the most striking thing about it is how little there is in the way of new ideas and proposals.

Indeed, when you look for the substance of the budget, you will see the administration appears to be short on new ideas. President Obama's new budget consists largely of proposals from his past budgets, which is surprising, given that none of them have received a single affirmative vote in Congress. Let me repeat that. None of his past budgets have received a single affirmative vote in Congress.

These proposals center on three familiar themes, all of which we have seen in past budgets, and in virtually every policy proposal from this President. First, we see the administration's continued insistence that we can tax and spend our way into prosperity, and that growing the Federal Government is the same as growing our economy.

Second, there is the effort to further redistribute income and the notion that this will, on its own, somehow lead to economic growth and job creation.

Finally, we see another attempt to define ''tax reform'' as a process of closing whatever the administration deems to be a ''loophole'' in the Tax Code, and using the resulting revenue not to reduce the deficit or lower tax rates but to fuel even more Federal spending.

Using overly optimistic economic assumptions, the administration claims this budget will reduce our high debt-to-GDP ratio. However, to get there, and to help fulfill its tax-and-spend objectives, the budget envisions well over $1 trillion of additional taxes in the face of a persistently sluggish economy.

That bears repeating. President Obama's latest budget contains more than $1 trillion in proposed tax hikes.

No one should mistake the President's intentions. Indeed, this budget is the outline of his domestic policy priorities for the future. Once again, chief among those priorities is another massive tax increase which, if the President had his way, would come on top of all of the tax increases we have seen already under this administration. This is hardly what our struggling economy needs.

Let's talk about the economy for a moment. Someone certainly should, so I will. If this economy is any indication, President Obama certainly is not interested in that conversation. Currently we have an economy in which labor force participation has fallen from around 66 percent, prior to the financial crisis, to 63 percent with no recovery in sight. This is the lowest labor force participation rate we have seen since the Carter administration, and it is holding back our country's economic growth.

The nonpartisan Congressional Budget Office has noted that a decline in the growth of the labor force is a principal reason that potential growth in the economy will decline in the coming decade. No one seriously disputes that there is a problem except, of course, when such declines can be attributed to ObamaCare.

We all remember last month when the CBO found that, as a result of the generous subsidies and the not-so-generous taxes in ObamaCare, millions of workers would either reduce their hours or leave the workforce entirely.

Virtually every objective observer saw this as a bad thing. Yet in response to these numbers, the administration and its supporters took to the airwaves to applaud the fact that ObamaCare would ''free'' people from their jobs and allow them to, in the words of the White House Press Secretary, ''pursue their dreams,'' courtesy of their fellow taxpayers.

While the economists in the administration and liberal pundits might applaud the reduced labor supply resulting from ObamaCare, it is, to say the least, difficult for me to find merit in the resulting reduction in economic growth. Of course, there is nothing in the President's budget that would address this issue. If anything, the policies contained in this new round of proposals would make all of this worse.

Returning to the latest call for well over $1 trillion of new revenue, the administration claims—as it has for years now—that these tax hikes are needed to restore fiscal responsibility and reduce the deficit as part of a ''balanced approach.''

However, we need to look at the facts. If we look at the deficit reduction that has taken place over the past 5 years, we will see just how unbalanced this approach is.

In fiscal year 2009, we achieved a high deficit watermark of $1.4 trillion. That number fell to a still high $680 billion in fiscal year 2013. Of the $736 billion of deficit reduction over that 5-year span, $670 billion came from increased revenue or taxes and only $66 billion came from reduced outlays.

In terms of budget realizations, rather than promises for the future, less than 9 percent of the deficit reduction between 2009 and 2013 came from reductions in spending. The vast majority came from increased revenue.

Yet the mantra from the administration continues—more revenues and higher taxes, along with ever more spending. One can only wonder where job creation falls into the mix, if it does at all.

Since President Obama came into office, we have heard a lot of talk about his laser-like focus on job creation. However, the record of this administration suggests that his focus is more on growing government than on growing our economy.

We have seen the failed stimulus, ObamaCare, and initiatives such as Dodd-Frank, all of which have expanded the size and scope of the Federal Government without laying any foundation for economic growth.

Sadly, the budget offered this week does not present a vision for such growth in the future. This budget is, instead, a political document. Its purpose is to galvanize support from the President's left-leaning base in an election year. Nothing more; nothing less.

This is disappointing, to say the least, particularly when we look at the challenges our Nation is currently undergoing and facing. One such challenge is our Nation's broken Tax Code. While this budget comes close to acknowledging that the Tax Code is a problem, it misses an opportunity to actually do something about it. Tax reform, if it is done correctly, would promote growth and competitiveness in jobs, the economy, and provide greater economic efficiency, simplicity, and fairness.

However—as I said earlier—in the administration's review, tax reform is guided primarily by a desire to obtain more tax revenue to fund yet more expansion of the Federal Government, along with an insistence on unilaterally picking winners and losers. The ''tax reform'' outlined in the President's budget uses a corporate-only approach.

In other words, it would amend the business tax system and leave the individual Tax Code largely as it is. That approach is different from the ideas outlined by the two chairmen of the tax-writing committees, both of whom have proposed detailed comprehensive tax reform plans.

While I haven't endorsed either Chairman CAMP's or Chairman WYDEN's plan, they both recognize that the noncorporate business sector, which makes up over half of all U.S. businesses, is also in need of tax reform.

This sets them apart from President Obama and the proposals in his latest budget. Of course, let's not forget hard-working individual Americans, far too many of whom need assistance in filling out their tax returns. These people would be left behind under the President's proposal.

The President's proposal looks to raise tax revenue largely to increase more spending in what it calls ''investments'' in infrastructure. That sounds wonderful.

However, what is taken to be infrastructure in the minds of the Federal bureaucrats—who the President would empower to spend hard-earned taxpayer money—is sure to be guided more by politics than by economic efficiency. The so-called infrastructure bank or infrastructure finance authority—or whatever is the label of the day—that the President has continually called for would surely become the next Fannie and Freddie, putting innocent taxpayers on the hook for any losses resulting from the large Federal contractors rolling the dice on building projects.

As I said, our Nation and our economy face a number of challenges. Ongoing sluggishness threatens to become a permanent fixture on our long-term economic path. Indeed, as I referred to earlier, the nonpartisan Congressional Budget Office has already ratcheted down its estimate of the long-run growth path of the economy—partly because of the negative effects of the ever-evolving health care law that Democrats unilaterally enacted and that the President seems intent on unilaterally implementing.

I don't think that any Member of this body would argue that the status quo in our economy is acceptable. We have a lot of work to do when it comes to creating jobs, economic growth, prosperity, and opportunity in this country.

Unfortunately, the President's recent budget does not, in my view, add to the intelligent discussion. Rather, it returns to already-rejected ideas and appears to be aimed at the politics more than the need for proven private-sector jobs.

At this critical time in our Nation's history, the American people are demanding leadership. Sadly, they aren't getting it with President Obama's latest budget, and I think that is a catastrophe.

We need to change it in Congress. Of course, the Senate seems to be slow in

wanting to make any changes for the better. In fact, we hardly ever really debate legislation anymore—and, by the way, we will probably be voting on eight different votes this evening on various judges, all of whom would have been passed by unanimous consent in December had it not been for the majority breaking the rules to change the rules.

It is pathetic, really. It is pathetic what this body hasn't done, and it is time for us to bring it into account.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF PEDRO A. DELGADO HERNANDEZ TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session to resume consideration of the Pedro A. Delgado Hernandez nomination.

Under the previous order, the time until 4 p.m. will be equally divided between the Chair and ranking member of the Judiciary Committee.

Mr. LEAHY. Mr. President, to use part of my time, we are finally going to vote to end the filibusters of four judicial nominees to the Federal district court in Arkansas, Puerto Rico, Tennessee, and California.

None of these nominees is controversial. Timothy Brooks is to fill a vacancy in the Western District of Arkansas; Pedro Delgado Hernandez is to fill a vacancy in the District of Puerto Rico; Pamela Reeves is to fill a vacancy in the Eastern District of Tennessee; and Vince Chhabria is to fill a judicial emergency vacancy in the Northern District of California. They were voted out of the Senate Judiciary Committee with bipartisan support from both the Republicans and Democrats.

Incidentally, all of them have the highest rating by the ABA Standing Committee on the Federal Judiciary—a ''well-qualified'' rating. It is rare to have all four nominees with that high rating.

I mentioned this because nominees who would normally have just gone through in a matter of weeks have been held up, and held up, and held up, and held up, for no good reason. Pamela Reeves was originally nominated in May of last year—almost 1 year ago. Timothy Brooks and Pedro Delgado Hernandez were originally nominated last June. Vince Chhabria was nominated last July. Everybody knows they all could have been confirmed last year. They all had strong Republican and Democratic support in the Senate Judiciary Committee, but instead Republicans blocked their confirmation all year long until they had to be returned to the President at the end of the year. These nominees then had to be renominated and reprocessed. People who had already gone through the whole procedure had to go through it all over again.

After they had been voted out with strong support by the Judiciary Committee, Senate Republicans again forced us to file cloture to end the filibusters of these nominations. It will have taken the Senate 8, 9, and 10 months to bring these nominees up for a vote, and that is shameful.

What this does to the nominees is outrageous. These are people with distinguished careers, and all of a sudden, they have to put it on hold. Once they are nominated to be a judge, everything in their life is put on hold. Most of them have to take a big cut in pay to take the job to begin with, and then they sit there month after month after month.

Everybody has told them there is no controversy to their nomination, and that when their nomination does come to a vote, they will be easily confirmed. At some point they have to say: When is this when? It was not last year when it should have been, and we are well into this year when it comes before the Senate.

I have heard some Republican Senators say the filibuster is dead now that the rules have changed. That is simply wrong. The Senate Republicans are just filibustering nominees for the sake of filibustering them under different rules. They refuse to consent to vote on dozens of pending noncontroversial judicial nominees, and that means these nominees sit on the floor for months, and months, and months before we have to overcome unnecessary procedural hurdles. The result is that precious time and resources better devoted to other critical business is wasted on overcoming the dilatory tactics of Senate Republicans.

We could be done with this, and debating and voting on things that are critically important to this country—everything from rebuilding the decaying bridges and roads of this Nation, to health care for the elderly, to health research and all the things we need. Instead we spend time on the pettifoggery and, I would say, total balderdash in the arguments from the other side holding up these nominees.

These are the same people who shut down the Federal Government last year. This government shutdown cost the taxpayers of this country tens of billions of dollars and cost the private industry tens of billions of dollars more. They caught so much grief for this disruption that, I suppose, they do not want to have a complete shutdown of the Federal judiciary. Instead, they do it by a sort of water torture—drip, by drip, by drip. They are doing the same thing to the Federal judiciary that they did to the Federal Government, trying to close it down. It may be the case that Republicans cannot stop a noncontroversial judicial nominee from eventually receiving an up-or-down vote, but they have done a pretty darn good job of delaying five judicial nominees from filling longstanding vacancies. This kind of needless delay only hurts the American people. It is hurting the Federal judiciary. It is one of the reasons so many people in this country are angry at what happens here, when they see one thing after another delayed and slowed up.

I hope we can overcome the filibusters on the qualified judicial nominees before us, and I hope the Senate Republicans will not continue to try to shut down the Federal judiciary. I hope they have learned how much the American people are angry at them for shutting down the Federal Government last year, which cost the taxpayers tens of billions of dollars.

Timothy Brooks is nominated to fill a judicial vacancy in the Western District of Arkansas. He has worked in private practice at Taylor Law Partners LLP for approximately 25 years, first as an associate (1989–1993) and subsequently as a partner (1993–current). He has extensive experience as a litigator before both State and Federal courts, and in both civil and criminal cases. Mr. Brooks earned his J.D. with honors in 1989 from the University of Arkansas School of Law, where he served as an editor on the University of Arkansas Law Review. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Brooks well qualified to serve on the U.S. District Court for the Western District of Arkansas, its highest rating. He received the support of both of his home State senators, Senator BOOZMAN and Senator PRYOR. The Judiciary Committee reported him by voice vote to the full Senate on October 31, 2013, and again by voice vote on January 16, 2014.

Pedro Delgado Hernandez has worked in private practice at O'Neill & Borges LLC for nearly 15 years, first as an associate (1986–1990) and then as a partner (1990–current). From 1995 to 1996, he served as a judge on the Circuit Court of Appeals of Puerto Rico. He previously served as solicitor general for Puerto Rico's Department of Justice by appointment from 1993 to 1995. Following law school, he clerked for Judge Juan Torruella, of the U.S. District Court for the District of Puerto Rico and the U.S. Court of Appeals for the First Circuit, from 1984 to 1986. He served in the U.S. Army Reserve from 1979 to 1985. He earned his B.S. from the University of Puerto Rico in 1979. He earned his J.D., magna cum laude, from the University of Puerto Rico School of Law in 1983. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Hernandez well qualified to serve on the U.S. District Court for the District of Puerto

Rico, its highest rating. He received the support of Representative PEDRO PIERLUISI of Puerto Rico. The Judiciary Committee reported him by voice vote to the full Senate on October 31, 2013, and again by voice vote on January 16, 2014.

Pamela Reeves has worked in private practice since 2002 at Reeves, Herbert & Anderson, P.A., as an attorney and managing attorney. She previously worked as a partner at Watson, Hollow & Reeves, P.L.C. from 1988 to 2002. She also served as an adjunct professor for trial practice at the University of Tennessee Law School (1991–1996). Following graduation from law school, she worked as an associate at Griffin, Burkhalter, Cooper & Reeves from 1979 to 1985. She earned her J.D. from the University of Tennessee College of Law in 1979. She has been named one of the Best Lawyers in America, and one of the Top 100 Lawyers in Tennessee, from 2006 to 2012. If confirmed, she would be the first woman to serve as a Federal judge in the Eastern District of Tennessee. The ABA Standing Committee on the Federal Judiciary unanimously rated Ms. Reeves well qualified to serve on the U.S. District Court for the Eastern District of Tennessee, its highest rating. She received the support of her home State senators, Senator ALEXANDER and Senator CORKER. The Judiciary Committee reported her by voice vote to the full Senate on November 14, 2013, and again by voice vote on January 16, 2014.

Vince Chhabria has served as a San Francisco deputy city attorney for government litigation since 2005, and has served as the co-chief of appellate litigation since 2011. He previously worked in private practice as an associate at Covington & Burling LLP from 2002 to 2004, and as an associate at Keker & Van Nest LLP in 2001. Upon graduating from law school, Mr. Chhabria served as a law clerk to three distinguished Federal judges: Judge Charles Breyer of the U.S. District Court for the Northern District of California from 1998 to 1999; Judge James Browning on the Ninth Circuit Court of Appeals from 1999 to 2000; and Associate Justice Stephen G. Breyer of the U.S. Supreme Court from 2001 to 2002. Mr. Chhabria earned his J.D., Order of the Coif, in 1998 from Berkeley Law School. If confirmed, he would serve as California's first Article III judge of South Asian descent. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Chhabria well qualified to serve on the U.S. District Court for the Northern District of California, its highest rating. He received the support of his home State senators, Senator FEINSTEIN and Senator BOXER. The Judiciary Committee reported him favorably with bipartisan support to the full Senate on November 14, 2013, and again with bipartisan support on January 16, 2014.

I thank the majority leader for filing cloture petitions to end the filibusters of these much needed trial court judges. And I continue to hope that Senate Republicans will change course so that we can work together to confirm without further delay noncontroversial nominees to longstanding judicial vacancies.

At some time reality has to catch up with the rhetoric around this place. I heard speeches earlier today on how people want to stand up for law enforcement. I would remind everybody that one of the things we have actually done in this body and the U.S. House of Representatives to help law enforcement was the bulletproof vest program.

This is a bipartisan program that was started by the former Republican Senator from Colorado, Ben Nighthorse Campbell, and myself to provide bulletproof vests to police departments that could not afford them. We have had some of the most gripping testimony before the Senate Judiciary Committee.

The distinguished Presiding Officer may recall one police officer from a northern State who came to testify before us. He told us how much he loved being a police officer. He said the only thing he loves more than being a police officer are his parents, his wife, and his children. He said: ''If it were not for this,'' and he reached under the table and pulled up a bulletproof vest. You could see two bullets stuck in it. He said, ''If I had not been wearing this, I never would have seen my parents or my wife or my children,'' all of whom were sitting behind him.

He said, ''Please keep this program going.'' His family got to visit him in the hospital where he had a couple of cracked ribs. If he had not been wearing his bulletproof vest, he said they would have been visiting him in the morgue instead.

I only mentioned this story because every single Democrat has agreed to the reauthorization of the bulletproof vest bill. We have not had a single Republican step forward to say: We will stand up to protect the men and women in uniform of this country who protect us. Having served 8 years in law enforcement, I find that shameful.

I say, stop trying to shut down the Federal judiciary, but also stand up for the protection of the men and women in uniform in the police departments throughout this country.

From the time Senator Campbell and I first started working on this bill decades ago, this bill has always been a bipartisan bill. Decades ago, we heard testimony from a police officer talking about seeing his parents, wife, and children when he has had to face gunfire in the line of duty.

Do not let us hear from the same parents, spouses, or children about why we did not protect their husband or wife, son or daughter, when we could have. Why did we play silly games when not one single Republican would step forward and say: Let's pass this bulletproof vest bill. Let's stand up for the men and women in uniform in this country.

Mr. President, what is the present parliamentary situation?

The PRESIDING OFFICER. The Senate is currently considering the Hernandez nomination.

Mr. LEAHY. Is there a time for a vote?

The PRESIDING OFFICER. Currently, there are 3 minutes of debate time remaining.

Mr. LEAHY. Mr. President, have the yeas and nays been requested on the nomination?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Mr. President, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I ask unanimous consent that all time remaining be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back.

The question is, Is it the sense of the Senate that debate on the nomination of Pedro A. Delgado Hernandez, of Puerto Rico, to be U.S. District Judge for the District of Puerto Rico, shall be brought to a close?

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Michigan (Mr. LEVIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''aye.''

The PRESIDING OFFICER (Mr. BROWN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 50 Ex.]

YEAS—98

Alexander	Boxer	Cochran
Ayotte	Brown	Collins
Baldwin	Burr	Coons
Barrasso	Cantwell	Corker
Begich	Cardin	Crapo
Bennet	Carper	Cruz
Blumenthal	Casey	Donnelly
Blunt	Chambliss	Durbin
Booker	Coats	Enzi
Boozman	Coburn	Feinstein

Fischer
Flake
Franken
Gillibrand
Graham
Grassley
Hagan
Harkin
Hatch
Heinrich
Heitkamp
Heller
Hirono
Hoeven
Inhofe
Isakson
Johanns
Johnson (SD)
Johnson (WI)
Kaine
King
Kirk
Klobuchar
Landrieu
Leahy
Lee
Manchin
Markey
McCain
McCaskill
McConnell
Menendez
Merkley
Mikulski
Moran
Murkowski
Murphy
Murray
Nelson
Paul
Portman
Pryor
Reed
Reid
Risch
Roberts
Rockefeller
Rubio
Sanders
Schatz
Schumer
Scott
Sessions
Shaheen
Shelby
Stabenow
Tester
Thune
Toomey
Udall (CO)
Udall (NM)
Vitter
Walsh
Warner
Warren
Whitehouse
Wicker
Wyden

NOT VOTING—2

Cornyn Levin

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form.

Who yields time?

Mr. MCCAIN. I yield back.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Pamela L. Reeves, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Harry Reid, Patrick J. Leahy, Mark L. Pryor, Mark Begich, Robert Menendez, Benjamin L. Cardin, Tom Harkin, Amy Klobuchar, Christopher Murphy, Patty Murray, Jon Tester, Richard J. Durbin, Barbara Boxer, Angus S. King, Jr., Claire McCaskill, Richard Blumenthal, Sheldon Whitehouse, Jack Reed

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Pamela L. Reeves, of Tennessee, to be United States District Judge for the Eastern District of Tennessee, shall be brought to a close?

Yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 51 Ex.]

YEAS—62

Alexander
Baldwin
Begich
Bennet
Blumenthal
Booker
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Collins
Coons
Corker
Donnelly
Durbin
Feinstein
Flake
Franken
Gillibrand
Hagan
Harkin
Heinrich
Heitkamp
Hirono
Johnson (SD)
Kaine
King
Klobuchar
Landrieu
Leahy
Lee
Levin
Manchin
Markey
McCain
McCaskill
Menendez
Merkley
Mikulski
Murkowski
Murphy
Murray
Nelson
Pryor
Reed
Reid
Rockefeller
Sanders
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall (CO)
Udall (NM)
Walsh
Warner
Warren
Whitehouse
Wyden

NAYS—37

Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Cochran
Crapo
Cruz
Enzi
Fischer
Graham
Grassley
Hatch
Heller
Hoeven
Inhofe
Isakson
Johanns
Johnson (WI)
Kirk
McConnell
Moran
Paul
Portman
Risch
Roberts
Rubio
Scott
Sessions
Shelby
Thune
Toomey
Vitter
Wicker

NOT VOTING—1

Cornyn

The PRESIDING OFFICER. On this vote the yeas are 62, the nays are 37. The motion to invoke cloture is agreed to.

NOMINATION OF PAMELA L. REEVES TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Pamela L. Reeves, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. It is 4:45 p.m. We have a lot of votes. We can move through these votes very quickly. They are 10-minute votes. I have some complaints from some Senators that it is not fair to wait around for other Senators when there are a lot of things going on tonight. At the end of 15 minutes, no matter who is not here, we are going to cut off the votes. That is what everybody wants and that is what we are going to do.

Anyway, we have to do that. If it is a close vote, then we always give time for people to play around with that, but these votes haven't been that close and so I think we should get through these votes as quickly as we can. I am alerting everyone and the floor staff.

The PRESIDING OFFICER. Under the previous order, the postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Pamela L. Reeves, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 52 Ex.]

YEAS—99

Alexander
Ayotte
Baldwin
Barrasso
Begich
Bennet
Blumenthal
Blunt
Booker
Boozman
Boxer
Brown
Burr
Cantwell
Cardin
Carper
Casey
Chambliss
Coats
Coburn
Cochran
Collins
Coons
Corker
Crapo
Cruz
Donnelly
Durbin
Enzi
Feinstein
Fischer
Flake
Franken
Gillibrand
Graham
Grassley
Hagan
Harkin
Hatch
Heinrich
Heitkamp
Heller
Hirono
Hoeven
Inhofe
Isakson
Johanns
Johnson (SD)
Johnson (WI)
Kaine
King
Kirk
Klobuchar
Landrieu
Leahy
Lee
Levin
Manchin
Markey
McCain
McCaskill
McConnell
Menendez
Merkley
Mikulski
Moran
Murkowski
Murphy
Murray
Nelson
Paul
Portman
Pryor
Reed
Reid
Risch
Roberts
Rockefeller
Rubio
Sanders
Schatz
Schumer
Scott
Sessions
Shaheen
Shelby
Stabenow
Tester
Thune
Toomey
Udall (CO)
Udall (NM)
Vitter
Walsh
Warner
Warren
Whitehouse
Wicker
Wyden

NOT VOTING—1

Cornyn

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to the cloture vote.

The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, this next nominee, Timothy Brooks of the Western District of Arkansas, is excellent in every way. He basically has the support from plaintiffs', defendants', and criminal defendants' lawyers, prosecutors, Democrats and Republicans, businesses—everybody. They really like this nominee is the total consensus on him. He has been waiting for a long time. We tried to get this going last year and got caught up in end-of-the-year stuff.

I ask all my colleagues to vote yes on the procedure and on confirming him.

The PRESIDING OFFICER. The junior Senator from Arkansas is recognized.

Mr. BOOZMAN. Mr. President, I share my support for the nominee on whom we are about to vote.

Judge Timothy Brooks has the experience, background, and temperament to unanimously qualify him for the position of district judge. I am proud to stand before my colleagues and offer my support of his confirmation. I am pleased that we have been able to act on this vacancy and hope that Judge Brooks will be easily confirmed much like Judge Moody was for the Eastern District of Arkansas seat last week.

Again, these are highly qualified nominees. Judge Moody is a great fit for the Eastern District. I am confident Judge Brooks will complement him well in the Western District. One of the most important aspects of what we do in the Senate is the confirmation of judges, the process of selecting people with the right temperament and qualifications. I believe both Judge Moody and Judge Brooks will make excellent Federal judges and will make Arkansas proud.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. All time has expired.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Timothy L. Brooks, of Arkansas, to be United Stated District Judge for the Western District of Arkansas.

Harry Reid, Patrick J. Leahy, Mark L. Pryor, Mark Begich, Robert Menendez, Benjamin L. Cardin, Tom Harkin, Amy Klobuchar, Christopher Murphy, Patty Murray, Jon Tester, Richard J. Durbin, Barbara Boxer, Angus S. King, Jr., Claire McCaskill, Richard Blumenthal, Sheldon Whitehouse, Jack Reed.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Timothy L. Brooks of Arkansas, to be United States District Judge for the Western District of Arkansas, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 59, nays 41, as follows:

[Rollcall Vote No. 53 Ex.]

YEAS—59

Baldwin	Collins	Hirono
Begich	Coons	Johnson (SD)
Bennet	Donnelly	Kaine
Blumenthal	Durbin	King
Booker	Feinstein	Klobuchar
Boozman	Flake	Landrieu
Boxer	Franken	Leahy
Brown	Gillibrand	Levin
Cantwell	Hagan	Manchin
Cardin	Harkin	Markey
Carper	Heinrich	McCaskill
Casey	Heitkamp	Menendez
Merkley	Reid	Udall (CO)
Mikulski	Rockefeller	Udall (NM)
Murkowski	Sanders	Walsh
Murphy	Schatz	Warner
Murray	Schumer	Warren
Nelson	Shaheen	Whitehouse
Pryor	Stabenow	Wyden
Reed	Tester	

NAYS—41

Alexander	Fischer	Moran
Ayotte	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

The PRESIDING OFFICER (Mr. BLUMENTHAL). On this vote the yeas are 59 and the nays are 41.

The motion is agreed to.

NOMINATION OF TIMOTHY L. BROOKS TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF ARKANSAS

The PRESIDING OFFICER. Under the previous order, the clerk will report the nomination.

The assistant legislative clerk read the nomination of Timothy L. Brooks, of Arkansas, to be United States District Judge for the Western District of Arkansas.

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Timothy L. Brooks, of Arkansas, to be United States District Judge for the Western District of Arkansas?

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 54 Ex.]

YEAS—100

Alexander	Crapo	Kaine
Ayotte	Cruz	King
Baldwin	Donnelly	Kirk
Barrasso	Durbin	Klobuchar
Begich	Enzi	Landrieu
Bennet	Feinstein	Leahy
Blumenthal	Fischer	Lee
Blunt	Flake	Levin
Booker	Franken	Manchin
Boozman	Gillibrand	Markey
Boxer	Graham	McCain
Brown	Grassley	McCaskill
Burr	Hagan	McConnell
Cantwell	Harkin	Menendez
Cardin	Hatch	Merkley
Carper	Heinrich	Mikulski
Casey	Heitkamp	Moran
Chambliss	Heller	Murkowski
Coats	Hirono	Murphy
Coburn	Hoeven	Murray
Cochran	Inhofe	Nelson
Collins	Isakson	Paul
Coons	Johanns	Portman
Corker	Johnson (SD)	Pryor
Cornyn	Johnson (WI)	Reed
Reid	Sessions	Vitter
Risch	Shaheen	Walsh
Roberts	Shelby	Warner
Rockefeller	Stabenow	Warren
Rubio	Tester	Whitehouse
Sanders	Thune	Wicker
Schatz	Toomey	Wyden
Schumer	Udall (CO)	
Scott	Udall (NM)	

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to the cloture vote.

Mr. REID. Mr. President, we yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Vince Girdhari Chhabria, of California, to be United States District Judge for the Northern District of California.

Harry Reid, Patrick J. Leahy, Benjamin L. Cardin, Ron Wyden, Christopher A. Coons, Martin Heinrich, Jack Reed, Robert Menendez, Tom Harkin, Sheldon Whitehouse, Patty Murray, Dianne Feinstein, Richard J. Durbin, Barbara Boxer, Carl Levin, Jeff Merkley, Amy Klobuchar.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Vince Girdhari Chhabria of California, to be U.S. District Judge for the Northern District of California shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 57, nays 43, as follows:

[Rollcall Vote No. 55 Ex.]

YEAS—57

Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murkowski	Whitehouse
Hagan	Murphy	Wyden

NAYS—43

Alexander	Coburn	Flake
Ayotte	Cochran	Graham
Barrasso	Corker	Grassley
Blunt	Cornyn	Hatch
Boozman	Crapo	Heller
Burr	Cruz	Hoeven
Chambliss	Enzi	Inhofe
Coats	Fischer	Isakson

Johanns
Johnson (WI)
Kirk
Lee
McCain
McConnell
Moran
Paul
Portman
Risch
Roberts
Rubio
Scott
Sessions
Shelby
Thune
Toomey
Vitter
Wicker

The PRESIDING OFFICER. On this vote the ayes are 57, the nays are 43.

The motion is agreed to.

NOMINATION OF VINCE GIRDHARI CHHABRIA TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Vince Girdhari Chhabria, of California, to be United States District Judge for the Northern District of California.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Vince Girdhari Chhabria, of California, to be United States District Judge for the Northern District of California?

Mr. GRASSLEY. 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. UDALL) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 41, as follows:

[Rollcall Vote No. 56 Ex.]

YEAS—58

Alexander
Baldwin
Begich
Bennet
Blumenthal
Booker
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Collins
Coons
Donnelly
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Heinrich
Heitkamp
Hirono
Johnson (SD)
Kaine
King
Kirk
Klobuchar
Landrieu
Leahy
Levin
Manchin
Markey
McCaskill
Menendez
Merkley
Mikulski
Murkowski
Murphy
Murray
Nelson
Pryor
Reed
Reid
Rockefeller
Sanders
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall (NM)
Walsh
Warner
Warren
Whitehouse
Wyden

NAYS—41

Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Cochran
Corker
Cornyn
Crapo
Cruz
Enzi
Fischer
Flake
Graham
Grassley
Hatch
Heller
Hoeven
Inhofe
Isakson
Johanns
Johnson (WI)
Lee
McCain
McConnell
Moran
Paul
Portman
Risch
Roberts
Rubio
Scott
Sessions
Shelby
Thune
Toomey
Vitter
Wicker

NOT VOTING—1

Udall (CO)

The nomination was confirmed.

VOTE EXPLANATION

● Mr. UDALL of Colorado. Mr. President, had I been present to cast a vote relative to rollcall vote No. 56 on March 3, 2014 on the nomination of Vince Chhabria to be U.S. District Judge for the Northern District of California, I would have voted ''aye.''●

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to the cloture vote.

Who yields time?

Mr. INHOFE. I yield back.

The PRESIDING OFFICER. Time is yielded back.

Who yields time in support of the nomination?

Mr. MENENDEZ. Mr. President, parliamentary inquiry. I understand the Republican side yielded back their time.

The PRESIDING OFFICER. The Senator is correct. The time in opposition is yielded back.

Mr. MENENDEZ. I yield back our time.

The PRESIDING OFFICER. All time having been yielded, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security.

Harry Reid, Robert Menendez, Benjamin L. Cardin, Ron Wyden, Christopher A. Coons, Patrick J. Leahy, Martin Heinrich, Jack Reed, Tom Harkin, Sheldon Whitehouse, Patty Murray, Dianne Feinstein, Richard J. Durbin, Barbara Boxer, Carl Levin, Jeff Merkley, Amy Klobuchar.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 57 Ex.]

YEAS—55

Baldwin
Begich
Bennet
Blumenthal
Booker
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Collins
Coons
Donnelly
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Heinrich
Hirono
Isakson
Johnson (SD)
Kaine
King
Klobuchar
Landrieu
Leahy
Levin
Manchin
Markey
McCaskill
Menendez
Merkley
Mikulski
Murkowski
Murphy
Murray
Nelson
Pryor
Reed
Reid
Rockefeller
Sanders
Schatz
Schumer
Shaheen
Stabenow
Udall (CO)
Udall (NM)
Warner
Warren
Whitehouse
Wyden

NAYS—45

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Cochran
Corker
Cornyn
Crapo
Cruz
Enzi
Fischer
Flake
Graham
Grassley
Hatch
Heitkamp
Heller
Hoeven
Inhofe
Johanns
Johnson (WI)
Kirk
Lee
McCain
McConnell
Moran
Paul
Portman
Risch
Roberts
Rubio
Scott
Sessions
Shelby
Tester
Thune
Toomey
Vitter
Walsh
Wicker

The PRESIDING OFFICER. On this vote the yeas are 55 and the nays are 45. The motion to invoke cloture is agreed to.

NOMINATION OF ROSE EILENE GOTTEMOELLER TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk reported the nomination of Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that with respect to the nominations confirmed today, the motions to reconsider be considered made and laid on the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I further ask unanimous consent that following morning business on Thursday, March 6, the time until 11:20 a.m. be equally divided between the majority leader and the Republican leader or their designees; that at 11:20 the Senate proceed to vote on confirmation of Calendar No. 626, the nomination of Rose Gottemoeller to be Under Secretary of State for Arms Control and International Security; further, that following disposition of the Gottemoeller nomination, the Senate proceed to vote on the confirmation of Calendar Nos. 510, 511; there be 2 minutes for debate prior to each vote equally divided in the usual form; that all after the first vote be 10 minutes in length; that the motions to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that

the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. We have laid out tomorrow to some degree. We have other work to do tomorrow. If we have some cooperation from both sides, we can finish sometime midafternoon; otherwise, it could be a while.

UNANIMOUS CONSENT AGREEMENT—S. 1086

Mr. REID. I ask unanimous consent that at a time to be determined by me, with the concurrence of Senator MCCONNELL, the Senate proceed to the consideration of Calendar No. 309, S. 1086; further, that the cloture motion filed on Thursday, February 27, with respect to the motion to proceed be withdrawn. This is the child care block grant legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that Senator HARKIN be recognized, Senator COLLINS follow after him, then Senator BOXER follow after Senator COLLINS.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

ADEGBILE NOMINATION

Mr. HARKIN. Earlier today a vote was taken in the Senate that, to this Senator, marked about the lowest point that I think this Senate has descended in my 30 years here. I don't say that lightly. I was in Congress during the impeachment process trial for President Clinton. I thought that was a low, but it didn't compare to what happened today.

The vote on Debo Adegbile to be Assistant Attorney General for the Civil Rights Division at the Department of Justice sent a strong message. This is the message we sent today and, young people, listen up.

If you are a young White person working for a law firm and have a chance to defend someone who has done something wrong—even a heinous crime—my advice from what happened today is you should feel free to go ahead and do your job as a lawyer. Who knows? You might wind up as the Chief Justice of the U.S. Supreme Court one day.

However, if you are a young Black person working on civil rights issues at the NAACP legal defense fund and you—under your obligations as an attorney—are called upon to handle an appeal for someone who committed a heinous crime, the message sent today is you're putting your career on the line.

If you fulfill your duty as a lawyer, you will be denied by the Senate from being an assistant attorney general in the U.S. Department of Justice. We have a double standard, a terrible double standard.

While in private practice, the Chief Justice of the Supreme Court defended a mass murderer in Florida who committed eight murders. He is the Chief Justice of the Supreme Court. Did we hear one peep from the Republican side? I didn't hear anyone on this Senate floor at that time raising it as any issue at all for his qualifications to be a judge on the appeals court or to be the Chief Justice of the Supreme Court, and rightfully so. It should have never been an issue. He was fulfilling his legal obligations and his moral duty as a lawyer.

Debo Adegbile, working as an attorney for the NAACP legal defense fund, did nothing different. He was only asked to work on an appeal. And because of that, and only because of that, he was excoriated on the Senate floor and denied his opportunity to be an Assistant Attorney General for Civil Rights.

Did anyone raise an issue of his qualifications? No. He is eminently qualified. But person after person spoke about the heinous murder that took place in Philadelphia, the murder of a police officer by a young Black man who had bragged about it—a heinous crime, a horrible crime. Debo Adegbile didn't defend him at trial. He only filed appeals aimed at protecting the defendant's civil rights and the civil rights of all Americans.

I listened to the Senator from Pennsylvania this morning. He had a big poster with a picture of the police officer and his wife on their wedding day. He was talking about how horrible a crime this was, how the murderer had bragged about it, and all that is terrible.

But it had nothing to do with Debo Adegbile. The Senator from Pennsylvania said it is why Mr. Adegbile should not be approved to be an assistant attorney general, because he worked as a lawyer on a defendant's appeal.

What about the Chief Justice of the Supreme Court? He defended a person who killed eight people. I don't see my friends on the Republican side of the aisle clamoring to institute an impeachment process. Maybe they did not know that John Roberts defended a mass murderer. But now that they do, are they going to try to impeach the Chief Justice because he fulfilled his legal obligation to defend a murderer?

I hope you see the ridiculousness of that argument and how unfair it was for Debo Adegbile to be denied—not on the basis of any qualifications but because he was fulfilling his duty as a lawyer. I have not heard one person say he is unqualified or he has done something that would disqualify him. No. He did what he was supposed to do within his legal profession—and he was denied.

Shame. Shame on this Senate. Shame on every Senator who claims to be a lawyer, who went to law school, raised their hand and was sworn into the bar. Shame on every lawyer who voted against Mr. Adegbile because he worked on an appeal.

If somebody had some question about his qualifications or felt that Mr. Adegbile is totally unqualified, that is a different story. I challenge anyone to come forward with anything remotely connected to his qualifications that would show him to be unqualified.

I wish to read—and I will close shortly—a quote from James Silkenat, the president of the American Bar Association. Listen up, lawyers.

He said:

> A fundamental tenet of our justice system and our Constitution is that anyone who faces loss of liberty has a right to legal counsel. Lawyers have an ethical obligation to uphold that principle and provide zealous representation to people who otherwise would stand alone against the power and resources of the government—even to those accused or convicted of terrible crimes.

Continuing:

> I was alarmed to learn that there is some opposition to Mr. Adegbile's nomination based solely on his efforts to protect the fundamental rights of an unpopular client while working at the legal defense fund. His work, like the work of ABA members who provide thousands of hours of pro bono legal services every year, is consistent with the finest tradition of this country's legal profession and should be commended, not condemned.

Shameful. It was a shameful vote today, a rush to judgment based upon emotion.

I will not name any names, but I had one Senator say: My head tells me he should be confirmed, but my guts, my emotion, say no.

We make our decisions based on that around here? God help us. Maybe we ought to all go back and think about ''To Kill a Mockingbird.'' Read the book, watch the movie, and know what it is to stand against the powers of government and defend someone who is unpopular.

Mr. Adegbile wasn't even the defense attorney. He only worked on an appeal relating directly to legal issues particularly important to the civil rights community.

Shame on the Fraternal Order of Police. Shame on them. I have been one of their strong supporters for my 30 years, but shame on them for doing this. Shame on them. They mounted a campaign against Mr. Adegbile just on that one thing. Shame on all of us here, especially the lawyers—especially the lawyers. It was a rush to judgment and a shameful episode in the history of the Senate.

I know Senator REID filed a motion to reconsider. I hope he will, and I hope people will pray on this and think back, especially the lawyers who are in the Senate. Think about it. Think about the ethical obligation, the ethical obligation to do what he did—and he did nothing wrong. Hopefully Mr. Adegbile, on a motion to reconsider, will have the votes to take his position as Assistant Attorney General for Civil Rights in the Justice Department.

It is a shameful day for the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I thank my colleague from California for allowing me to precede her in speaking on the Senate floor this evening. I very much appreciate her courtesy.

(The remarks of Senator COLLINS pertaining to the introduction of S. 2081 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I was very interested in listening to both my colleagues, TOM HARKIN, who I thought was very passionate about the need to understand that when people do pro bono work, as Justice Roberts did, or they work for an organization, as our nominee did making the case a jury was perhaps tainted, that that not be used against them. I think he was passionate. I think Senator COLLINS makes a good point. I do wish to say she is totally right. The IRS should never, ever be used politically. We have gone through that in our lifetime, and it is absolutely wrong. I agree. But I also wish to point out that any organization taking big tax deductions which cost people money, but they are political—whether they are on the left, the right or the center—have to stop what they are doing too. I think she points out it is a careful balance.

We also don't want Members of Congress to intimidate and harass the IRS. That is wrong and a very careful balance. I look forward to looking at her bill to see if this oversight commission is something free from politics. That, to me, is the key. IRS should never be used politically.

MILITARY JUSTICE IMPROVEMENT ACT

Mrs. BOXER. I rise in strong support of the Military Justice Improvement Act. I am so proud to stand with 17 of the 20 women Members of this Senate on both sides of the aisle and with a large number of colleagues from both sides—a majority—to fight for real change in the way our military addresses the epidemic of military sexual assault.

When one is in Washington for a while—and I have been in Washington for a while. Thanks to the good people of California, I was elected to the House in 1982 and took my seat in 1983. I have seen this issue get worse and worse. The issue of sexual assault in the military is not new. Unfortunately, it is decades old.

It was 23 years ago that dozens of women and men were sexually harassed and assaulted in the halls of a Las Vegas hotel during the Tailhook Association's annual convention. The 1991 Tailhook scandal focused a national spotlight on the issue of military sexual assault, and then-Secretary of Defense Dick Cheney declared after it was over a zero tolerance policy.

I have to be completely blunt with everybody who may be listening to this. The fact is, after Tailhook and all of these promises from everybody, I thought we would never see this epidemic grow as it has. I thought we stopped the epidemic of sexual assault in the military because it was heinous to see what they did when everyone said it would be over.

Let's take a look at how many Secretaries of Defense made a pledge. We will start from the bottom and work our way up to the top.

Secretary Cheney in 1993 said:

> Well, we've got a major effort underway to try to educate everybody, to let them know that we've got a zero-tolerance policy where sexual harassment's involved.

So a real commitment from then Defense Secretary Cheney.

The next year it was Secretary William Perry. In 1996, he said:

> For all reasons, therefore, we have zero tolerance for sexual harassment.

Then it was Secretary William Cohen. In 1997, he said:

> I intend to enforce a strict policy of zero tolerance of hazing, of sexual harassment, and of racism.

Now we move to Donald Rumsfeld in 2004:

> Sexual assault will not be tolerated in the Department of Defense.

These are beautiful words. But I say to those listening: Nothing has stopped this epidemic—Democratic or Republican Secretaries of Defense, it doesn't matter.

Then Robert Gates, who served both Republican and Democratic Presidents, what did he say.

> This is a matter of grave concern. I have zero tolerance for sexual assault.

Leon Panetta, under President Obama:

> We have absolutely no tolerance for any form of sexual assault.
>
> I take sexual assault allegations very seriously. We have no place in the military for sexual assault.

Currently, Secretary Chuck Hagel, under President Obama:

> It's not good enough to say we have a zero tolerance policy. We do.

But what does it mean? How does it translate into changing anything? I want to know.

> These crimes have no place—no place—in the greatest military on earth.

We all agree with that. But here is what this shows you: Seven Secretaries of Defense, Republicans and Democrats, all these years—the first one being Dick Cheney in 1992—have all promised zero tolerance, and the problem of sexual assault in the military gets worse.

So Senator GILLIBRAND has issued a call to action. She has written a terrific bill, working with Republicans and Democrats, and we are getting a vote on the bill tomorrow—assuming we can break a filibuster, because there is a filibuster and we have to file cloture and we need a supermajority of 60 in order to get to an up-or-down vote.

So these promises to me ring hollow. I like so many of these people. I have worked with so many of them. They are good people. They care. But these words are hollow. We have to change the way we deal with sexual assault in the military, and that is what this vote is about tomorrow. But we have to break a filibuster.

Here is what has happened to those who have come forward: Instead of justice, sexual assault survivors have faced retaliation, revictimization, and further abuse. Instead of justice, survivors have been kicked out of the military while their attackers go unpunished.

I will share some deeply troubling statistics which speak to the scope of this problem: 26,000 cases of sexual assault occurred in the U.S. military in 2012 and 1.2 percent were prosecuted.

Mr. President, I know how deeply you care about this. You were responsible for protecting justice for the people of Connecticut. What if you had a range of cases and only 1.2 percent were prosecuted? I am sure you would admit that something was very wrong. Of course, your record speaks for itself.

The point I am making is this: How can anyone defend the status quo? Yet we have a group of people here in the Senate who are defending the status quo. Yes, they are making changes around the edges. I give them that, and I am very happy with that. But they are not getting to the root cause of the problem, which is who decides whether these cases go forward. Who is the decider? That is why the Gillibrand amendment is so critical.

So I want people to keep this chart in their minds. These are all the assaults. The number prosecuted is 1.2 percent. That means that of the estimated 26,000 sexual assaults, only 302 were prosecuted. Keep that in mind—26,000 sexual assaults in the military and only 302 were prosecuted.

Let me give another troubling figure. One in five female servicemembers reported experiencing unwanted sexual contact while serving in the military. One in five female servicemembers reported experiencing unwanted sexual contact while serving in the military. There is something wrong with the culture there. These women are putting their lives on the line, and what do they get for it? One in five is experiencing unwanted sexual contact. And by the way, many of the men are too. But we have this statistic we wanted to share.

What is this misconduct that these women—one out of five women—in the military are facing, unwanted sexual contact? This means they are experiencing rape, sexual assault, and unwanted sexual contact while serving in the military. But they don't report it because they are too scared, and that is why the Gillibrand bill is so critical, and that is why we need to make sure we defeat that filibuster—because you cannot and should not filibuster justice. Let's get an up-or-down vote. How many more women and men will become victims of these heinous crimes

before we take action? For 20 years the military has had to deal with this.

I am a fairly patient person. Before I got into politics, I was not a patient person. When I got into politics, I realized, yes, change takes time. You have to be patient, you have to work hard, and you have to make the case. You have to pile up your statistics. You have to make sure you have the facts and then take action.

But 20 years of doing nothing, 20 years of commitment from all of these people—Richard Cheney, William Perry, William Cohen, Donald Rumsfeld, Secretary Gates, Secretary Panetta, Chuck Hagel; it doesn't matter whether they are Republican or Democratic—all saying the same thing; they are going to stop this heinous situation. And they don't because they cannot.

We need to listen to survivors—survivors who are going to solve the crisis of sexual assault in the military because they are going to speak up, and they have. Survivors are telling us that the only way to stop this horrible epidemic of sexual assault is to take the decision about whether to prosecute serious crimes such as sexual assault out of the hands of the commanders. Give it to the professional, trained military prosecutors outside the chain of command.

There are many people who misconstrue this. They think we are going to take it completely outside the military structure. That is not what we do. What we do is we say the professionals should deal with this. Right now you have to report to your commander. We never would allow a CEO of a corporation to make the decision about whether one of his or her employees should be prosecuted for rape. If something happened in our office and someone came to the Presiding Officer or to me and said: Something horrible has happened upstairs, and we think somebody raped someone else. We wouldn't decide whether to prosecute. We would go right to the police—right to the police. And that is what we are saying when supporting the Gillibrand amendment. We are saying these legal decisions should be made by independent, experienced legal experts so the decision to go to trial is a fair one, objective, and based on the evidence.

By the way, that helps all sides—the accuser and the accused. As a matter of fact, we have some people who are worried that the accused may not get a fair trial if we don't change things because there has been so much publicity about this.

There has been a defense advisory committee on women in the services that has advised the Secretary of Defense for over 60 years. That commission overwhelmingly supports this reform, arguing that the authority of commanders to decide whether to prosecute these cases ''poses an inherent conflict of interest.'' It is obvious. Of course it is a conflict of interest. If the commander is faced with a situation—remember, we are talking about people who put their lives on the line. If the commander is in a circumstance where he does not want to lose one of these guys who is, let's say, a very good fighter, he has a conflict right there. He may be friends with the guy or the gal, whoever the accused is. We have to take this away from the commander and let them focus on what they need to do.

We have been told by many commanders that they would welcome this even though the top brass is quashing it and fighting hard against them. Why? Why are they fighting against this when for 20 years they have claimed they want to solve the problem? Let's listen to retired military officers such as LTG Claudia Kennedy, the first female three-star general in the Army. This is what she said:

> If military leadership hasn't fixed the problem in my lifetime, it is not going to be fixed without a change from the status quo. The imbalance of power and authority in commanders dealing with sexual assaults has to be corrected. There has to be independent oversight over what is happening.

Then we have a situation where a woman was put up for a position. This is amazing. Dr. Jo Ann Rooney was nominated to be the Under Secretary of the Navy. She was asked:

> In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assaults should be prosecuted?

Mr. President, do you know what she said? This is what she said would happen if the Gillibrand bill passed:

> I believe the impact would be decisions based on evidence rather than the interest of preserving good order and discipline.

And she is against the Gillibrand bill because she put good order and discipline over justice.

Then she said:

> I believe this will result in fewer prosecutions and therefore defeat the very problem I understand it seeks to address.

Many of us have said we are not going to let a vote come up on this. We have been very open about it. She is complaining that if we pass the Gillibrand bill, the decision will be based on the evidence rather than on the good old boy system. I don't get it.

We need to listen to our allies, such as Israel, Canada, the United Kingdom, Australia. They have successfully made this change.

I want to say very clearly that none of us in this body should filibuster justice. And I have a very strong chart here. I am going to keep this up: ''Don't filibuster justice.'' That is what we are facing. We have people who are going to filibuster the Gillibrand bill and not allow a vote on it, while they would vote not to filibuster the McCaskill bill. I say don't filibuster either of these bills. Vote yes on both. Both are good. But it is only the Gillibrand bill that will make sure the system that is resulting in a disastrous record of prosecutions and a disastrous record of people—90 percent of the people don't report. Isn't that true? Ninety percent of the people don't report because they are scared. These are men and women. If you don't report, you cannot have justice.

For over a year survivors of military sexual assault have been walking the halls of Congress and calling for these vicious crimes to be decided outside the chain of command. In other words, they support S. 1752. They don't want us to filibuster S. 1752. They don't want us to filibuster justice. These brave men and women deserve an up-or-down vote on the Gillibrand bill. They don't deserve the filibuster. That is wrong. They don't deserve two more decades of broken promises. We should be humble in their presence—humble in their presence.

You know, I hear people stand and say: Oh, this is terrible. It would be terrible. It would be awful.

Wait a minute. Why not ask the people who have been raped? Why not ask the people who survived that? Why not ask the people who did not report because they are frightened to death of the commander? We need to give these brave survivors what they deserve—an up-or-down vote on legislation that will fix our broken military justice system.

I want to tell a couple of stories if the numbers are not convincing enough. I want to put a face on it. This is the story of Stacey Thompson, who is a Californian. I stood next to her, and I literally held her hand when she first told the story publicly.

Stacey was drugged and brutally raped by a male sergeant in December 1999 while she was stationed in Okinawa, Japan. She did what she was supposed to do: She reported the rape to her superior. Her allegations were swept under the rug. Her attacker was allowed to leave the Marine Corps without ever facing trial. Do you hear what I am saying? He was allowed to leave the Marine Corps, where he went home and probably continued his activities of raping.

But what happened to Stacey? She became the target of a drug investigation, extending from the night of her rape because her attacker drugged her—drugged her that night and molested her on the ground. She was forced out of the Marine Corps with an other-than-honorable discharge. Stacey told me she still struggles with the emotional and psychological effects of being raped. She is fighting to have her discharge upgraded so she can access the benefits she earned.

So let me just synthesize this story. Here she is. She was raped. She was drugged. She was left on the ground. As a result of the drugging by her attacker, they began an investigation and she was drummed out of the military and denied any benefits. She is appealing, and she hopes to make progress on that appeal. Her accuser gets out of the military scot-free. Right?

I want to point out that half of the estimated 26,000 victims of military sexual assault are men, so I would like to share the story of Amando Javier.

Amando was serving in the Marine Corps in 1993 when he was raped and assaulted by a group of fellow marines. Ashamed and fearing for his life, he kept his rape a secret for 15 years.

When Amando finally found the courage to share his story with a friend, he decided to write it down. I would like to read some of his words at this time.

> My experience left me torn apart physically, mentally, and spiritually. I was dehumanized and treated with ultimate cruelty, by my perpetrators. . . . I was embarrassed and ashamed and didn't know what to do. I was young at that time. And being part of an elite organization that values brotherhood, integrity and faithfulness made it hard to come forward and reveal what happened.

Now it is two decades later and no one has been held accountable for this heinous crime. The perpetrators are still out there able to commit these crimes again and again.

Ninety percent of the assaults are not reported. We think 26,000 is a conservative number. Think of how many perpetrators there are in the military, and then when they get out of the military they continue to commit these crimes.

I also want to share the story of Ariana Clay. Ariana graduated from the U.S. Naval Academy and joined the Marine Corps. She deployed to Iraq in 2008. Following her return Ariana was selected to serve at the Marine Barracks in Washington, DC, which is a very prestigious post down the street.

At the Marine Barracks Ariana was subjected to constant sexual assault, and when she tried to report it to her chain of command, she was told to ''deal with it.''

In August 2010, Ariana was gang raped by a senior Marine officer and his friend at her home. Ariana bravely reported the assault, but a Marine Corps investigation determined she had welcomed the harassment because she wore makeup and exercised in shorts and tank tops.

Finally, the Marine Corps did court-martial one of her rapists but failed to convict him of rape. Instead, he was convicted only of adultery and indecent language.

Ariana's husband is a former Marine Corps officer. He joined her at the recent press conference about the importance of changing how the military handles sexual assault. Here is what Ariana's husband said:

> The first step to addressing sexual assault in the military is to remove its prosecution from the chain of command. It is unfair to expect commanders to be able to maintain good order and discipline as long as their justice system incentivizes and empowers them to deny their units' worst disciplinary failures ever happened.

That was from a former Marine Corps officer who said that the first step is to remove the prosecution of these crimes from the chain of command. So we now see the whole story, and we are going to go through these charts again.

Sadly, Senator GILLIBRAND's bill—which will finally take the prosecution of these assaults outside the chain of command, keep it in the military, and give it to the trained prosecutors—is being filibustered by my colleagues. Don't you think we should have a vote on justice without having to set up a 60-vote threshold?

I say to my colleagues—none of whom are here now, and I understand since it is very late—don't filibuster justice. If you want to vote against the Gillibrand approach, vote against it but allow us an up-or-down vote. Don't filibuster justice. That is wrong. Frankly, anyone who does that ought to lose some sleep over it. I will tell you, if we get very close—somewhere in the high fifties—this change is coming, so why not make the change now.

I will put these charts back up to remind everyone of what I said. These magnificent men and women in the military are innocent. They joined the military out of love and devotion to country. They put their lives on the line. One in five women is either getting assaulted or harassed and many men—50 percent of the 26,000 cases are men. Men have an even harder time of stepping to the plate and admitting this happened.

The commanders are making these decisions. They are choosing between two people in their unit. It is akin to a CEO determining whether he or she is going to prosecute a case for a Senator and saying: You know what. It is a he said, she said, and I will decide who is telling the truth. Wrong. That is not justice in America. That should not be justice anywhere on our streets, and it should not be justice in the military.

Look at that face. This is a woman who was destroyed. I stood next to her and had to hold her hand so she could actually get the words out. Because of Senator GILLIBRAND's bill, she is empowered to speak out. Because of a movie called ''Invisible War,'' which focused on people coming forward and telling the truth, she is empowered.

We have to change the way the military handles this or we are just a bunch of folks who come out here and sound great. No, it is time to change.

There were 26,000 cases of sexual assault in 2012. Of those 26,000 cases, 1.2 percent were prosecuted. This is an absolute disgrace on its face and anyone who will not make the changes required is accepting this because all they are doing is tinkering around the edges. It doesn't help because that is all we have done for years.

The moment of truth is coming in the Senate—and it is coming tomorrow around 2 p.m.—and Senators will have to stand here and decide if they are going to filibuster the Gillibrand bill and filibuster justice. They are going to have to decide that.

We have been listening to words and promises and baloney for 20-odd years. I was here all that time, so I know. I was here after Tailhook. Oh, this will never happen. Dick Cheney said: it will not happen. Then we heard from William Perry, William Cohen, Gates, Panetta, Chuck Hagel. I think they meant it when they said no more and zero tolerance, but they will not step up and support the change that needs to be made.

We made a lot of changes in the military. Many years ago they would not allow Blacks and Whites to fight side by side. Those days, thank God, are over. Gays in the military—oh, my God, that was going to be horrific and hurt morale. Thank God that is over. The military fought tooth and nail, day in and day out, and this is just part of the pattern. They protect the status quo.

Put this in your mind: There is no place for a filibuster when it comes to justice. If you don't like the Gillibrand bill, then vote no on it, but give us a chance to vote up or down. I am going to vote to allow a vote on the Gillibrand bill, and I am going to vote to allow a vote on MCCASKILL's bill.

I ask that the McCaskill people please join us. Let us have an up-or-down vote. Honestly, I know in my heart that these opportunities to make change don't come along very often, and this is our moment. We have all the facts on our side. We have every victims' rights group and every survivor group on our side. We know status quo is dangerous.

I just want to say about my colleague Senator GILLIBRAND how proud I am to stand with her. What an amazing Senator she is. She listens to advice from both sides of the aisle. Her bill reflects comments that were made by myself, Senator PAUL, Senator HIRONO, as well as other Senators on both sides of the aisle. People were so happy to sit and work with her and her staff.

Now we are down to the wire. To have people tell me to my face: Oh, yes. I am going to filibuster this because I don't like it—if you don't like it, then vote no, but give us a chance to vote up or down.

It is interesting because many of the same people who are going to filibuster this tell me they want to do away with the filibuster altogether. It is odd. They want to do away with it but not on this one.

We are at the moment of truth, and tomorrow Senator GILLIBRAND will lead us in the hour of time that we have. Senator MCCASKILL will offer her views of negativity on the Gillibrand bill. Senator GILLIBRAND will support both bills, as will I.

I truly pray tonight that people will think about this and will think about Stacey and the men and women who have come forward in such a difficult situation to open their hearts to talk about things that have been kept a secret for so long because they honestly think it will help bring about change.

If we don't allow a vote on that change, then I am afraid this Senate will not look very good when we awaken the next morning.

I thank the Presiding Officer, yield the floor, and note the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume legislative session and proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VENEZUELA

Mr. LEAHY. Mr. President, we are all painfully aware of the many resource rich countries whose leaders care far more about maintaining their grip on power and enriching themselves than addressing the needs of their people. The departed Ukrainian President Victor Yanukovych was a good example, and in this hemisphere Venezuela's late President Hugo Chavez and his successor President Nicolas Maduro stand out.

President Chavez, a former army officer who was swept into power in a wave of popular discontent after decades of corrupt, elitist governments, mastered the art of deception. He was a cult personality and virulently anti-United States, who dished out favors to poor communities as he ruined the country's economy, destroyed any semblance of an independent judiciary, changed the constitution so he could hold onto power indefinitely, and used the police to intimidate the press.

In the year since Chavez' death, President Maduro has tried to fill his shoes. He has adopted Chavez' divisive, anti-U.S. rhetoric, but he lacks Chavez' charisma, and the prognosis for positive change in Venezuela is increasingly bleak.

Early last month a few student demonstrations quickly spiraled into the largest public protests against President Maduro since he came to power. Having been elected by a razor-thin margin, the smallest in nearly half a century, many Venezuelans hoped the stultifying reality of widespread unemployment and economic stagnation would inspire reforms. Regrettably, President Maduro did not heed the people's message.

Instead, inflation has skyrocketed in the oil-rich country and food shortages have plagued local markets. Additionally, the World Economic Forum's Global Competitiveness Report for 2013–2014 ranks Venezuela number three on its list of economies damaged by high crime rates and violence, contributing to the resolve of the thousands of Venezuelans who took to the streets in protest. From San Cristobal, to Maracaibo, to the capital city of Caracas, the demonstrations have attracted students, merchants, and middle-class professionals in a challenge to government repression and mismanagement.

For several weeks images of the protests trickled out of Venezuela through various social media platforms, offering a limited, unfiltered perspective amidst the state-run media's censorship of impartial coverage. Because of the fog caused by this lack of objective information, it took nearly 2 weeks for many major U.S. news sources to arrive in country to begin coverage.

The distorted, self-serving portrayal of the protestors as treasonous fascists by the Maduro administration and the state-run media has been compounded by the deaths of some 18 people and the arbitrary arrests of hundreds, and risks inciting a further crackdown against the opposition. Additionally, there have been reports that foreign journalists have been detained while trying to cover the protests, with up to 20 having been physically assaulted, according to a Colombian news source that has since been banned from Venezuela for covering the protests.

The U.S. State Department's recently released Country Reports on Human Rights Practices for 2013 describes the Maduro government's efforts to impede freedom of expression. The increasingly heavy-handed and violent actions over the last few weeks have exacerbated the situation.

As one of Venezuela's most important trading partners, and as a nation whose people take note of the well-being and basic rights of other peoples in our hemisphere and beyond, the United States has an interest in ensuring that human rights are not violated with impunity. I hope President Maduro will not continue to make the mistake of other messianic, autocratic leaders who demonize their opponents. In Venezuela they represent roughly half of the population. He would do far better to work with all Venezuelans to reduce tensions and find real solutions to the country's problems. The people of his country deserve nothing less.

TRIBUTE TO SHERIFF DOUG GILLESPIE

Mr. REID. Mr. President, I rise to honor Sheriff Doug Gillespie, of the Las Vegas Metropolitan Police Department, who was recently named the National Sheriffs' Association's 2014 Sheriff of the Year.

The Ferris E. Lucas Award for Sheriff of the Year is awarded to recognize an outstanding sheriff for contributions made to improve the office of sheriff at the local, State, and national levels, and for involvement in the community above and beyond the responsibilities required. By this measure, I can think of no one more deserving than Sheriff Gillespie. His tireless service as sheriff has made the Las Vegas metropolitan area a safer and better place to live, work, and raise a family.

Sheriff Gillespie has diligently served the Las Vegas community for 33 years as a metropolitan police officer, the last 7 as sheriff. Under Sheriff Gillespie's leadership, metro has become one of only 72 intelligence-gathering fusion centers in the country. It has won the Webber Seavey Award, given for quality in law enforcement by the International Association of Chiefs of Police, for an outreach effort to strengthen police relations in the Las Vegas area. Metro is also one of only 32 departments to achieve the highest standard of accreditation from the Commission on Accreditation for Law Enforcement Agencies.

In addition to his position as sheriff, he has served in many leadership roles in other law enforcement organizations, such as board director of the National Sheriff's Association Executive Committee, chair of the Homeland Security Committee for the Major City Chiefs Association, vice chair of the Nevada High Intensity Drug Trafficking Area Task Force, finance committee chair for the Nevada Commission for Homeland Security, and president of the Major County Sheriff's Association.

On behalf of the U.S. Senate, I congratulate Sheriff Doug Gillespie on receiving the Ferris E. Lucas Award for Sheriff of the Year and look forward to the continuation of a career that has already made Nevada very proud.

SIMMONS COLLEGE OF KENTUCKY

Mr. MCCONNELL. Mr. President, I rise today to honor one of the oldest educational institutions in my home State of Kentucky. Recently, the Simmons College of Kentucky announced its accreditation from the Association of Biblical Higher Learning. It is the college's first national accreditation.

The story of Simmons College is one of success. After the Civil War came to an end in 1865, there was no place in my home State where African Americans could obtain a college degree. That changed in 1879 when the Kentucky Normal Theological Institute opened its doors on the corner of 8th and Kentucky Street in Louisville. The school's second president, Dr. W.J. Simmons, transformed the nascent school into a full-fledged university that offered a wide array of liberal arts and theological programs. Simmons increased the school's enrollment from 13 to over 200 during his 10-year tenure. In 1918, Charles Parrish assumed the role of president of the university and aptly renamed the school Simmons University.

Simmons flourished into the 1920s, when enrollment peaked at over 500 students, but this success could not

shield the school from the devastation that sprang out of the Great Depression. The school was forced to sell its property in 1930 and drastically scale back its academic offerings. Simmons was down, but in no way, shape, or form was it out. In 1935 its leaders obtained a new location at 1811 Dumesnil Street. At this location, Simmons continued to provide Christian education, and in 1982 the school was renamed Simmons Bible College in order to reflect this focused mission.

In 2007 the school, now bearing its current name of ''Simmons College of Kentucky,'' returned to its old location at the corner of 8th and Kentucky. The property was purchased in 2005 by the Reverend Dr. Kevin W. Cosby—himself the grandson of a Simmons College alumnus. Dr. Cosby's immense respect for the history and mission of the school led him to launch a campaign to return Simmons to its original location. Dr. Cosby also took on the role of president of the university and worked to once again expand Simmons's educational offerings.

Dr. Cosby was helped in this endeavor by University of Louisville president James Ramsey. The two developed a friendship, and in 2010 they signed an agreement that made it easier to transfer credits between the schools. President Ramsey called the deal ''historic'' as well as a ''testament to Reverend Cosby's persistence in seeking partnerships and opportunities for the less fortunate.''

Simmons's recent accreditation by the Association for Biblical Higher Education is another enormous step forward for this venerable institution. The school continues to fulfill its mission of producing ''productive citizens and agents of change in society.''

Accreditation inherently brings increased credibility and prestige to the university, but it also provides more tangible benefits. With this formal recognition, Simmons is now eligible to receive government subsidies designated for historical Black colleges and universities. This money, coupled with a $2-million private donation from the Gheens Foundation, will undoubtedly lead to even brighter days ahead for Simmons College. Cole states that the university has plans to increase their enrollment from 130 to 350 students, as well as expand the range of programs offered.

Through thick and thin, Simmons has weathered the storms of history to arrive at this moment stronger than ever. President Cosby believes that the school's past trials mustn't be forgotten but, rather, harnessed as source of strength to spur on future successes. I extend my gratitude and congratulations to the president of Simmons College, the Reverend Dr. Kevin W. Cosby, for his extraordinary success in leading the renaissance of this historic school.

Simmons College is a truly remarkable institution, and their recent accreditation serves as testament to its perseverance and the good it continues to accomplish today. I ask that my Senate colleagues join me in honoring President Cosby and this admirable school.

REMEMBERING PFC WILLIAM T. CARNEAL

Mr. MCCONNELL. Mr. President, this April 25, PFC William T. Carneal will be laid to rest in his hometown of Paducah, KY. Private First Class Carneal made the ultimate sacrifice in giving his life in service of his country. I rise today to honor him and to share the remarkable story that culminates in his forthcoming burial—70 years after he was killed on the island of Saipan during the Second World War.

William T. Carneal, known to his family as ''Teetum,'' was the youngest of Plummer and Johnnie Ella Hite Carneal's 10 children. Raised in McCracken County, KY, William's childhood was marked by tragedy and loss. His mother passed away when he was 18 months old and his father when he was 7, leaving the responsibility to raise William to his older sister, Ruth Anderson, and her husband, L.O.

William graduated from Heath High School in 1939 and, like so many members of the ''greatest generation,'' answered his country's call of duty and joined the U.S. Army in 1941. In January of the following year he was sent to Hawaii in preparation for deployment into the Pacific theater.

On July 7, 1944, his company in the 105th infantry regiment, 27th infantry division was engaged in hostilities with Japanese forces on the island of Saipan. When the enemy counterattacked, his company was forced to withdrawal—but William was never seen again. That day he was reported as missing in action, and a year later he was reported dead at the age of 24. Soon the war ended. Yet William's remains were never found—still buried somewhere in the Saipan soil.

His remains stayed lost for nearly 70 years—the chances of ever finding them no better than finding a needle in a haystack. In March of 2013, however, an unlikely source happened upon that needle. Keuntai, a Japanese nonprofit dedicated to finding the remains of Japanese soldiers killed during the war, was conducting an excavation on Saipan when they discovered the remains of five American soldiers—one of whom bore a 1939 Heath High School class ring. Carneal's dog tags were found, too, along with some loose change and a pocket-watch.

To confirm the identity of the remains, Keuntai passed them along to the Joint POW/MIA Accounting Command for DNA testing. On December 4 of last year, the tests confirmed what Carneal's surviving family members already knew—the class ring and the remains belonged to William T. Carneal.

William's family—nephews J.T. and Carlton, niece Mary Carneal Christian, great-nephew Jimmy Fields, and great nieces Carol Ann Fields Lindley and Beverly Fields Swift—were given the option of a burial at Arlington Cemetery. But after 70 years they thought it was time for William to come home to Kentucky, where he will be buried next to his sister Ruth.

The military believes that a grenade blast, possibly part of a suicide attack, killed William and the four other soldiers he was found buried with under 3 feet of clay. On April 25 of this year, William's birthday, he will be laid to his final resting place. He will receive the full honors of a military burial, including a 21-gun salute and a flag ceremony. Military personnel from Fort Campbell will preside over the funeral, and local World War II veteran Edward ''Earl'' Gidcumb will play taps.

As of December 19, 2013, there remain 73,640 U.S. personnel whose bodies have not been recovered from the Second World War. Most never will. But in this story, Sandy Hart, curator of the Kentucky Veteran and Patriot Museum in Wickliffe, KY, finds solace for the families of all the missing. ''When Teetum is brought home,'' she said, ''a part of them are all going to be brought home.''

I ask that my U.S. Senate colleagues join me in honoring PFC William T. Carneal's service to this country and all those who played a role in the incredible story of returning his remains, at last, to his old Kentucky home.

Mr. President, the Paducah Sun recently published an article regarding the incredible discovery and return of William's remains. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Paducah Sun, Feb. 26, 2014]

FAMILY GETS WORLD WAR II CASUALTY'S BELONGINGS

(By Laurel Black)

Most people wouldn't choke up at the sight of a deteriorated poncho, a rust-eaten key or a decades-old pocket knife. But tears rose to the eyes of several members of Private First Class William T. Carneal's family on Tuesday as they perused the items found with the World War II veteran's remains.

The belongings, which included Carneal's dog tags, belt buckle and a 1939 class ring from Heath High School, were recovered on the Japanese island of Saipan, where Carneal was killed in July 1944. After nearly seven decades without news of their relative, Carneal's descendants had little reason to believe they'd ever recover his possessions or remains.

But Carneal's possessions finally crossed the ocean and arrived in his family's hands. During a brief presentation at Reidland Clothing Company, U.S. Army Sergeant Tyler Holt unpacked a brown cardboard box and returned the objects, one by one.

''We kind of feel like now he's home with us,'' nephew J.T. Carneal said after the presentation.

J.T. Carneal added that the family has also found closure because of a recent investigation that revealed the cause of his uncle's death. The military believes that William Carneal, whose body was found with four others under more than three feet of clay, was killed by a grenade blast during a suicide attack by enemy forces, his nephew said.

''It's a blessing to us that the whole family now can know what happened and put it to rest,'' Carneal said. ''He gave his life for his country.''

Except for a dog tag that will be given to the Veterans Museum in Wickliffe, the belongings will remain in the hands of Carneal's descendants. Carneal is also survived by nephew Carlton M. Carneal, niece Mary Carneal Christian, great-nephew Jimmy Fields, and great-nieces Carol Ann Fields Lindley and Beverly Fields Swift.

The process of finding and returning Carneal's possessions and remains was hardly straightforward. Japanese non-profit Keuntai, which searches for the bodies of Japanese soldiers killed in World War II, discovered Carneal's remains a year ago and turned them over to the Joint POW/MIA Accounting Command. The class ring gave the family hope that their ancestor had at last been found, but DNA testing was required to confirm Carneal's identity. The results arrived in December.

After Tuesday's presentation, the family gathered to make plans for Carneal's interment, scheduled for April 25, his birthday. Although Carneal could have been buried at Arlington National Cemetery, the family agreed that he should be laid to rest next to sister Ruth Anderson at Palestine United Methodist Church in West Paducah. Following a brief ceremony at 1 p.m. at Milner & Orr, Carneal will receive full military honors at the cemetery, including a 21-gun salute and flag ceremony. The military personnel of Fort Campbell will preside over the funeral. Local World War II veteran Edward ''Earl'' Gidcumb has offered to play taps.

''So many families exist that don't have any idea where their loved ones are,'' said Gidcumb, who also served in the Pacific theater, ''and it's an honor to be involved in this whole thing.''

EL PASO DIOCESE CENTENNIAL

Mr. CORNYN. Mr. President, I wish to recognize the centennial anniversary of the Roman Catholic Diocese of El Paso, which took place on March 3, 2014.

For nearly 400 years, the Catholic Church has served the needs of people in the El Paso area, beginning with the arrival of Franciscan missionaries in the late 1600s. By the time Pope Pius X founded the Diocese of El Paso on March 3, 1914, the Church had established a network of parochial schools and private sanatoriums to treat tuberculosis patients. The ministries, parishes, and schools were founded with a desire to share Catholic life and give witness to Christ. Today, under the leadership of its 6th bishop, Mark J. Seitz, the Diocese includes 64 parishes and missions, 11 schools, and a seminary that serve more than 600,000 Catholics.

I invite my colleagues to join me in celebrating the Diocese's legacy of service and faith in El Paso. I ask God's continued blessing on the leaders and members of the Diocese as they carry on their good work in providing health care, education, and spiritual care to the people of West Texas.

2014 OLYMPIANS

Mr. CRAPO. Mr. President, I rise today to congratulate athletes with strong Idaho ties who competed in the Sochi 2014 Winter Olympics and contributed to three of the U.S. Olympic team's 28 total medals. Their dedication is inspiring.

Idaho-connected Olympians earned two gold medals and one silver medal in the Olympic Games in Sochi. Kaitlyn Farrington, who was raised on a ranch in Bellevue, Idaho, earned a gold medal competing for the first time as an Olympic snowboarder in the halfpipe competition. Hilary Knight of Sun Valley competed once again in women's hockey in the 2014 Winter Olympics where the team earned a silver medal. Additionally, Sage Kotsenburg, a Coeur d'Alene native, took home the first-ever gold medal in the new men's slope style event and the first U.S. gold medal in the 2014 Winter Olympics.

Six other remarkable athletes also represented our state and nation well on the U.S. Olympic team. Nick Cunningham, a graduate of Boise State University and Sergeant in the New York National Guard, earned 12th place in both the two-man bobsled and four-man bobsled competitions. Erik Fisher, an alpine skier from Middleton, Idaho, went to Sochi as part of the U.S. Olympic team. Simi Hamilton, a Sun Valley skier, competed in cross country skiing, and he placed 6th in the men's team sprint classic and 11th in the men's 4x10k relay. Nate Holland, who grew up in Sandpoint, Idaho, placed 25th in men's snowboardcross in Sochi. Jessika Jenson of Rigby competed in the first Olympic snowboard slopestyle competition in Sochi where she finished 13th. Sara Studebaker from Boise competed in her second Olympics in biathlon competitions at Sochi where she helped earn a 7th place finish in the Women's 4x6k Relay Biathlon.

These athletes, like their fellow Olympic athletes from communities across the country and around the world, inspire us to push beyond the limits of what we may think is possible. They commit themselves to significant training and turn that preparation into achievements. Congratulations to Idaho and American Olympians for their extraordinary efforts leading up to and during these Olympics.

ADDITIONAL STATEMENTS

COOK INLET HOUSING AUTHORITY

• Mr. BEGICH. Mr. President, in 2014, Cook Inlet Housing Authority celebrates its 40th anniversary of building housing opportunities for the people of the Cook Inlet region of Southcentral Alaska.

In 1974, the Alaska State Legislature facilitated the creation of Cook Inlet Housing to ensure elders, individuals, and families in the Cook Inlet region would have access to quality, affordable housing. Since that time, Cook Inlet Housing has developed more than 1,500 energy-efficient and affordable homes for seniors and families and has catalyzed the revitalization of the Mountain View neighborhood in Anchorage.

The passage of Native American Housing Assistance and Self Determination Act by the U.S. Congress in 1996, and the flexibility allowed within it, has empowered Cook Inlet Housing to leverage funding from private and public sources and more than doubled the amount of quality, affordable housing available to families in Southcentral Alaska.

This year, Cook Inlet Housing is being recognized nationally with the prestigious HUD and American Planning Association's 2014 HUD Secretary's Opportunity and Empowerment Award. This award honors excellence in community planning resulting in measureable benefits in terms of increased economic development, employment, education, or housing choice and mobility for low- and moderate-income residents. I know the work that Cook Inlet Housing is doing for our community matters and helps transform lives.

I would like to congratulate Cook Inlet Housing Authority for their commitment to innovation and thoughtful, dynamic development that promotes their critical mission: To create housing opportunities that empower people and build communities.•

TRIBUTE TO DR. JOHN KERNER

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in celebrating the 95th birthday of Dr. John Kerner, an American hero, healthcare pioneer, and cherished doctor to so many families, including my own.

John Kerner was born in Portland, OR, and raised in Boston and San Francisco. He graduated from the University of California, Berkeley and UCSF Medical School, serving in the ROTC while in school. In 1943, he was called to active duty and commissioned as a first lieutenant.

As a battalion surgeon and combat medic in World War II, Dr. Kerner served with great distinction on the battlefields of Omaha Beach, Saint-Lô, and Bastogne. Shortly after landing in Normandy, he delivered a breech baby at a combat aid station, saving the mother and her child. On another occasion, when a group of U.S. soldiers was nearly surrounded by German SS troops, Dr. Kerner and one of his medics drove straight through the lines to deliver medical supplies and care to the wounded.

For his valiant service in World War II, Dr. Kerner was awarded the Combat Medic Badge, two Bronze Stars, five Battle Stars, and a Presidential Unit Citation. In 2007, he was awarded the Legion of Honor by French President Nicolas Sarkozy. He later recounted his experiences in a stirring memoir, ''A Combat Medic Comes Home.''

After the war, Dr. Kerner returned home to California, where he served

the women and families of the San Francisco Bay area as an outstanding OB/GYN and the medical community as a teacher and administrator. During his residency studies at UC San Francisco, he worked closely with Dr. Herbert F. Traut, who had helped to develop the Pap smear. Along with Traut, Kerner was instrumental in ensuring that women in the community had access to these critical screenings, which drastically reduced the instances of cervical cancer. To honor Dr. Kerner and his groundbreaking work, UC San Francisco established the John A. Kerner Distinguished Professorship in Gynecologic Oncology focusing on cancer research and patient care for women.

Dr. Kerner later became the founding director of the OB/GYN Department at Mt. Zion Hospital, where he taught the next generation of physicians and served as chief of staff before establishing his own private practice. My children are among the more than 2,000 babies that he delivered over the course of his career.

Dr. John Kerner has enriched the lives of so many, from the wounded of World War II who made it home thanks to his exceptional care and courage, to the women whose health he protected and whose babies he brought into the world, to the many doctors who now do the same because he taught them how. I am honored to salute him today in the Senate.●

TRIBUTE TO ANN WAYT

● Mr. BROWN. Mr. President, when we think of those who provide treatment to our loved ones, we think of registered nurses like Ann Wayt—a longtime staff member of Affinity Medical Center in Massillon, OH. Ms. Wayt has earned both the Affinity Medical Center Nurse Excellence Award and the esteemed Cameos of Caring award from the University of Akron's College of Nursing. Patients and fellow nurses in the hospital's orthopedic unit, were touched daily by Ms. Wayt's professionalism and care. Several of Ms. Wayt's coworkers have referred to her as a role model.

It does not come as a surprise that a nurse who cares so much about her patients also cares about her fellow workers and their working conditions. Collective bargaining in health care isn't just about a paycheck. It is about staffing levels, patient safety, and ensuring health care quality. For years, joining a union was a ticket to the middle class and ensured that those who work hard and take responsibility can still get ahead.

However, on September 26, 2012, Ann was fired by Community Health Systems, the hospital's parent company, shortly after she rallied with co-workers to organize a collective voice for better, safer workplace conditions and patient care. In fact, Ms. Wayt was fired by the hospital the day before the nurses voted to form a collective bargaining unit. Though other grounds were given, both the National Labor Relations Board, NLRB, and the Federal Court ruled Ms. Wayt was fired because she was a lead organizer for her fellow nurses.

We have seen too many attacks on workers' rights in recent years. We have seen too many efforts to hamstring the NLRB and its ability to protect the rights of workers, and we have seen too many people fired for engaging in collective activity.

Fortunately, the NLRB stepped in and held a hearing last year, and the findings speak for themselves: Community Health Systems was ordered to reinstate Ms. Wayt and to recognize the nurses' union. Community Health Systems refused to comply.

In January 2014, Federal Judge John Adams ordered Ann's reinstatement, the recognition of the nurses' collective bargaining unit and for the hospital to stop harassing the nurses because they want a voice at work.

Nurses are on the front lines of patient care and deserve to have their voices heard on important, common sense issues such as:

Minimum staffing levels based on patient acuity;

the right to refuse unsafe assignments;

the right to advocate for patients; and

lift equipment safety protections for RNs and patients.

A 2013 study by the American Nurses Association shows that when workplaces collaborate and listen to worker input, nurses are able to provide care more effectively, and hospitals gain better overall patient outcomes.

Welcome back, Ann, and congratulations.●

TRIBUTE TO COREY TAYLOR

● Mr. HELLER. Mr. President, today I wish to honor an exceptional Nevadan, Corey Taylor.

Corey is a sophomore at Las Vegas' Northwest Career and Technical Academy and the host of her own radio show, which focuses on bullying issues in high schools. She is on a mission to end the senselessness that is bullying. Championing a safe environment through activism of acceptance, even at a young age, Corey has embraced diversity by defending individual expression.

Overcoming her own situation of adversity is just one example of character Corey stands upon as a leader in her community. The hard-earned money she saves goes to her radio show, where she reaches an audience through her words in addition to her actions. She encourages people of all ages to surround themselves with positive influences and to embrace their unique qualities.

Through her community outreach, Corey encourages her peers to be true to themselves despite any type of social pressure. She refuses to let her spirits be diminished by bullying, and her work has inspired others to do the same.

I ask my colleagues to join me in honoring and congratulating Corey for her service and contributions to Nevada.●

KCAM RADIO

● Ms. MURKOWSKI. Mr. President, I wish to honor Alaska radio station KCAM on its 50th anniversary on the air.

KCAM, is a radio station located in Glennallen, AK and it literally had an earth-shattering start. That is because KCAM signed onto the air under emergency orders late on the day of the Great Alaskan earthquake, on March 27, 1964. While the station had been planned and in preparation for going on air, its broadcast air date was advanced under emergency orders by the Federal Communications Commission so it could provide lifesaving information and aid in disaster relief communications following the largest earthquake ever recorded in North America.

At 5:36 p.m. Alaska Standard Time on Good Friday, nearly 50 years ago, an earthquake struck deep beneath Miners Lake in northern Prince William Sound, just 90 miles southwest of Glennallen. The quake, which then measured 8.6 on the Richter Scale but which has since been revised upwards to 9.2, sent shockwaves up to 700 miles away. The earthquake and resulting tsunami killed 131 people, 115 in Alaska and others in California and on the west coast. Amazingly only 12 people were killed by collapsing buildings and the quake itself, 119 in the tsunami that followed.

The earthquake, which lasted more than 4 minutes, released 10 million times more energy than the atomic bomb that devastated Hiroshima, Japan, according to a story in The Alaska Almanac. The quake devastated Southcentral Alaska, inundating Valdez and other coastal villages, destroying whole blocks in downtown Anchorage, the State's now largest city, but causing significant damage even north of the Chugach Mountain Range, where Glennallen is nestled.

KCAM, found at 790 on the AM radio dial, signed on in a part of east central Alaska, in the Center of the Copper River Valley, that then and even now is underserved by broadcast communication outlets. Then as now the station provides vital weather information, travel reports—valued by motorists on the Alaska Highway, the only surface route between Interior Alaska and the Lower 48 States—plus news, sports and music. The relative isolation of the region is highlighted by the fact that Caribou Clatters, the station's on air community bulletin board, is a valued way for area residents to get personal news to friends who live off the highway, in remote cabins not served by the array of telecommunication devices that many

Americans today take for granted. It is a real ''News from Lake Wobegon'' feature, far different than radio in urban America today.

It was no small feat for KCAM to sign onto the air—having electricity and a broadcast antenna still standing—in the hours just after the great earthquake, broadcasting a signal to warn drivers on the highway heading toward the Anchorage area of the damage ahead and dangers they were to face and to give vital information to Interior Alaskans to help them survive the late winter when normal supply deliveries were largely impossible.

The station today, while operating in less challenging times, serves as a ministry of the 40-year-old Alaska Bible College. It is staffed by broadcast professionals ''who love the Lord and are committed to bringing excellence in radio'' to the community of about 600 residents plus visitors. It also now offers an all-music station, 88.7 FM, which is staffed by Alaska Bible College students who are involved as board operators, broadcasters, office workers, and reporters—many receiving training in broadcasting through an introductory course offered each fall semester by station manager Scott Yahr.

The station, as I know firsthand from my appearances on it, provides residents of the Copper River Valley State political news that allows them to make informed ballot choices and to know how to dress for the day ahead through its weather updates. It is a great pleasure to congratulate Scott, program director Michelle Eastty, and special projects director Roger Bovee on the station's 50th anniversary. I know the station will be formally celebrating its golden anniversary during a celebration banquet to be held on Saturday, April 12, but I wanted in advance to wish everyone connected to the station and all of its committed listeners a happy anniversary and a wish that the station continue to broadcast vital weather bulletins, important State and community news, and music and entertainment features for many decades to come.●

NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS

● Ms. MURKOWSKI. Mr. President, I rise today to acknowledge the milestone 125th anniversary of the National Association of Regulatory Utility Commissioners, the national association representing our Nation's State utility economic regulators.

The work of our Nation's public utility regulators often goes unnoticed and unheralded until the lights go out or our utility rates increase. But, rest assured, the work these officials do on a daily basis impacts every single one of us in the country.

State utility regulators ensure the rates we pay for utility services are fair, just, and reasonable. They help make sure the utilities deliver these services—electricity, natural gas, water, and telecommunications—in a safe and reliable manner.

NARUC offers its members countless opportunities for education, sharing of best practices, advocacy, and much more. Since March of 1889, the Association has provided countless resources aimed at improving regulatory practices. Since just about all of us pay utility bills in some way or another, we have all benefited from NARUC's work over the last century and a quarter.

Think about it: in 1889, the electricity industry was in its infancy. Alexander Graham Bell was still perfecting his groundbreaking invention called the telephone. We were still learning how best to transport water and natural gas.

What a difference 125 years makes. We can now electrify our homes from solar rooftops. We can carry our personal computers in our pockets on our smartphones. We are using new technologies to find abundant resources of natural gas.

The one constant has been NARUC and the quality utility regulation it promotes. I thank NARUC and congratulate it on this 125th year anniversary.

Congratulations NARUC!●

CENTRAL LOUISIANA CHAMBER OF COMMERCE

● Mr. VITTER. Mr. President, I wish to recognize the Central Louisiana Chamber of Commerce.

The Central Louisiana Chamber of Commerce was originally founded as the Alexandria Chamber of Commerce by 250 men from all walks of life on March 30, 1914, in the Italian Room of the Hotel Bentley. Their intent was to promote the city and the region in order to attract business and facilitate growth, and they have been continuing this work for 100 years.

Over the next few decades, the Alexandria chamber would see many accomplishments toward this goal, with railroad companies like Missouri Pacific and Texas and Pacific opening terminal and repair facilities. Likewise, in 1923 RoyOMartin would open a forestry and wood products manufacturing facility. The U.S. military established a presence with Camp Beauregard, and the Alexandra VA Hospital opened to train and care for our men during World Wars I and II. Fort Polk was opened in 1941 to support our engagement in World War II, and the Fort Polk and the Joint Readiness Training Center continues to train men and women defending the United States today.

In 1956, the Alexandria chamber would merge with its neighboring chamber in Pineville, LA, to establish the Greater Alexandria-Pineville Chamber of Commerce to expand economic development initiatives across the region. During the next 30 years, LSU opened a campus in Alexandria; commercial airlines offered flights from Esler Field; and companies such as Proctor & Gamble and Manning, Maxwell & Moore opened manufacturing plants, all in part due to the efforts of Greater Alexandria-Pineville Chamber.

In 1986, the chamber would adopt its current name, with a mission and vision to advocate for pro-business policies and provide programs that foster an environment for economic growth across the 11 parish region that it now represents, leveraging partnerships with many other organizations in the area to promote the region. The central Louisiana chamber has also prioritized helping young people in the community. The Chamber's Young Professionals Group is one such example of efforts to engage, retain, and involve Louisiana's future leaders. Also, its Work Ready Network is a partnership with the Rapides Foundation, the Orchard Foundation, and the Central Louisiana Economic Development Alliance to link education, workforce development efforts, and the region's economic needs.

Since its founding the Central Louisiana Chamber of Commerce has gone on to become the largest chamber in the region with more than 1,100 member businesses representing more than 28,000 employees. The chamber been an economic, social, and political leader for central Louisiana, and I am pleased to congratulate them on a century of success.●

MESSAGES FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 23. An act to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2197. An act to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System.

H.R. 2259. An act to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws and to preserve existing uses.

H.R. 3370. An act to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

H.R. 4076. An act to address shortages and interruptions in the availability of propane and other home heating fuels in the United States, and for other purposes.

ENROLLED BILL SIGNED

At 6:23 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker had signed the following enrolled bill:

S. 23. An act to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2197. An act to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2077. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2259. An act to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws and to preserve existing uses.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3370. An act to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

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–4803. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting a report of draft legislation entitled ''Federal Agriculture Mortgage Corporation Governance; Farmer Mac Corporate Governance and Standards of Conduct'' received in the Office of the President of the Senate on February 27, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4804. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of seven (7) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–4805. A communication from the General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Housing and Urban Development, received in the Office of the President of the Senate on February 26, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–4806. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–4807. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Property Transferred in Connection with the Performance of Services under Section 83'' ((RIN1545–BJ15) (TD 9659)) received in the Office of the President of the Senate on February 27, 2014; to the Committee on Finance.

EC–4808. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Annual Price Inflation Adjustments for Passenger Automobiles First Placed in Service or Leased in 2014'' (Rev. Proc. 2014–21) received in the Office of the President of the Senate on February 27, 2014; to the Committee on Finance.

EC–4809. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2014 Calendar Year Resident Population Figures'' (Notice 2014–12) received in the Office of the President of the Senate on February 27, 2014; to the Committee on Finance.

EC–4810. A communication from the Acting Director of the Directorate of Whistleblower Protection Program, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Handling Retaliation Complaints Under Section 402 of the FDA Food Safety Modernization Act'' (RIN1218–AC58) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–4811. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Ninety-Day Waiting Period Limitation and Technical Amendments to Certain Health Coverage Requirements Under the Affordable Care Act'' (RIN1210–AB56) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–4812. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Children and Families (Family Support), Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

EC–4813. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2013 Annual Report on FDA Advisory Committee Vacancies and Public Disclosures''; to the Committee on Health, Education, Labor, and Pensions.

EC–4814. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report on FDA's Policy to be Proposed Regarding Premarket Notification Requirements for Modifications to Legally Marketed Devices''; to the Committee on Health, Education, Labor, and Pensions.

EC–4815. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Management, Department of Homeland Security, received in the Office of the President of the Senate on February 26, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–4816. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Audit of the Administration of District Funds to the D.C. Children and Youth Investment Trust Corporation''; to the Committee on Homeland Security and Governmental Affairs.

EC–4817. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of Alfaxalone into Schedule IV'' (Docket No. DEA–370) received during adjournment of the Senate in the Office of the President of the Senate on February 28, 2014; to the Committee on the Judiciary.

EC–4818. A communication from the President, Chief Scout Executive, and the National Commissioner, Boy Scouts of America, transmitting, pursuant to law, the organization's 2013 annual report; to the Committee on the Judiciary.

EC–4819. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a report relative to eight legislative recommendations; to the Committee on Rules and Administration.

EC–4820. A communication from the Associate Administrator, Office of Government Contracting and Business Development, Small Business Administration, transmitting, pursuant to law, a report entitled ''2012 Fiscal Year Report to the U.S. Congress on Minority Small Business and Capital Ownership Development''; to the Committee on Small Business and Entrepreneurship.

EC–4821. A communication from the Attorney-Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4822. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''National Appeals Office Rules of Procedure'' (RIN0648–BA36) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4823. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal to 60 Feet Length Overall Using Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD101) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4824. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic'' (RIN0648–XC464) received in the Office of the President of the

Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4825. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction'' (RIN0648–XD078) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4826. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XD063) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4827. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD104) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4828. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Increase'' (RIN0648–XD100) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4829. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD114) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. CANTWELL for the Committee on Small Business and Entrepreneurship.

*Maria Contreras-Sweet, of California, to be Administrator of the Small Business Administration.

By Mrs. FEINSTEIN for the Select Committee on Intelligence.

Caroline Diane Krass, of the District of Columbia, to be General Counsel of the Central Intelligence Agency.

John P. Carlin, of New York, to be an Assistant Attorney General.

Francis Xavier Taylor, of Maryland, to be Under Secretary for Intelligence and Analysis, Department of Homeland Security.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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 Mrs. SHAHEEN (for herself, Ms. AYOTTE, Mr. JOHNSON of Wisconsin, and Mr. MANCHIN):

S. 2078. A bill to prohibit Federal funding for motorcycle checkpoints, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO:

S. 2079. A bill to establish a pilot program to hire individuals with alternative educational experience; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN (for himself and Mr. CRAPO):

S. 2080. A bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, improve the quality of life for the people of the United States, enhance fish and wildlife-dependent recreation, and for other purposes; to the Committee on Environment and Public Works.

By Ms. COLLINS:

S. 2081. A bill to amend the Internal Revenue Code of 1986 to require notification of Congress by the Internal Revenue Service Oversight Board regarding any violation of the Constitutional rights of taxpayers; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mrs. FISCHER):

S. 2082. A bill to provide for the development of criteria under the Medicare program for medically necessary short inpatient hospital stays, and for other purposes; to the Committee on Finance.

By Mr. UDALL of Colorado (for himself and Mr. BEGICH):

S. 2083. A bill to amend the Natural Gas Act to promote economic growth and job creation in the United States, to strengthen strategic partnerships with allies of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PRYOR (for himself and Ms. LANDRIEU):

S. 2084. A bill to amend the Endangered Species Act of 1973 to require the Secretary of the Interior to publish and make available for public comment a draft economic analysis at the time a proposed rule to designate critical habitat is published; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself, Mr. HOEVEN, Mr. FRANKEN, and Ms. BALDWIN):

S. 2085. A bill to address shortages and interruptions in the availability of propane and other home heating fuels in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself and Mr. CORKER) (by request):

S.J. Res. 33. A joint resolution relating to the approval of the proposed Third Amendment to the Agreement for Co-operation Between the United States of America and the International Atomic Energy Agency; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COATS (for himself, Mr. KIRK, Mr. GRAHAM, Mr. MCCAIN, Mr. PORTMAN, Mr. BARRASSO, Mr. CORNYN, Mr. GRASSLEY, Mr. WICKER, Mr. ROBERTS, and Mr. HOEVEN):

S. Res. 370. A resolution supporting the territorial integrity of Ukraine and condemning Russian military aggression in Ukraine; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. KIRK, and Mr. DURBIN):

S. Res. 371. A resolution honoring the legacy of Jan Karski by designating April 24, 2014, as ''Jan Karski Day''; to the Committee on the Judiciary.

By Mr. MENENDEZ:

S. Res. 372. A resolution supporting the goals and ideals of the Secondary School Student Athletes' Bill of Rights; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROBERTS (for himself, Mr. MORAN, Mr. BLUNT, and Mrs. MCCASKILL):

S. Res. 373. A resolution recognizing the importance of biosecurity and agro-defense in the United States; considered and agreed to.

By Mr. COONS (for himself, Mr. UDALL of New Mexico, Mrs. FEINSTEIN, Mr. INHOFE, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MARKEY, and Mr. CARDIN):

S. Res. 374. A resolution designating March 3, 2014, as ''World Wildlife Day''; considered and agreed to.

By Mr. COONS (for himself and Mr. FLAKE):

S. Res. 375. A resolution concerning the crisis in the Central African Republic and supporting United States and international efforts to end the violence, protect civilians, and address root causes of the conflict; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 114

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 114, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 192

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 364

At the request of Mr. WALSH, his name was added as a cosponsor of S. 364, a bill to establish the Rocky Mountain Front Conservation Management

Area, to designate certain Federal land as wilderness, and to improve the management of noxious weeds in the Lewis and Clark National Forest, and for other purposes.

S. 452

At the request of Mr. FRANKEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 739

At the request of Mrs. BOXER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 739, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 932

At the request of Mr. BEGICH, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 932, a bill to amend title 38, United States Code, to provide for advance appropriations for certain discretionary accounts of the Department of Veterans Affairs.

S. 942

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 958

At the request of Mr. UDALL of Colorado, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 958, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 1008

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1008, a bill to prohibit the Secretary of Homeland Security from implementing proposed policy changes that would permit passengers to carry small, nonlocking knives on aircraft.

S. 1060

At the request of Ms. KLOBUCHAR, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1060, a bill to amend the Public Health Service Act to facilitate emergency medical services personnel training and certification curriculums for military veterans.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1401

At the request of Mr. HOEVEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1401, a bill to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal land, and for other purposes.

S. 1495

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1495, a bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes.

S. 1694

At the request of Mr. HARKIN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1694, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1733

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1733, a bill to stop exploitation through trafficking.

S. 1738

At the request of Mr. CORNYN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1738, a bill to provide justice for the victims of trafficking.

S. 1756

At the request of Mr. BLUNT, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1756, a bill to amend section 403 of the Federal Food, Drug and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines.

S. 1799

At the request of Mr. COONS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1799, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 1827

At the request of Mr. MANCHIN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1827, a bill to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare.

S. 1941

At the request of Mr. JOHANNS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1941, a bill to establish requirements for the adoption of any new or revised requirement providing for the screening, testing, or treatment of an airman or an air traffic controller for a sleep disorder, and for other purposes.

S. 2046

At the request of Mr. BROWN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2046, a bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries coordinated care and greater choice with regard to accessing hearing health services and benefits.

S. 2049

At the request of Mrs. MCCASKILL, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 2049, a bill to curb unfair and deceptive practices during assertion of patents, and for other purposes.

S. 2069

At the request of Mr. BEGICH, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2069, a bill to amend the Internal Revenue Code of 1986 to expand and modify the credit for employee health insurance expenses of small employers.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 348

At the request of Mr. BURR, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 348, a resolution expressing support for the internal rebuilding, resettlement, and reconciliation within Sri Lanka that are necessary to ensure a lasting peace.

S. RES. 365

At the request of Mr. MENENDEZ, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. Res. 365, a resolution deploring the violent repression of peaceful demonstrators in Venezuela, calling for full accountability for human rights violations taking place in Venezuela, and supporting the right of the Venezuelan people to the free and peaceful exercise of representative democracy.

AMENDMENT NO. 2752

At the request of Mr. BURR, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2752 intended to be proposed to S. 1982, a bill to improve the provision of medical services and benefits to veterans, and for other purposes.

AMENDMENT NO. 2790

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 2790 intended to be proposed to S. 1982, a bill to improve the

provision of medical services and benefits to veterans, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Mr. CRAPO):

S. 2080. A bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, improve the quality of life for the people of the United States, enhance fish and wildlife-dependent recreation, and for other purposes; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, I rise today to speak about a bill I am introducing with the Senior Senator from Idaho, that will help improve the long term health and abundance of United States' fish populations. Our bill takes a comprehensive approach to stopping the single greatest threat declining fish populations, by stemming the decline of healthy aquatic ecosystem habitats that are critical to all fish species.

Improving the quality of fish habitat provides benefits beyond improving the health and abundance of fish populations. Healthier aquatic ecosystems means healthier habitats for waterfowl and other wildlife as well as safer recreational waters for Americans to swim, boat and fish in.

North America is home to nearly 700 native fish species. This abundance of fish species is one of many natural treasures we must work to protect and maintain. Much like other precious natural resources in this country our wild fish populations face unfortunate anthropogenic threats. Forty percent of our native fish populations are in decline. This is due in large part to the impairment of more than half of our nation's waters including the waters of my state's, and the mid-Atlantic region's greatest treasure, the Chesapeake Bay. Deliberate and targeted action is needed to stem the loss of our precious fish resources by ensuring that these important aquatic habitats are better preserved.

State, federal and private efforts to address this challenge of improving and protecting critical fish habitat are underway in many states and in local communities. However, too many of these efforts are uncoordinated with one another which is leading to fragmented and less effective results than if these efforts carried out in a more networked and comprehensive fashion.

Under the National Fish Habitat Conservation Act, Federal Government agencies will work in careful coordination with state and local governments, as well as stakeholder organizations and industries like conservation groups, fisherman, and companies in the outdoor recreation industry to collaboratively execute the scientifically most effective fish and aquatic habitat conservation projects possible.

Our legislation leverages funds from Federal and State natural resource agencies and private funds to build regional partnerships focused on improving critical aquatic habitats across the country. Targeting these financial resources, through government and private partnership, towards projects in regional watersheds that will make the greatest improvements to the health of aquatic habitats will improve the health and abundance of native fish populations, improve the quality of life for surrounding communities, and improve recreational opportunities which is a boost to our national and local economies. The goal of this effort is to foster landscape scale starting at the local level through multi-state aquatic habitat improvement projects. The goal is also to engage stakeholders like commercial fisherman, anglers, outfitters and other angling and sportsmen industries to participate in this effort to make lasting improvements to the health and sustainability of our fisheries resources.

The National Fish Habitat Conservation Act authorizes $7.2 million annually for fish habitat restoration and protection projects that are supported by regional Fish Habitat Partnerships the bill also establishes. Based on the successful North American Wetlands Conservation Act model, the National Fish Habitat Conservation Act establishes a multi-stakeholder National Fish Habitat Board to recommend projects to the Secretary of Interior for funding. Regional Fish Habitat Partnerships are responsible for implementing habitat protection and restoration projects in the watersheds that will enhance fish habitats and fish populations.

The National Fish Habitat Conservation Act applies a proven and effective model for habitat conservation to protect and restore declining quality fish habitat. Our legislation ensures collaboration between expert stakeholders and state and regional fisheries resource managers to ensure the effectiveness of the work that is done.

I look forward to working with my colleagues to pass this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2080

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Fish Habitat Conservation Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purpose.
Sec. 3. Definitions.
Sec. 4. National Fish Habitat Board.
Sec. 5. Fish habitat partnerships.
Sec. 6. Fish habitat conservation projects.
Sec. 7. National Fish Habitat Conservation Partnership Program.
Sec. 8. Technical and scientific assistance.
Sec. 9. Conservation of fish habitat on Federal land.
Sec. 10. Coordination with States and Indian tribes.
Sec. 11. Accountability and reporting.
Sec. 12. Effect of Act.
Sec. 13. Nonapplicability of Federal Advisory Committee Act.
Sec. 14. Funding.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) healthy populations of fish depend on the conservation, protection, restoration, and enhancement of fish habitats in the United States;

(2) fish habitats (including wetlands, streams, rivers, lakes, estuaries, and coastal and marine habitats) perform numerous valuable environmental functions that sustain environmental, social, and cultural values, including recycling nutrients, purifying water, attenuating floods, augmenting and maintaining stream flows, recharging ground water, acting as primary producers in the food chain, and providing essential and significant habitat for plants, fish, wildlife, and other dependent species;

(3) the extensive and diverse fish habitat resources of the United States are of enormous significance to the economy of the United States, providing—

(A) recreation for 60,000,000 anglers;

(B) more than 828,000 jobs and approximately $115,000,000,000 in economic impact each year relating to recreational fishing; and

(C) approximately 575,000 jobs and an additional $36,000,000,000 in economic impact each year relating to commercial fishing;

(4) at least 40 percent of all threatened species and endangered species in the United States are directly dependent on fish habitats;

(5) certain fish species are considered to be ecological indicators of fish habitat quality, such that the presence of those species reflects high-quality habitat for fish species;

(6) loss and degradation of fish habitat, riparian habitat, water quality, and water volume caused by activities such as alteration of watercourses, stream blockages, water withdrawals and diversions, erosion, pollution, sedimentation, and destruction or modification of wetlands have—

(A) caused significant declines in fish populations throughout the United States, especially declines in native fish populations; and

(B) resulted in economic losses to the United States;

(7)(A) providing for the conservation and sustainability of fish populations has not been fully realized, despite federally funded fish and wildlife restoration programs and other activities intended to conserve fish habitat; and

(B) conservation and sustainability may be significantly advanced through a renewed commitment and sustained, cooperative efforts that are complementary to existing fish and wildlife restoration programs and clean water programs;

(8) the National Fish Habitat Action Plan provides a framework for maintaining and restoring fish habitats to perpetuate populations of fish species;

(9) the United States can achieve significant progress toward providing fish habitats for the conservation and restoration of fish species through a voluntary, nonregulatory incentive program that is based on technical and financial assistance provided by the Federal Government;

(10) the creation of partnerships between local citizens, Indian tribes, Alaska Native organizations, corporations, nongovernmental organizations, and Federal, State,

and tribal agencies is critical to the success of activities to restore fish habitats;

(11) the Federal Government has numerous land and water management agencies that are critical to the implementation of the National Fish Habitat Action Plan, including—

(A) the United States Fish and Wildlife Service;

(B) the Bureau of Land Management;

(C) the National Park Service;

(D) the Bureau of Reclamation;

(E) the Bureau of Indian Affairs;

(F) the National Marine Fisheries Service;

(G) the Forest Service;

(H) the Natural Resources Conservation Service; and

(I) the Environmental Protection Agency;

(12) the United States Fish and Wildlife Service, the Forest Service, the Bureau of Land Management, and the National Marine Fisheries Service each play a vital role in—

(A) the protection, restoration, and enhancement of the fish communities and fish habitats in the United States; and

(B) the development, operation, and long-term success of fish habitat partnerships and project implementation;

(13) the United States Geological Survey, the United States Fish and Wildlife Service, and the National Marine Fisheries Service each play a vital role in scientific evaluation, data collection, and mapping for fishery resources in the United States;

(14) the State and Territorial fish and wildlife agencies play a vital role in—

(A) the protection, restoration, and enhancement of the fish communities and fish habitats in their respective States and territories; and

(B) the development, operation, and long-term success of fish habitat partnerships and project implementation; and

(15) many of the programs for conservation on private farmland, ranchland, and forestland that are carried out by the Secretary of Agriculture, including the Natural Resources Conservation Service and the State and Private Forestry programs of the Forest Service, are able to significantly contribute to the implementation of the National Fish Habitat Action Plan through the engagement of private landowners.

(b) PURPOSE.—The purpose of this Act is to encourage partnerships among public agencies and other interested parties consistent with the mission and goals of the National Fish Habitat Action Plan—

(1) to promote intact and healthy fish habitats;

(2) to improve the quality and quantity of fish habitats and overall health of fish species;

(3) to increase the quality and quantity of fish habitats that support a broad natural diversity of fish and other aquatic species;

(4) to improve fish habitats in a manner that leads to improvement of the annual economic output from recreational, subsistence, and commercial fishing;

(5) to enhance fish and wildlife-dependent recreation;

(6) to coordinate and facilitate activities carried out by Federal departments and agencies under the leadership of—

(A) the Director of the United States Fish and Wildlife Service;

(B) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration; and

(C) the Director of the United States Geological Survey; and

(7) to achieve other purposes in accordance with the mission and goals of the National Fish Habitat Action Plan.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) ASSISTANT ADMINISTRATOR.—The term ''Assistant Administrator'' means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(3) BOARD.—The term ''Board'' means the National Fish Habitat Board established by section 4(a)(1).

(4) CONSERVATION; CONSERVE; MANAGE; MANAGEMENT.—The terms ''conservation'', ''conserve'', ''manage'', and ''management'' mean to maintain, sustain, and, where practicable, restore and enhance, using methods and procedures associated with modern scientific resource programs (including protection, research, census, law enforcement, habitat management, propagation, live trapping and transplantation, and the regulated harvesting of fish)—

(A) a healthy population of fish;

(B) a habitat required to sustain fish and fish populations; or

(C) a habitat required to sustain fish productivity.

(5) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(6) FISH.—

(A) IN GENERAL.—The term ''fish'' means any freshwater, diadromous, estuarine, or marine finfish or shellfish.

(B) INCLUSIONS.—The term ''fish'' includes the egg, spawn, spat, larval, and other juvenile stages of an organism described in subparagraph (A).

(7) FISH AND WILDLIFE-DEPENDENT RECREATION.—The term ''fish and wildlife-dependent recreation'' means a use involving hunting, fishing, wildlife observation and photography, or conservation education and interpretation.

(8) FISH HABITAT.—

(A) IN GENERAL.—The term ''fish habitat'' means an area on which fish depend to carry out the life processes of the fish, including an area used by the fish for spawning, incubation, nursery, rearing, growth to maturity, food supply, or migration.

(B) INCLUSIONS.—The term ''fish habitat'' may include—

(i) an area immediately adjacent to an aquatic environment, if the immediately adjacent area—

(I) contributes to the quality and quantity of water sources; or

(II) provides public access for the use of fishery resources; and

(ii) an area inhabited by saltwater and brackish fish, including an offshore artificial marine reef in the Gulf of Mexico.

(9) FISH HABITAT CONSERVATION PROJECT.—

(A) IN GENERAL.—The term ''fish habitat conservation project'' means a project that—

(i) is submitted to the Board by a Partnership and approved by the Secretary under section 6; and

(ii) provides for the conservation or management of a fish habitat.

(B) INCLUSIONS.—The term ''fish habitat conservation project'' includes—

(i) the provision of technical assistance to a State, Indian tribe, or local community by the National Fish Habitat Conservation Partnership Program or any other agency to facilitate the development of strategies and priorities for the conservation of fish habitats; or

(ii) the voluntary obtaining of a real property interest in land or water, by a State, local government, or other non-Federal entity, including water rights, in accordance with terms and conditions that ensure that the real property will be administered for the long-term conservation of—

(I) the land or water; and

(II) the fish dependent on the land or water.

(10) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(11) NATIONAL FISH HABITAT ACTION PLAN.—The term ''National Fish Habitat Action Plan'' means the National Fish Habitat Action Plan dated April 24, 2006, and any subsequent revisions or amendments to that plan.

(12) PARTNERSHIP.—The term ''Partnership'' means an entity designated by the Board as a Fish Habitat Conservation Partnership pursuant to section 5(a).

(13) REAL PROPERTY INTEREST.—The term ''real property interest'' means an ownership interest in—

(A) land;

(B) water (including water rights); or

(C) a building or object that is permanently affixed to land.

(14) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(15) STATE.—The term ''State'' means—

(A) each of the several States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) the Virgin Islands; and

(F) any other territory or possession of the United States.

(16) STATE AGENCY.—The term ''State agency'' means—

(A) the fish and wildlife agency of a State;

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources or sustains the habitat for those fishery resources of the State pursuant to State law or the constitution of the State; or

(C) the fish and wildlife agency of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or any other territory or possession of the United States.

SEC. 4. NATIONAL FISH HABITAT BOARD.

(a) ESTABLISHMENT.—

(1) FISH HABITAT BOARD.—There is established a board, to be known as the ''National Fish Habitat Board'', whose duties are—

(A) to promote, oversee, and coordinate the implementation of this Act and the National Fish Habitat Action Plan;

(B) to establish national goals and priorities for fish habitat conservation;

(C) to approve Partnerships; and

(D) to review and make recommendations regarding fish habitat conservation projects.

(2) MEMBERSHIP.—The Board shall be composed of 28 members, of whom—

(A) 1 shall be the Director;

(B) 1 shall be the Assistant Administrator;

(C) 1 shall be the Chief of the Natural Resources Conservation Service;

(D) 1 shall be the Chief of the Forest Service;

(E) 1 shall be the Assistant Administrator for Water of the Environmental Protection Agency;

(F) 1 shall be the President of the Association of Fish and Wildlife Agencies;

(G) 1 shall be the Secretary of the Board of Directors of the National Fish and Wildlife Foundation appointed pursuant to section 3(g)(2)(B) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702(g)(2)(B));

(H) 4 shall be representatives of State agencies, 1 of whom shall be nominated by a regional association of fish and wildlife

agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(I) 1 shall be a representative of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or any other territory or possession of the United States;

(J) 1 shall be a representative of the American Fisheries Society;

(K) 2 shall be representatives of Indian tribes, of whom—

(i) 1 shall represent Indian tribes from the State of Alaska; and

(ii) 1 shall represent Indian tribes from the other States;

(L) 1 shall be a representative of the Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852);

(M) 1 shall be a representative of the Marine Fisheries Commissions, which is composed of—

(i) the Atlantic States Marine Fisheries Commission;

(ii) the Gulf States Marine Fisheries Commission; and

(iii) the Pacific States Marine Fisheries Commission;

(N) 1 shall be a representative of the Sportfishing and Boating Partnership Council; and

(O) 10 shall be representatives selected from each of the following groups:

(i) The recreational sportfishing industry.

(ii) The commercial fishing industry.

(iii) Marine recreational anglers.

(iv) Freshwater recreational anglers.

(v) Terrestrial resource conservation organizations.

(vi) Aquatic resource conservation organizations.

(vii) The livestock and poultry production industry.

(viii) The land development industry.

(ix) The row crop industry.

(x) Natural resource commodity interests, such as petroleum or mineral extraction.

(3) COMPENSATION.—A member of the Board shall serve without compensation.

(4) TRAVEL EXPENSES.—A member of the Board may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(b) APPOINTMENT AND TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, a member of the Board described in any of subparagraphs (H) through (O) of subsection (a)(2) shall serve for a term of 3 years.

(2) INITIAL BOARD MEMBERSHIP.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the representatives of the board established by the National Fish Habitat Action Plan shall appoint the initial members of the Board described in subparagraphs (H), (I), (J), (L), (M), (N), and (O) of subsection (a)(2).

(B) TRIBAL REPRESENTATIVES.—Not later than 180 days after the enactment of this Act, the Secretary shall provide to the board established by the National Fish Habitat Action Plan a recommendation of not less than 4 tribal representatives, from which that board shall appoint 2 representatives pursuant to subparagraph (K) of subsection (a)(2).

(3) TRANSITIONAL TERMS.—Of the members described in subsection (a)(2)(O) initially appointed to the Board—

(A) 4 shall be appointed for a term of 1 year;

(B) 4 shall be appointed for a term of 2 years; and

(C) 3 shall be appointed for a term of 3 years.

(4) VACANCIES.—

(A) IN GENERAL.—A vacancy of a member of the Board described in subparagraphs (H), (I), (J), (L), (M), (N), and (O) of subsection (a)(2) shall be filled by an appointment made by the remaining members of the Board.

(B) TRIBAL REPRESENTATIVES.—Following a vacancy of a member of the Board described in subparagraph (K) of subsection (a)(2), the Secretary shall recommend to the Board a list of not less than 4 tribal representatives, from which the remaining members of the Board shall appoint a representative to fill the vacancy.

(5) CONTINUATION OF SERVICE.—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(6) REMOVAL.—If a member of the Board described in any of subparagraphs (H) through (O) of subsection (a)(2) misses 3 consecutive regularly scheduled Board meetings, the members of the Board may—

(A) vote to remove that member; and

(B) appoint another individual in accordance with paragraph (4).

(c) CHAIRPERSON.—

(1) IN GENERAL.—The Board shall elect a member of the Board to serve as Chairperson of the Board.

(2) TERM.—The Chairperson of the Board shall serve for a term of 3 years.

(d) MEETINGS.—

(1) IN GENERAL.—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less frequently than twice each calendar year.

(2) PUBLIC ACCESS.—All meetings of the Board shall be open to the public.

(e) PROCEDURES.—

(1) IN GENERAL.—The Board shall establish procedures to carry out the business of the Board, including—

(A) a requirement that a quorum of the members of the Board be present to transact business;

(B) a requirement that no recommendations may be adopted by the Board, except by the vote of ⅔ of all members;

(C) procedures for establishing national goals and priorities for fish habitat conservation for the purposes of this Act;

(D) procedures for designating Partnerships under section 5; and

(E) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(2) QUORUM.—A majority of the members of the Board shall constitute a quorum.

SEC. 5. FISH HABITAT PARTNERSHIPS.

(a) AUTHORITY TO APPROVE.—The Board may approve and designate Fish Habitat Partnerships in accordance with this section.

(b) PURPOSES.—The purposes of a Partnership shall be—

(1) to coordinate the implementation of the National Fish Habitat Action Plan at a regional level;

(2) to identify strategic priorities for fish habitat conservation;

(3) to recommend to the Board fish habitat conservation projects that address a strategic priority of the Board; and

(4) to develop and carry out fish habitat conservation projects.

(c) APPLICATIONS.—An entity seeking to be designated as a Partnership shall submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require.

(d) APPROVAL.—The Board may approve an application for a Partnership submitted under subsection (c) if the Board determines that the applicant—

(1) identifies representatives to provide support and technical assistance to the Partnership from a diverse group of public and private partners, which may include Federal, State, or local governments, nonprofit entities, Indian tribes, and private individuals, that are focused on conservation of fish habitats to achieve results across jurisdictional boundaries on public and private land;

(2) is organized to promote the health of important fish habitats and distinct geographical areas, important fish species, or system types, including reservoirs, natural lakes, coastal and marine environments, and estuaries;

(3) identifies strategic fish and fish habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decisionmaking;

(4) is able to address issues and priorities on a nationally significant scale;

(5) includes a governance structure that—

(A) reflects the range of all partners; and

(B) promotes joint strategic planning and decisionmaking by the applicant;

(6) demonstrates completion of, or significant progress toward the development of, a strategic plan to address the decline in fish populations, rather than simply treating symptoms in accordance with the National Fish Habitat Action Plan; and

(7) promotes collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

SEC. 6. FISH HABITAT CONSERVATION PROJECTS.

(a) SUBMISSION TO BOARD.—Not later than March 31 of each calendar year, each Partnership shall submit to the Board a list of fish habitat conservation projects recommended by the Partnership for annual funding under this Act.

(b) RECOMMENDATIONS BY BOARD.—Not later than July 1 of each calendar year, the Board shall submit to the Secretary a description, including estimated costs, of each fish habitat conservation project that the Board recommends that the Secretary approve and fund under this Act, in order of priority, for the following fiscal year.

(c) CONSIDERATIONS.—The Board shall select each fish habitat conservation project to be recommended to the Secretary under subsection (b)—

(1) based on a recommendation of the Partnership that is, or will be, participating actively in carrying out the fish habitat conservation project; and

(2) after taking into consideration—

(A) the extent to which the fish habitat conservation project fulfills a purpose of this Act or a goal of the National Fish Habitat Action Plan;

(B) the extent to which the fish habitat conservation project addresses the national priorities established by the Board;

(C) the availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by subsection (e);

(D) the extent to which the fish habitat conservation project—

(i) increases recreational fishing opportunities for the public;

(ii) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian tribes, and private entities;

(iii) increases public access to land or water for fish and wildlife-dependent recreational opportunities;

(iv) advances the conservation of fish and wildlife species that have been identified by the States as species in greatest need of conservation;

(v) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Fishery Conservation and

Management Act (16 U.S.C. 1801 et seq.), other relevant Federal law, and State wildlife action plans; and

(vi) promotes strong and healthy fish habitats such that desired biological communities are able to persist and adapt; and

(E) the substantiality of the character and design of the fish habitat conservation project.

(d) LIMITATIONS.—

(1) REQUIREMENTS FOR EVALUATION.—No fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless the fish habitat conservation project includes an evaluation plan designed—

(A) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(B) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met;

(C) to identify improvements to existing recreational fishing opportunities and the overall economic benefits for the local community of the fish habitat conservation project; and

(D) to require the submission to the Board of a report describing the findings of the assessment.

(2) ACQUISITION OF REAL PROPERTY INTERESTS.—

(A) ACQUISITION OF REAL PROPERTY INTERESTS.—

(i) IN GENERAL.—Subject to clause (ii), a State, local government, or other non-Federal entity shall be eligible to receive funds under this Act for the acquisition of real property.

(ii) RESTRICTION.—No fish habitat conservation project that will result in the acquisition by a State, local government, or other non-Federal entity, in whole or in part, of any real property interest may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless the project meets the requirements of subparagraph (B).

(B) REQUIREMENTS.—

(i) IN GENERAL.—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, local government, or other non-Federal entity unless—

(I) the Secretary determines that the State, local government, or other non-Federal entity is obligated to undertake the management of the real property being acquired in accordance with the purposes of this Act; and

(II) the owner of the real property authorizes the State, local government, or other non-Federal entity to acquire the real property.

(ii) ADDITIONAL CONDITIONS.—Any real property interest acquired by a State, local government, or other non-Federal entity pursuant to a fish habitat conservation project shall be subject to terms and conditions established by the Secretary providing for the long-term conservation and management of the fish habitat and the fish and wildlife dependent on that habitat.

(iii) PUBLIC ACCESS.—

(I) IN GENERAL.—Any acquisition of fee title to real property by a State, local government, or non-Federal entity pursuant to this Act shall, where applicable and consistent with State laws and regulations, provide public access to that real property for compatible fish and wildlife-dependent recreation.

(II) PUBLIC ACCESS.—Public access to real property described in subclause (I) shall be closed only for purposes of protecting public safety, the property, or habitat.

(iv) STATE AGENCY APPROVAL.—

(I) IN GENERAL.—Any real property interest acquired by a State, local government, or other non-Federal entity under this Act shall be approved by the applicable State agency in the State in which the fish habitat conservation project is carried out.

(II) ADMINISTRATION.—The Board shall not recommend, and the Secretary shall not provide any funding under this Act for, the acquisition of any real property interest described in subclause (I) that has not been approved by the applicable State agency.

(v) VIOLATION.—If the State, local government, or other non-Federal entity violates any term or condition established by the Secretary under clause (ii), the Secretary may require the State, local government, or other non-Federal entity to refund all or part of any payments received under this Act, with interest on the payments as determined appropriate by the Secretary.

(e) NON-FEDERAL CONTRIBUTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(2) PROJECTS ON FEDERAL LAND OR WATER.—Notwithstanding paragraph (1), Federal funds may be used for payment of 100 percent of the costs of a fish habitat conservation project located on Federal land or water.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of a fish habitat conservation project—

(A) may not be derived from a Federal grant program; but

(B) may include in-kind contributions and cash.

(4) SPECIAL RULE FOR INDIAN TRIBES.—Notwithstanding paragraph (1) or any other provision of law, any funds made available to an Indian tribe pursuant to this Act may be considered to be non-Federal funds for the purpose of paragraph (1).

(f) APPROVAL.—

(1) IN GENERAL.—Not later than 180 days after the date of receipt of the recommendations of the Board for fish habitat conservation projects under subsection (b), subject to the limitations under subsection (d), and based, to the maximum extent practicable, on the criteria described in subsection (c)—

(A) the Secretary shall approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is not within a marine or estuarine habitat; and

(B) the Secretary and the Secretary of Commerce shall jointly approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is within a marine or estuarine habitat.

(2) FUNDING.—If a fish habitat conservation project under paragraph (1) is approved by the Secretary, or the Secretary and the Secretary of Commerce jointly, the Secretary, or the Secretary and the Secretary of Commerce jointly, as applicable, shall use amounts made available to carry out this Act to provide funds to carry out the fish habitat conservation project.

(3) NOTIFICATION.—If the priority of any fish habitat conservation project recommended by the Board under subsection (b) is rejected or reordered by the Secretary, or the Secretary and the Secretary of Commerce jointly, the Secretary, or the Secretary and the Secretary of Commerce jointly, shall, not later than 180 days after the date of receipt of the recommendations, provide to the Board, the appropriate Partnership, and the appropriate congressional committees a written statement of the Secretary, or the Secretary and the Secretary of Commerce jointly, as applicable, detailing the reasons why the Secretary or the Secretary and the Secretary of Commerce jointly rejected or reordered the priority of the fish habitat conservation project.

SEC. 7. NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP PROGRAM.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director shall establish a program, to be known as the ''National Fish Habitat Conservation Partnership Program'', within the Division of Fish and Aquatic Conservation of the United States Fish and Wildlife Service.

(b) FUNCTIONS.—The National Fish Habitat Conservation Partnership Program shall—

(1) provide funding for the operational needs of the Partnerships, including funding for activities such as planning, project development and implementation, coordination, monitoring, evaluation, communication, and outreach;

(2) provide funding to support the detail of State and tribal fish and wildlife staff to the Program;

(3) facilitate the cooperative development and approval of Partnerships;

(4) assist the Secretary and the Board in carrying out this Act;

(5) assist the Secretary in carrying out the requirements of sections 8 and 10;

(6) facilitate communication, cohesiveness, and efficient operations for the benefit of Partnerships and the Board;

(7) facilitate, with assistance from the Director, the Assistant Administrator, and the President of the Association of Fish and Wildlife Agencies, the consideration of fish habitat conservation projects by the Board;

(8) provide support to the Director regarding the development and implementation of the interagency operational plan under subsection (c);

(9) coordinate technical and scientific reporting as required by section 11;

(10) facilitate the efficient use of resources and activities of Federal departments and agencies to carry out this Act in an efficient manner; and

(11) provide support to the Board for national communication and outreach efforts that promote public awareness of fish habitat conservation.

(c) INTERAGENCY OPERATIONAL PLAN.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the Assistant Administrator and the heads of other appropriate Federal departments and agencies, shall develop an interagency operational plan for the National Fish Habitat Conservation Partnership Program that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs of the Program; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

(d) STAFF AND SUPPORT.—

(1) DEPARTMENTS OF INTERIOR AND COMMERCE.—The Director and the Assistant Administrator shall each provide appropriate staff to support the National Fish Habitat Conservation Partnership Program, subject to the availability of funds under section 14.

(2) STATES AND INDIAN TRIBES.—Each State and Indian tribe is encouraged to provide staff to support the National Fish Habitat Conservation Partnership Program.

(3) DETAILEES AND CONTRACTORS.—The National Fish Habitat Conservation Partnership Program may accept staff or other administrative support from other entities—

(A) through interagency details; or

(B) as contractors.

(4) QUALIFICATIONS.—The staff of the National Fish Habitat Conservation Partnership Program shall include members with education and experience relating to the principles of fish, wildlife, and habitat conservation.

(e) REPORTS.—Not less frequently than once each year, the Director shall provide to the Board a report describing the activities of the National Fish Habitat Conservation Partnership Program.

SEC. 8. TECHNICAL AND SCIENTIFIC ASSISTANCE.

(a) IN GENERAL.—The Director, the Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, shall provide scientific and technical assistance to the Partnerships, participants in fish habitat conservation projects, and the Board.

(b) INCLUSIONS.—Scientific and technical assistance provided pursuant to subsection (a) may include—

(1) providing technical and scientific assistance to States, Indian tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(2) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(3) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(4) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(5) supporting and providing recommendations for a national fish habitat assessment;

(6) ensuring the availability of experts to conduct scientifically based evaluation and reporting of the results of fish habitat conservation projects; and

(7) providing resources to secure State agency scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.

SEC. 9. CONSERVATION OF FISH HABITAT ON FEDERAL LAND.

To the extent consistent with the mission and authority of the applicable department or agency, the head of each Federal department and agency may coordinate with the Assistant Administrator and the Director to promote healthy fish populations and fish habitats.

SEC. 10. COORDINATION WITH STATES AND INDIAN TRIBES.

The Secretary shall provide a notice to, and cooperate with, the appropriate State agency or tribal agency, as applicable, of each State and Indian tribe within the boundaries of which an activity is planned to be carried out pursuant to this Act, including notification, by not later than 30 days before the date on which the activity is implemented.

SEC. 11. ACCOUNTABILITY AND REPORTING.

(a) REPORTING.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the progress of—

(A) this Act; and

(B) the National Fish Habitat Action Plan.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an estimate of the number of acres, stream miles, or acre-feet (or other suitable measure) of fish habitat that was maintained or improved under the National Fish Habitat Action Plan by Federal, State, or local governments, Indian tribes, or other entities in the United States during the 2-year period ending on the date of submission of the report;

(B) a description of the public access to fish habitats established or improved under the National Fish Habitat Action Plan during that 2-year period;

(C) a description of the opportunities for public recreational fishing established under the National Fish Habitat Action Plan during that period; and

(D) an assessment of the status of fish habitat conservation projects carried out with funds provided under this Act during that period, disaggregated by year, including—

(i) a description of the fish habitat conservation projects recommended by the Board under section 6(b);

(ii) a description of each fish habitat conservation project approved by the Secretary under section 6(f), in order of priority for funding;

(iii) a justification for—

(I) the approval of each fish habitat conservation project; and

(II) the order of priority for funding of each fish habitat conservation project;

(iv) a justification for any rejection or reordering of the priority of each fish habitat conservation project recommended by the Board under section 6(b) that was based on a factor other than the criteria described in section 6(c); and

(v) an accounting of expenditures by Federal, State, or local governments, Indian tribes, or other entities to carry out fish habitat conservation projects.

(b) STATUS AND TRENDS REPORT.—Not later than December 31, 2015, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the status of fish habitats in the United States.

(c) REVISIONS.—Not later than December 31, 2015, and every 5 years thereafter, the Board shall revise the goals and other elements of the National Fish Habitat Action Plan, after consideration of each report required by subsection (b).

SEC. 12. EFFECT OF ACT.

(a) WATER RIGHTS.—Nothing in this Act—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of this Act regarding water quality or water quantity.

(b) AUTHORITY TO ACQUIRE WATER RIGHTS OR RIGHTS TO PROPERTY.—In carrying out section 6(d)(2), only a State, local government, or other non-Federal entity may acquire, in accordance with applicable State law, water rights or rights to property pursuant to a fish habitat conservation projected funded under this Act.

(c) STATE AUTHORITY.—Nothing in this Act—

(1) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(2) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(d) EFFECT ON INDIAN TRIBES.—Nothing in this Act abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian tribe recognized by treaty or any other means, including—

(1) an agreement between the Indian tribe and the United States;

(2) Federal law (including regulations);

(3) an Executive order; or

(4) a judicial decree.

(e) ADJUDICATION OF WATER RIGHTS.—Nothing in this Act diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666).

(f) DEPARTMENT OF COMMERCE AUTHORITY.—Nothing in this Act affects the authority, jurisdiction, or responsibility of the Department of Commerce to manage, control, or regulate fish or fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(g) EFFECT ON OTHER AUTHORITIES.—

(1) PRIVATE PROPERTY PROTECTION.—Nothing in this Act permits the use of funds made available to carry out this Act to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest.

(2) MITIGATION.—Nothing in this Act permits the use of funds made available to carry out this Act for fish and wildlife mitigation purposes under—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(C) the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4082); or

(D) any other Federal law or court settlement.

(3) CLEAN WATER ACT.—Nothing in this Act affects or alters any provision of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including any definition in that Act.

SEC. 13. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

SEC. 14. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) FISH HABITAT CONSERVATION PROJECTS.—There is authorized to be appropriated to the Secretary $7,200,000 for each of fiscal years 2014 through 2018 to provide funds for fish habitat conservation projects approved under section 6(f), of which 5 percent shall be made available for each fiscal year for projects carried out by Indian tribes.

(2) NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP PROGRAM.—

(A) IN GENERAL.—There is authorized to be appropriated to the Secretary for each of fiscal years 2014 through 2018 for the National Fish Habitat Conservation Partnership Program, and to carry out section 11, an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(B) REQUIRED TRANSFERS.—The Secretary shall annually transfer to other Federal departments and agencies such percentage of the amounts made available pursuant to subparagraph (A) as is required to support participation by those departments and agencies in the National Fish Habitat Conservation Partnership Program pursuant to the interagency operational plan under section 7(c).

(3) TECHNICAL AND SCIENTIFIC ASSISTANCE.—There are authorized to be appropriated for each of fiscal years 2014 through 2018 to carry out, and provide technical and scientific assistance under, section 8—

(A) $500,000 to the Secretary for use by the United States Fish and Wildlife Service;

(B) $500,000 to the Assistant Administrator for use by the National Oceanic and Atmospheric Administration; and

(C) $500,000 to the Secretary for use by the United States Geological Survey.

(4) PLANNING AND ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2014 through 2018 for use by the Board, the Director, and the Assistant Administrator for planning and administrative expenses an amount equal to 3 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(b) AGREEMENTS AND GRANTS.—The Secretary may—

(1) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106–107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity for a fish habitat conservation project or restoration or enhancement project;

(2) apply for, accept, and use a grant from any individual or entity to carry out the purposes of this Act; and

(3) make funds available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this Act.

(c) DONATIONS.—

(1) IN GENERAL.—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this Act; and

(B) accept donations of funds, property, and services to carry out the purposes of this Act.

(2) TREATMENT.—A donation accepted under this section—

(A) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(B) may be—

(i) used directly by the Secretary; or

(ii) provided to another Federal department or agency through an interagency agreement.

By Ms. COLLINS:

S. 2081. A bill to amend the Internal Revenue Code of 1986 to require notification of Congress by the Internal Revenue Service Oversight Board regarding any violation of the Constitutional rights of taxpayers; to the Committee on Finance.

TAXPAYER PROTECTION ACT OF 2014

Ms. COLLINS. Mr. President, I rise to introduce the Taxpayer Protection Act of 2014. This bill would require the independent IRS oversight board to better fulfill its obligation to protect the constitutional rights of American taxpayers. The history of the IRS offers abundant examples of the agency trampling on these rights. In the most recent controversy, the IRS subjected applications from conservative groups that were seeking tax-exempt status to heightened scrutiny. Delaying these groups' applications suggests an effort to chill the constitutional right of speech and association by groups that hold conservative views.

The details that have emerged are truly alarming. The IRS has admitted that it deliberately targeted conservative groups' applications for tax-exempt status for extra review if they included such words as ''tea party,'' ''patriots,'' or ''9/11'' in their names or they criticized how this country is being run or if their purpose were to address government spending, government debt, taxes, or simply to make America a better place. Incredible.

These inappropriate criteria stayed in place for more than 18 months and resulted in substantial delays in processing the applications of many different groups. In some cases, the applications remained outstanding for more than 2 years.

The IRS also sought to compel some of the targeted groups to divulge their membership list. IRS officials have subsequently admitted there was absolutely no reason for agency personnel to have sought that kind of information.

Such behavior, unfortunately, is not a one-time aberration. A May 2013 ''Time'' magazine article notes that the IRS has been involved in scandals going back at least as far as the Kennedy administration, which used the service to investigate so-called right-wing groups. President Nixon employed a secret IRS operation to investigate and audit political opponents. During the Johnson administration, the IRS targeted antiwar activists.

In the decades since, civil rights groups, political activists from both the conservative and liberals ends of the spectrum, and whistleblowers have been subjected to intimidating and discriminatory scrutiny by the IRS.

In 1997, the Senate Finance Committee held 3 days of hearings instigated by reports of IRS abuses. One type of abuse was the so-called Blue Sky Assessment, which then-committee chairman William Roth characterized as agents making tax assessments that had no basis in fact or law, and were, in some instances, simply levied to hurt the taxpayer. Some witnesses had to have their identities concealed out of fear of retaliation for their testimony. As witness No. 1—an IRS agent—stated, '' . . . abuse of the taxpaying public occurs when the IRS improperly and sometimes illegally uses its vast power in the process of implementing some type of enforcement of the tax laws.''

This agent went on to note it wasn't the IRS Code which abused taxpayers but rather how it was being implemented in an unfair, intimidating, and discriminatory way.

I note these 1997 hearings in particular because they coincided with an effort to reform the IRS, culminating in the IRS Restructuring and Reform Act. The act made a number of changes to the structure of the IRS and the manner in which it administers the tax laws. One such reform was the creation of the IRS Oversight Board.

By law, the Board is charged with ensuring taxpayers are treated properly by the IRS, and the Board is designed to be independent of the agency. Of the required nine members, seven must be Senate-confirmed appointees who have professional experience or expertise in business and tax administration. The IRS Reform Act also requires IRS employees be terminated for violating the constitutional rights of taxpayers.

The current IRS scandal was not, however, brought to light by this IRS Oversight Board. Instead, these abuses came to the public's and our attention through a May 2013 report by the Treasury Inspector General for Tax Administration. Following the release of the inspector general's report, the Oversight Board released a statement saying it would work with the IRS and the IG, among others, to meet its statutory responsibility to protect taxpayers. That is the whole purpose of this Board, and I believe it should do much more than just work with IRS officials and the IG.

So my bill would strengthen its oversight role by requiring reporting to Congress. My bill would ensure the existing laws, which are rooted in the response to prior IRS scandals, work as they should. It would require that the Oversight Board report to Congress each and every year on allegations of abuse, of taxpayers' constitutional rights, on the number of employees who were terminated for such violations, on why employees against whom allegations were raised were not terminated, and on the effectiveness of internal controls, if any, that the IRS has put in place to prevent the unfair targeting of taxpayers.

The IRS's history of abuses demonstrates that Congress must be ever vigilant in protecting taxpayers. The agency's power allows it to pervade the most sensitive aspects of Americans' private lives. Irrespective of whether those singled out are liberal or conservative, Democratic or Republican, Independent or Green Party members, irrespective of their personal views, the targeting of private citizens for exercising their First Amendment rights is way out of bounds. It is illegal behavior and cannot be tolerated.

It has been said the power to tax is the power to destroy. The American people cannot and will not tolerate any abuse of that power.

I urge my colleagues to join me in cosponsoring this bill and let us pass it to help protect the most fundamental rights guaranteed by our Constitution against abuse by government's ability to tax.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 370—SUPPORTING THE TERRITORIAL INTEGRITY OF UKRAINE AND CONDEMNING RUSSIAN MILITARY AGGRESSION IN UKRAINE

Mr. COATS (for himself, Mr. KIRK, Mr. GRAHAM, Mr. MCCAIN, Mr. PORTMAN, Mr. BARRASSO, Mr. CORNYN,

Mr. GRASSLEY, Mr. WICKER, Mr. ROBERTS, and Mr. HOEVEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 370

Whereas, on February 26–27, 2014, armed men in unmarked military uniforms seized key strategic objects in the Autonomous Republic of Crimea (''Crimea'') in Ukraine, including the building of the Crimean Parliament and airports;

Whereas, as of March 4, 2014, the Government of Ukraine confirms that there are approximately 16,000 Russian troops occupying Crimea;

Whereas, on February 28, 2014, President Barack Obama stated that the United States is ''deeply concerned by reports of military movements taken by the Russian Federation inside of Ukraine'' and that it ''would be a clear violation of Russia's commitment to respect the independence and sovereignty and borders of Ukraine, and of international law'';

Whereas President Obama pledged that ''the United States will stand with the international community in affirming that there will be costs for any military intervention in Ukraine'';

Whereas the armed forces of the Russian Federation have violated Ukrainian sovereignty, violated international law, threatened the stability of Ukraine and the European continent, and compelled the North Atlantic Treaty Organization (NATO) to meet in emergency session to consider threats to Poland and other NATO members states; and

Whereas President Obama has announced his intention to work with Congress to respond forcefully to the outrageous and dangerous misbehavior of the Government of the Russian Federation: Now, therefore, be it

Resolved, That the Senate—

(1) strongly condemns the Russian Federation's military incursion into Crimea, in clear violation of Ukraine's territorial integrity and in contravention of international law;

(2) calls on the Government of the Russian Federation to immediately withdraw all unauthorized military personnel from Crimea;

(3) pledges to work urgently and in bipartisan fashion with the President to identify a comprehensive package of economic sanctions and other measures to compel President Vladimir Putin to remove his armed forces from Ukrainian territory and return that territory to full Ukrainian sovereign control;

(4) calls upon the President to seek to reschedule a meeting of the G–8 nations, to take place as soon as practicable, where the participating nations should consider a United States proposal to formally expel the Russian Federation;

(5) urges the United States to propose to NATO that the Alliance immediately suspend operation of the Russia-NATO Council and expel the Russian Federation's military and diplomatic representation in NATO;

(6) urges the United States to work with other members of the Organization for Security and Cooperation in Europe (OSCE) to deploy monitors in Ukraine to help confirm that the security of the Russian-speaking population is not threatened;

(7) urges the President to consider downgrading United States diplomatic representation with the Russian Federation, including refraining from sending a new United States ambassador to Moscow and closing United States consulates general in Yekaterinburg and Vladivostok and requiring the Government of the Russian Federation to make reciprocal steps to close consulates in the United States;

(8) calls on the President to utilize all tools, including the Sergei Magnitsky Rule of Law Accountability Act of 2012 (title IV of Public Law 112–208; 126 Stat. 1502), to expand the Act's list of sanctioned individuals to impose sanctions on all officials of the Ministry of Defense of the Russian Federation in the chain of command responsible for the invasion of Crimea, leadership of the Duma responsible for condoning the invasion, and Crimean officials complicit in its execution;

(9) urges the President to consider additional sanctions, such as suspension of eligibility of Russian citizens for temporary or seasonal United States work visas;

(10) urges the leadership of FIFA to reconsider its decision to place World Cup 2018 matches in Russia and instead award those games to a more worthy alternative country.

SENATE RESOLUTION 371—HONORING THE LEGACY OF JAN KARSKI BY DESIGNATING APRIL 24, 2014, AS ''JAN KARSKI DAY''

Mr. MENENDEZ (for himself, Mr. KIRK, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 371

Whereas Jan Karski was born on April 24, 1914, in Lodz, Poland;

Whereas Jan Karski managed to escape the Soviet massacre in the Katyn forest in 1940, in which almost 22,000 Polish citizens lost their lives;

Whereas Jan Karski became a key emissary in the Polish underground resistance, the Home Army, against Nazi occupation;

Whereas Jan Karski risked his own life after escaping a prisoner of war camp, having endured Gestapo torture, to continue to act as an emissary for the Polish Underground, in order to provide critical intelligence to the Allied war effort and alert Allied governments about the Holocaust and the dire situation on the ground in German-occupied Poland;

Whereas Jan Karski traveled to allied capitals and provided critical eyewitness testimony about the horrors of Hitler's ''Final Solution'' and the extermination of Jews and others in Nazi-occupied Poland to British Foreign Minister Anthony Eden and United States President Franklin Roosevelt;

Whereas Jan Karski, after living through the atrocities of World War II, went on to earn a Ph.D. from Georgetown University in 1952;

Whereas Jan Karski became a United States citizen and taught generations of students of foreign policy at Georgetown University for 40 years, dedicating the rest of his life to strengthening the idea of tolerance and respect for different religions and cultures and ensuring that the full extent of the Nazi atrocities are never forgotten; and

Whereas Jan Karski was awarded the Presidential Medal of Freedom posthumously on May 29, 2012, one of the highest civilian honors in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 24, 2014, as ''Jan Karski Day'';

(2) recognizes the life and legacy of Dr. Jan Karski, and expresses its gratitude for his efforts alerting the free world about the atrocities committed by Nazi and totalitarian forces in occupied Poland during World War II; and

(3) applauds the awarding of the Presidential Medal of Freedom to Jan Karski for his efforts during World War II and reaffirms the importance of the United States-Poland bilateral relationship.

SENATE RESOLUTION 372—SUPPORTING THE GOALS AND IDEALS OF THE SECONDARY SCHOOL STUDENT ATHLETES' BILL OF RIGHTS

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 372

Whereas over 7,700,000 student athletes participated in secondary school athletics during the 2012 to 2013 academic year;

Whereas it is estimated that in 2012, secondary school student athletes participating in 9 of the most popular high school sports, including football, boys' and girls' soccer, girls' volleyball, boys' and girls' basketball, wrestling, baseball, and softball, suffered over 1,300,000 instances of injury;

Whereas every 3 minutes, a child is treated in an emergency department for a sports-related concussion, accounting for more than 8 percent of all sports-related emergency cases;

Whereas the number of sports-related concussion injuries has doubled in the last 15 years among student athletes aged 8 to 19, despite an overall decrease in the number of students participating in sports;

Whereas sudden cardiac arrest (SCA) is the leading cause of death for youth participating in sports or exercising, with upwards of 80 percent of those suffering from SCA being asymptomatic prior to cardiac arrest;

Whereas instances of heat-related illness have more than doubled since 1997 and affect high school football players at an average rate that is 10 times higher than that of participants in other sports;

Whereas approximately 1,500 children aged 12 to 17 were treated in an emergency department for energy drink-related emergencies in 2011;

Whereas secondary school student athletes with access to certified athletic health care professionals have lower overall injury rates, lower recurrent injury rates, and lower concussion rates than student athletes without access to certified athletic health care professionals;

Whereas in light of the increase in athletic-related injuries to student athletes, schools are encouraged to develop and adopt best practices and standards to prevent and address student athlete injury;

Whereas the Secondary School Student Athletes' Bill of Rights sets forth that secondary school student athletes have the right to—

(1) be coached by individuals who are well-trained in sport-specific safety and to be monitored by athletic health care team members;

(2) quality, regular pre-participation examinations and each athlete has the right to participate under a comprehensive concussion management plan;

(3) participate in sporting activities on safe, clean playing surfaces, in both indoor and outdoor facilities;

(4) utilize equipment and uniforms that are safe, fitted appropriately, and routinely maintained, and to appropriate personnel trained in proper removal of equipment in case of injury;

(5) participate safely in all environmental conditions where play follows approved guidelines and medical policies and procedures, with a hydration plan in place;

(6) a safe playing environment with venue-specific emergency action plans that are coordinated by the athletic health care team

and regularly rehearsed with local emergency personnel;

(7) privacy of health information and proper referral for medical, psychosocial, and nutritional counseling;

(8) participate in a culture that finds ''playing through pain'' unacceptable unless there has been a medical assessment;

(9) immediate, on-site injury assessments with decisions made by qualified sports medicine professionals; and

(10) along with their parents, the latest information about the benefits and potential risks of participation in competitive sports, including access to statistics on fatalities and catastrophic injuries to youth athletes; and

Whereas the Secondary School Student Athletes' Bill of Rights, which sets forth goals and ideals to improve the health, well-being, and athletic experience of secondary school students, can serve as a valuable resource to reduce injury, promote athlete safety, and encourage well-being: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the principles and values set forth in the Secondary School Student Athletes' Bill of Rights;

(2) recognizes the importance of proper safety measures, timely medical assessments, and appropriate environmental conditions in ensuring the health and well-being of secondary school student athletes;

(3) recognizes the role that teachers, parents, coaches, and athletic health care team members play in ensuring the safety and well-being of secondary school student athletes;

(4) expresses support for secondary schools that have successfully implemented programs, policies, and practices to emphasize and encourage student athlete safety and well-being; and

(5) encourages secondary schools to continue to take all available and reasonable efforts to ensure student athlete safety.

SENATE RESOLUTION 373—RECOGNIZING THE IMPORTANCE OF BIOSECURITY AND AGRO-DEFENSE IN THE UNITED STATES

Mr. ROBERTS (for himself, Mr. MORAN, Mr. BLUNT, and Mrs. MCCASKILL) submitted the following resolution; which was considered and agreed to:

S. RES. 373

Whereas following the September 11, 2001 terrorist attacks, the United States increased its efforts to combat the threat of global terrorism;

Whereas the September 11th attacks illustrated the vulnerability of the food supply and agriculture economy of the United States;

Whereas in 2002, Congress created the Department of Homeland Security to improve the Government's ability to respond to threats facing the United States;

Whereas the Department of Homeland Security, in partnership with the Department of Agriculture, was quick to recognize the threat posed by agroterrorism;

Whereas on January 30, 2004, President George W. Bush issued a Homeland Security Presidential Directive entitled ''Defense of United States Agriculture and Food'';

Whereas the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism stated in a 2008 report that bioterrorism was a more likely threat to the United States than nuclear terrorism, and higher priority should therefore be given to efforts to combat bioterrorism;

Whereas the threat of a terrorist attack on the United States persists, and continued vigilance is necessary; and

Whereas construction of the National Bio and Agro-Defense Facility began on May 28, 2013: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) as the United States combats terrorism in all forms and around the world, the safety, security, and health of our livestock and agriculture commodities must not be forgotten;

(2) research and investment in biosecurity and agro-defense should be supported by Congress;

(3) providing the resources, both intellectually and materially, for the advancement of vaccines and cures for deadly pathogens and emerging zoonotic diseases is an integral part of homeland defense;

(4) without the tools necessary to protect the people, agriculture economy, and food supply of the United States, this Nation remains vulnerable to attack;

(5) the world depends on the agriculture of the United States;

(6) the world depends on the leadership of the United States in science and technology;

(7) the United States must remain a leader in the fight against bioterrorism; and

(8) biosecurity and a strong agro-defense system are achievable goals for the United States in the global war on terrorism.

SENATE RESOLUTION 374—DESIGNATING MARCH 3, 2014, AS ''WORLD WILDLIFE DAY''

Mr. COONS (for himself, Mr. UDALL of New Mexico, Mrs. FEINSTEIN, Mr. INHOFE, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MARKEY, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 374

Whereas wildlife has provided numerous economic, environmental, social, and cultural benefits during the course of human history, and wildlife preservation will secure these gifts for future generations;

Whereas each plant and animal species plays an important role in the stability of diverse ecosystems around the world, and the conservation of this biodiversity is critical to maintain the delicate balance of nature and keep complex ecosystems thriving;

Whereas observation of wild plants and animals in their natural habitat provides individuals with a more enriching world view and a greater appreciation of the wonders of the natural environment;

Whereas tens of millions of individuals in the United States strongly support the conservation of wildlife, both domestically and abroad, and wish to ensure the survival of species in the wild, such as rhinoceroses, tigers, elephants, pangolins, turtles, seahorses, sharks, ginseng, mahogany, and cacti;

Whereas the Convention on International Trade in Endangered Species of Wild Fauna and Flora (referred to in this preamble as ''CITES'' and also known as the ''Washington Convention'') was signed in Washington, DC, on March 3, 1973;

Whereas 179 countries, including the United States, are now parties to CITES;

Whereas CITES remains one of the most powerful tools in the world for biodiversity conservation by regulating international trade in wild plants and animals, including products and derivatives of wild plants and animals, ensuring the survival of plants and animals in the wild, and providing long-term benefits for the livelihood of local people and the global environment;

Whereas CITES seeks to ensure that international trade in listed species is sustainable, legal, and traceable;

Whereas the trafficking of wildlife, including timber and fish, comprises the fourth largest global illegal trade, after narcotics, counterfeiting of products and currency, and human trafficking, and has become a major transnational organized crime with an estimated worth of approximately $19,000,000,000 annually;

Whereas increased demand in Asia for high-value illegal wildlife products, particularly elephant ivory and rhinoceros horns, has recently triggered substantial and rapid increases in poaching of these species, particularly in Africa;

Whereas trafficking of wildlife is the primary threat to many wildlife species, including elephants, rhinoceroses, and tigers;

Whereas many different kinds of criminals, including some terrorist entities and rogue security personnel, often in collusion with corrupt government officials, are involved in wildlife poaching and the movement of ivory and rhinoceros horns across Africa;

Whereas wildlife poaching presents significant security and stability challenges for military and police forces in African nations that are often threatened by heavily armed poachers and the criminal and extremist allies of such poachers;

Whereas wildlife poaching negatively impacts local communities that rely on natural resources for economic development, including tourism;

Whereas the lack of sufficient penal and financial deterrents hamper the ability of African governments to reduce poaching and trafficking;

Whereas capacity building, including material, training, legal, and diplomatic support, can significantly impact the trajectory of the illegal wildlife trade;

Whereas wildlife provides a multitude of benefits to all nations, and wildlife crime has wide-ranging economic, environmental, and social impacts;

Whereas the number of elephants killed by poachers in Kenya increased by more than 800 percent from 2007 to 2012, from 47 to 387 elephants killed;

Whereas the number of rhinoceroses killed by poachers in South Africa increased by more than 7000 percent between 2007 and 2013, from 13 to 1004 rhinoceroses killed;

Whereas the number of forest elephants in the Congo Basin in central Africa declined by approximately two-thirds between 2002 and 2012, placing forest elephants on track for extinction within the next decade;

Whereas as few as 3200 tigers remain in the wild throughout all of Asia;

Whereas approximately 100,000,000 sharks are killed annually, often targeted solely for their fins, and unsustainable trade is the primary cause of serious population decline in several shark species, including scalloped hammerhead sharks, great hammerhead sharks, and oceanic whitetip sharks;

Whereas the United States is developing strong measures to address the criminal, financial, security, and environmental aspects of wildlife trafficking;

Whereas Congress has allocated specific resources to combat wildlife trafficking and address the threats posed by poaching and the illegal wildlife trade;

Whereas in December 2013, the United Nations General Assembly proclaimed March 3, the day on which CITES was signed, as World Wildlife Day to celebrate and raise awareness of the wild fauna and flora around the world;

Whereas March 3, 2014, represents the first annual celebration of World Wildlife Day; and

Whereas in 2014, World Wildlife Day commemorations will ''celebrate the many beautiful and varied forms of wild fauna and flora, raise awareness of the multitude of benefits that wildlife provides to people, and raise awareness of the urgent need to step up the fight against wildlife crime, which has wide-ranging economic, environmental, and social impacts'': Now, therefore, be it

Resolved, That the Senate—

(1) designates March 3, 2014, as ''World Wildlife Day'';

(2) supports the goals and ideals of World Wildlife Day, including—

(A) raising awareness of the benefits that wildlife provides to people and the threats facing wildlife around the world; and

(B) escalating the fight against wildlife crime, including wildlife trafficking;

(3) applauds the domestic and international efforts to escalate the fight against wildlife crime;

(4) commends the efforts of the United States to mobilize the entire Government in a coordinated, efficient, and effective manner for dramatic progress in the fight against wildlife crime;

(5) encourages continued cooperation between the United States, international partners, local communities, nonprofit organizations, private industry, and other partner organizations in an effort to conserve and celebrate wildlife, preserving this precious resource for future generations.

SENATE RESOLUTION 375—CONCERNING THE CRISIS IN THE CENTRAL AFRICAN REPUBLIC AND SUPPORTING UNITED STATES AND INTERNATIONAL EFFORTS TO END THE VIOLENCE, PROTECT CIVILIANS, AND ADDRESS ROOT CAUSES OF THE CONFLICT

Mr. COONS (for himself and Mr. FLAKE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 375

Whereas, for more than 50 years, successive governments in the Central African Republic have struggled to build a durable system of democratic institutions, to effectively secure and control the country's territory and borders, and to ensure a basic level of socio-economic development for the country's people;

Whereas, despite its natural resource wealth, the Central African Republic remains one of the poorest countries in the world and one of the lowest ranking countries in terms of a human development index according to the United Nations Development Program;

Whereas, in January 2013, regional leaders brokered the Libreville Agreements between the government of then-President Francois Bozize and the loosely allied rebel militia known as Séléka, which resulted in the formation of a government of national unity;

Whereas, despite the Libreville Agreements, President Bozize was ousted in March 2013 by the Séléka coalition, and the Séléka leader, Michel Djotodia, declared himself president;

Whereas, in April 2013, regional leaders issued the N'djamena Declaration in an effort to pursue a return to constitutional order based on the Libreville Agreements;

Whereas an influx of foreign fighters, especially from Chad and Sudan, has been a major factor in the increased number of Séléka fighters, from approximately 5,000 in March 2013, to an estimated 20,000 as of December 2013;

Whereas both Séléka forces and armed militia groups known as ''anti-balakas'', which formed initially as a means of protecting communities against Séléka, have been implicated in ethnically-motivated violence and grave and systemic human rights abuses against civilians;

Whereas, over the course of the crisis, Séléka and anti-balaka groups have displayed weak control and command structures, and committed war crimes with impunity;

Whereas, according to UNICEF, thousands of child soldiers are involved in armed groups in the Central African Republic, amid the near-total collapse of the country's primary education system;

Whereas interethnic, intercommunal, and interreligious tensions and violence have risen to alarming levels and led to systematic human rights abuses in the Central African Republic, including targeted killings, rapes, acts of torture, looting, and arbitrary detention;

Whereas the United States Embassy in Bangui closed on December 25, 2012, and the ordered departure of country team staff has temporarily suspended the diplomatic presence and consular services of the United States in the Central African Republic;

Whereas more than 700,000 civilians have been internally displaced; another 230,000 have recently sought refuge in neighboring countries, including the Democratic Republic of the Congo, Chad, Cameroon, and South Sudan; 2,600,000 people, or over half of the population of the Central African Republic, are in need of humanitarian assistance; and 60 percent of households have no available food stocks;

Whereas a failure of the international community to appropriately respond to and address the rapidly deteriorating situation in the Central African Republic could result in further atrocities, mass displacement, and protracted instability with significant repercussions for regional and international security;

Whereas United Nations Security Council Resolution 2127 (2013) called for urgent and increased international assistance to the African Union International Support Mission in the Central African Republic (MISCA) to ensure that the force can fulfill its mandate to restore security and protect civilians, and placed an arms embargo on the Central African Republic;

Whereas United Nations Security Council Resolution 2127 requested the Secretary-General to establish an international commission of inquiry to investigate reports of human rights abuses in the Central African Republic in order to ensure accountability for perpetrators of violence;

Whereas the United Nations Integrated Peacebuilding Office in the Central African Republic has been hindered by a lack of resources and constrained by insecurity;

Whereas, consistent with United Nations Security Council Resolution 2127, the Government of France launched a peacekeeping operation, Operation Sangaris, in the Central African Republic to assist MISCA in fulfilling its mandate;

Whereas, on March 3, 2014, United Nations Secretary-General Ban Ki-moon recommended to the United Nations Security Council a transition to a United Nations peacekeeping mission with a primary mandate to protect civilians; and

Whereas the United States Government is providing support for conflict resolution efforts, humanitarian assistance to refugees and internally displaced persons, and assistance to troop contributing countries to MISCA in order to restore security in the Central African Republic, primarily by providing airlift, non-lethal equipment, military logistics, and training, as well as logistical support for France: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the violence, atrocities, abuses, and human rights violations committed by all parties to the conflict in the Central African Republic;

(2) commends the efforts of religious and community leaders in the Central African Republic condemning violence and engaging in conflict prevention and conflict resolution activities;

(3) welcomes the mobilization of international peacekeeping, conflict mitigation, humanitarian, and diplomatic resources, and encourages continued efforts to help address humanitarian needs, bring an end to the violence, and develop sustainable democratic institutions in the Central African Republic;

(4) welcomes the January 2014 decision of the Transitional National Council on the election of Catherine Samba-Panza as the Central African Republic's new transitional president;

(5) commends the African Union and its troop and police contributing countries for their work establishing and supporting MISCA;

(6) recognizes the Economic Community of Central African States (CEEAS) for its leadership in the political transition process;

(7) commends France for its swift intervention under United Nations Security Council Resolution 2127, and for its contributions to stabilization efforts and other forms of assistance;

(8) welcomes the United Nations Security Council support for MISCA and the Department of Peacekeeping Operation's ongoing contingency planning for a possible transition to a United Nations peacekeeping operation;

(9) affirms support for multilateral peacekeeping and policing capacities and recognizes the important contributions these efforts have made in protecting civilians in the Central African Republic and promoting international peace and stability;

(10) calls on the President to work with international partners to develop a short-term strategy to support a full and immediate cessation of armed conflict in the Central African Republic, including attacks targeting civilians and the recruitment of child soldiers;

(11) calls on the President to develop a long-term United States strategy, in support of international and domestic efforts, to establish a durable peace and greater security for the Central African Republic and to enhance regional stability, including—

(A) engagement and coordination with the international community, including the African Union, the Economic Community of Central African States, the United Nations, and other partners;

(B) appropriate assistance to help provide emergency relief and reconciliation for the people of the Central African Republic;

(C) technical, logistical and other forms of assistance, as appropriate, in support of effective disarmament, demobilization, and reintegration of fighters; and

(D) support for appropriate mechanisms to ensure accountability for perpetrators of human rights abuses and violence; and

(12) urges the Secretary of State to consider the expeditious reestablishment of a United States diplomatic presence in the Central African Republic.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, April 16, 2014, at 1 p.m., at the East-West Center at the University of Hawaii, Manoa Campus, in Honolulu, Hawaii.

The purpose of the hearing is to examine the successes and challenges of meeting sustainability goals in Hawaii and the Pacific, including oversight of existing activities and Federal-Island partnerships in energy, water, land use, marine resources, and other sectors.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to John_Assini@energy.senate.gov.

For further information, please contact Al Stayman at (202) 224–7865 or John Assini at (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 5, 2014, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 5, 2014, at 10:30 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The President's Fiscal Year 2015 Budget.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. 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 March 5, 2014, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March 5, 2014, at 10:30 a.m. in room SR–432 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 5, 2014, at 10 a.m. in room SD–G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. REID. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on March 5, 2014, in room SD–562 of the Dirksen Senate Office Building at 2:15 p.m. to conduct a hearing entitled ''Income Security and the Elderly: Securing Gains made in the War on Poverty.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on March 5, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Rosie Goscinski, who is a fellow in Senator HIRONO's office, be granted floor privileges for this year.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPORTANCE OF BIOSECURITY AND AGRO-DEFENSE IN THE UNITED STATES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 373.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 373) recognizing the importance of biosecurity and agro-defense in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. 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. 373) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

WORLD WILDLIFE DAY

Mr. REID. I ask unanimous consent that the Senate proceed to S. Res. 374.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 374) designating March 3, 2014, as ''World Wildlife Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. 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. 374) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE PLACED ON THE CALENDAR—S. 2077

Mr. REID. I am told that S. 2077 is due for its second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2077) to provide for the extension of certain unemployment benefits, and for other purposes.

Mr. REID. I object to any further proceedings with respect to this bill.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

MEASURE READ THE FIRST TIME—H.R. 3370

Mr. REID. Mr. President, I understand that H.R. 3370 is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Mr. REID. Mr. President, I ask for its second reading, but object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, MARCH 6, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, March 6, 2014; 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; that following any leader remarks, the Senate be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate proceed to executive session under the previous order; that upon disposition of the Roth nomination and the resumption of legislative session, the Senate execute the previous order with respect to S. 1752 and S. 1917.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be up to three rollcall votes at 11:20 a.m. tomorrow, and up to four rollcall votes at around 2 p.m. We also hope to consider additional nominations tomorrow, which could require rollcall votes.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:36 p.m., adjourned until Thursday, March 6, 2014, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 05, 2014:

THE JUDICIARY

TIMOTHY L. BROOKS, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF ARKANSAS.

PEDRO A. DELGADO HERNANDEZ, OF PUERTO RICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO.

PAMELA L. REEVES, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE.

VINCE GIRDHARI CHHABRIA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

EXTENSIONS OF REMARKS

RECOGNIZING THE MINORITY BUSINESS DEVELOPMENT AGENCY ON ITS 45TH ANNIVERSARY

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. RICHMOND. Mr. Speaker, I rise today to applaud the Minority Business Development Agency on this its 45th Anniversary. Established in 1969, the MBDA has worked tirelessly and diligently to promote the growth and global competitiveness of a critical segment of the U.S. Economy, the minority business community.

Why is this important? Well Mr. Speaker it is important because investing in contracts, capital and counseling for our minority owned businesses will yield significant results for minority communities. If we help our minority businesses help themselves, their success will bring sustainable economic growth and transgenerational wealth creation that will transform many of our hardest hit areas.

At the time of the Agency's creation there were only 322,000 minority-owned firms in the nation. Today, that number stands at 5.8 million firms contributing $1 trillion towards our nation's economy. MBDA has been a significant part of this impressive growth story. Over the last five years in particular, MBDA has helped firms gain access to over $19 billion in contracts and capital resulting in the creation and retention of nearly 60,000 jobs. These are great numbers, Mr. Speaker and we have to thank the MBDA and its team for their efforts. But we have more work to do.

I thank MBDA for all it has accomplished over the last 45 years. In the coming years, the growth of America's workforce will come from partnerships between the public and private sector. MBDA serves as a bridge connecting government and private resources to leverage existing competencies in service to the growth of the minority business sector. I applaud MBDA's mission and will continue to support it in the decades ahead.

RECOGNIZING THE ORLANDO MUSEUM OF ART

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. WEBSTER of Florida. Mr. Speaker, I rise today to recognize the 90th anniversary of the Orlando Museum of Art. Since its founding, the Museum has remained committed to enriching the cultural life of Florida and developing inclusive programs that serve every segment of a diverse community.

In 1924, the Orlando Museum of Art began as a small group of artists who met informally to display and discuss their work. They formed the Orlando Art Association, teaching art classes and arranging exhibits. In 1987, the name was officially changed to the Orlando Museum of Art, and within two years, it was acclaimed as one of the best in the region. The Museum features a dynamic set of collections ranging from contemporary art to Golden Age masterpieces and has hosted various high-profile exhibits.

The Museum has maintained its national accredited status by the American Association of Museums without interruption for over 40 years and continues to provide excellence in the visual arts. I thank the Orlando Museum of Art for its ongoing dedication to advancing the arts in our community.

H. STEVEN SMEDLEY, WEST HANOVER TOWNSHIP FIRE COMPANY NO. 1

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. BARLETTA. Mr. Speaker, I rise to honor H. Steven Smedley, a member of West Hanover Township Fire Company No. 1 and the recipient of the organization's Lifetime Achievement Award.

Mr. Smedley joined the West Hanover Twp. Fire Co. No. 1 on November 4, 1980 and quickly developed a passion for the fire service. In the 33 years he has been with the Fire Company, he has taken on many important leadership roles including 1st and 2nd Lieutenant; 1st and 2nd Captain; 1st, 2nd, and 3rd Assistant Chief; and Deputy Chief. Additionally, he has served as Recording Secretary, Vice President, President and Trustee and fulfilled the duties of an Apparatus Truck Foreman and Chief Engineer for the organization. Outside the fire company, Mr. Smedley has been active in the Dauphin County Fireman's Association, Dauphin County Fire Chief's Association, and the Dauphin County Hazardous Materials Response Team.

Mr. Speaker, for 33 years H. Steven Smedley has devoted his life to West Hanover Township Fire Company No. 1. Therefore, I commend him for his hard work and dedication and wish him the best in his future endeavors.

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2014

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 2014

Mr. VAN HOLLEN. Mr. Speaker, as the ranking member of the House Budget Committee and someone who supported the original Biggert-Waters flood insurance reauthorization, I am keenly aware of the need for reform in this area. The federal flood insurance program is $24 billion in debt, and its below-market rates encourage development in environmentally sensitive and flood prone areas.

Having said that, it has also become abundantly clear that the transition to market-based rates under the original Biggert-Waters bill has been unduly onerous for many homeowners, and the pace of that transition is in need of adjustment.

Today's bipartisan compromise attempts to provide that adjustment in the form of greater predictability around rate increases for covered properties, paid for with a surcharge on all policyholders. While there were certainly other ways to address this issue, and I could have supported more reform than appears in this particular bill, I will vote for tonight's compromise in order to move this program forward.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Ms. JACKSON LEE. Mr. Speaker, on March 4, 2014, I was unavoidably detained attending to representational activities in my congressional district and thus unable to return in time for rollcall votes No. 91 and 92.

Had I been present I would have voted as follows: On rollcall No. 91, I would have voted "aye" (March 4) (H.R. 3370, Homeowner Flood Insurance Affordability Act of 2014 (Rep. GRIMM—Financial Services)); On rollcall No. 92, I would have voted "aye" (March 4) (H. Res. 488, Supporting the people of Venezuela as they protest peacefully for democratic change and calling to end the violence (Rep. ROS-LEHTINEN—Foreign Affairs)).

JAYSON TERDIMAN, 2014 U.S. OLYMPIC LUGE TEAM

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. BARLETTA. Mr. Speaker, I rise to honor Jayson Terdiman of Berwick, Pennsylvania who represented the United States in the men's doubles and team relay luge competitions in the 2014 Winter Olympics in Sochi, Russia.

Since the age of five, Jayson has been an active member of Berwick's athletic community, playing basketball, hockey, and baseball and running cross-country. He continued to pursue many of these activities during his time at Berwick High School, eventually graduating in 2007 with distinguished honors.

Despite his other athletic commitments, Jayson got his start in luge early, becoming a member of the USA Luge Development Team

at age 12. His devotion to the sport helped him make the USA Luge Candidate Team and the USA Luge Junior National Team, before earning a spot on the 2014 U.S. Olympic Team.

Jayson has received numerous accolades for his achievements in luge. From 2007 to 2008, he won three Junior World Cup Bronze Medals and the Junior World Luge Championship Bronze Medal. He is also a two-time U.S. Junior National Doubles Champion. In 2008, he was the Norton U.S. Nationals Doubles champion, and he and his doubles partner, Chris Mazdzer, were named the 2008 Luge Team of the Year. In 2010, he won the World Cup Bronze Medal, and he won silver medals in the World Cup Team Relay competition in 2011 and 2013. During the 2014 Olympic Winter games, he placed eleventh in the men's doubles competition with his partner Christian Niccum, and he helped the U.S. place sixth in the team relay.

Mr. Speaker, every four years, our nation sends our very best athletes to represent us in the Winter Olympics. Therefore, I commend Jayson Terdiman for his hard work and achievements as part of the United States luge team, and I wish him the best in his future endeavors.

CELEBRATING THE BICENTENNIAL OF THE CITY OF GREENVILLE, ILLINOIS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the City of Greenville, Illinois, on its Bicentennial Celebration. The city will celebrate throughout the year with a variety of community events, including a Labor Day gala featuring a parade, historic re-enactments and musical performances, a July 4th opening of a time capsule buried in 1990, and the burial of a new time capsule on New Year's Eve with mementos from the year's festivities. The city will also erect a permanent monument within city limits to commemorate this historic occasion.

The City of Greenville was founded in 1815 by pioneer George Davidson and is one of the oldest communities in the state. Throughout its history, Greenville has played host to many important events. Notably, the city served as a key stop on the Underground Railroad, shepherding slaves to freedom from the slaveholding southern states. The city also hosted speeches by Abraham Lincoln and Stephen Douglas during their 1858 campaign for the United States Senate.

Since its founding, the city has grown and now is the home to more than 7,000 residents. Over the past 200 years, Greenville has produced numerous noteworthy individuals. It was once the home of Colorado Governor Job Adams Cooper, Emmy-Winning television producer Robert Brinner and Nobel Prize Laureate Edwin G. Krebs, among others.

I extend my congratulations to the City of Greenville upon this special occasion. It is my prayer that the Lord blesses its residents with another 200 years of health and prosperity.

RECOGNIZING MERNI FITZGERALD ON THE OCCASION OF HER RETIREMENT FROM FAIRFAX COUNTY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. CONNOLLY. Mr. Speaker, I rise to recognize and commend Merni Fitzgerald on the occasion of her retirement after a long and distinguished career in public service for the residents of Fairfax County, Virginia. For the past 13 years, Merni has been the director of the Office of Public Affairs, serving as the "voice of Fairfax County." Prior to that, she spent 15 years as the public information officer for the Fairfax County Park Authority.

Throughout her career, Merni dedicated herself to keeping Fairfax citizens well informed about the great work of their local government, while promoting engagement in our community. In her role as Director of Public Affairs, she managed external and internal communications for the largest county government in the Commonwealth of Virginia and the National Capital Region. She and her staff provided communications strategy and services for more than 40 county agencies and customer service to residents and visitors.

From routine communications about Board of Supervisors meetings to emergency alerts, Merni ensured Fairfax remained in constant contact with its constituents, and she was instrumental in pushing the County onto social media to foster more opportunities for two-way communications. Whether she was sharing news and information about a notable accomplishment or a natural disaster, Merni was a calm, soothing, and informative voice for the County.

Well-respected by her peers, Merni chaired the Northern Virginia communicators group and a similar committee at the Metropolitan Washington Council of Governments, which encompasses 21 jurisdictions in Virginia, Maryland and the District of Columbia. In that role, she coordinated communications for the regional Emergency Preparedness Council, where we worked together for a number of years.

Prior to her current position, Merni served two terms on the Falls Church City Council. She also served as Chairman of the Northern Virginia Regional Commission. Her keen political sense, expert communications skills, and firm grasp of the news business has earned her the trust of the elected leadership throughout the region. She was recognized as the Virginia Communicator of the Year in 2000, and in 2007 she was recognized as one of PR News magazine's PR Professionals of the Year for her "untiring service to the community and the media."

I can certainly attest to that. I had the distinct pleasure of working with Merni during my 14 years of service on the Fairfax County Board of Supervisors. She was a trusted member of our leadership team and helped the county manage numerous crises including: the tragic events of 9/11, which occurred shortly after her appointment as director of public affairs; local anthrax attacks, during which the government center became a screening facility and medical distribution center; the 2002 Washington sniper shootings; Hurricane Isabel in 2003, which damaged multiple roads and properties across the county and resulted in the loss of drinking water for most residents for several days; the shooting of two police officers outside the Sully District Station in 2006; a dustup over local soup kitchens caused by an over-zealous bureaucracy; the recent record snow storms, which literally shutdown the region for days; and an earthquake in 2011. Interspersed through those events, she coordinated public information about annual multi-million dollar bond referendums and countless Board "presentations."

Most people probably don't know Merni is a published author. Earlier in her career, Merni was an assistant to the Press Officer at the Peace Corps, an agency close to my heart given my international relations background and seat on the House Foreign Affairs Committee. During her time with the Corps, Merni authored two books for school-age children: one commemorating the Peace Corps' 25th Anniversary and another on the role of Voice of America radio programming in U.S. efforts overseas.

As Merni begins this new chapter in her life, I want to extend my warmest regards to her and her family. I hope she is able to find a suitable new home for the growing collection of nutcrackers that adorn her office at the Government Center, and I have no doubt she will find a way to continue making contributions to our community even in retirement.

Mr. Speaker, Merni Fitzgerald's commitment to public service has set an example that will benefit our community for generations to come. Her accomplishments are truly outstanding and deserving of our sincere appreciation. When I was Chairman of the County Board, we often joked when retirement announcements like this came before the Board that we should not allow such talented and dedicated staff to leave public service, and I certainly wish that was the case here.

I wish Merni the best of luck in her retirement, and I ask my colleagues in the House to join me in expressing our appreciation for her long and fruitful service to the residents of Fairfax County and the National Capital Region.

RECOGNIZING NACDS RxIMPACT DAY

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise to recognize the Sixth Annual NACDS RxIMPACT Day on Capitol Hill. This is a special day where we recognize pharmacy's contribution to the American healthcare system. This year's event, organized by the National Association of Chain Drug Stores, takes place on March 12–13. Nearly 400 individuals from the pharmacy community—including practicing pharmacists, pharmacy school faculty and students, state pharmacy leaders and pharmacy company executives—will visit Capitol Hill. They will share their views with Congress about the importance of supporting legislation that protects access to community and neighborhood pharmacies and that utilizes pharmacists to improve the quality and reduce the costs of providing healthcare.

Advocates from 40 states have travelled to Washington to talk about the pharmacy community's contributions in over 40,000 community pharmacies nationwide. These important healthcare providers are here to educate Congress about the value of pharmacists and protect access to the essential services they provide as part of our healthcare delivery system. And just as these providers travelled to meet with us, Members of Congress have toured retail chain pharmacies in our own communities more than 250 times since 2009. There are 106 chain pharmacies in my own Congressional District, and those stores employ nearly 10,000 Washingtonians.

Patients have always relied on their local pharmacist to meet their healthcare needs. The local pharmacist is a trusted, highly accessible healthcare provider deeply committed to providing the highest quality care in the most efficient manner possible.

As demand for healthcare services continues to grow, pharmacists have expanded their role in healthcare delivery, partnering with physicians, nurses and other healthcare providers to meet their patients' needs. Innovative services provided by pharmacists do even more to improve patient healthcare. Pharmacists are highly valued by those that rely on them most—those in rural and underserved areas, as well as older Americans, and those struggling to manage chronic diseases. Pharmacy services improve patients' quality of life as well as healthcare affordability. By helping patients take their medications effectively and providing preventive services, pharmacists help avoid more costly forms of care. Pharmacists also help patients identify strategies to save money, such as through better understanding of their pharmacy benefits, using generic medications, and obtaining 90-day supplies of prescription drugs from local pharmacies.

Pharmacists are the nation's most accessible healthcare providers. In many communities, especially in rural areas, the local pharmacist is a patient's most direct link to healthcare. Eighty-nine percent of Americans reside within a five-mile radius of a community pharmacy. Pharmacists are one of our nation's most trusted healthcare professionals. Utilizing their specialized education, pharmacists play a major role in medication therapy management, disease-state management, immunizations, healthcare screenings, and other healthcare services designed to improve patient health and reduce overall healthcare costs. Pharmacists are also expanding their role into new models of care based on quality of services and outcomes, such as accountable care organizations (ACOs) and medical homes.

As we refine healthcare reform and seek new strategies to improve patient care, pharmacists will play a critical role. I believe Congress should look at every opportunity to make sure that pharmacists are allowed to utilize their training to the fullest to provide the services that can improve care and lower costs. In recognition of the Sixth Annual NACDS RxIMPACT Day on Capitol Hill, I would like to congratulate pharmacy leaders, pharmacists, students, executives, and the entire pharmacy community represented by the National Association of Chain Drug Stores, for their contributions to the good health of the American people.

TRIBUTE TO LIEUTENANT COLONEL JOHN RAFFERTY

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. CARTER. Mr. Speaker, I rise to pay tribute to Lieutenant Colonel John Rafferty of the United States Army for his extraordinary dedication to duty and service to our nation at the Deputy of the Army House Liaison Division on Capitol Hill. Lieutenant Colonel Rafferty will soon transition to the Legislative Director for the Commander of the International Security Assistance Force in Kabul, Afghanistan.

Army Congressional Liaison officers provide an invaluable service to both the military and Congress. They assist Members and staff in understanding the Army's policies, actions, operations, and requirements. Their firsthand knowledge of military needs, culture, and tradition is a tremendous benefit to Congressional offices.

A native of Great Falls, Virginia, Lieutenant Colonel Rafferty enlisted in the Army in 1987 and served in Germany with the 8th Infantry Division. Two years later, he left the active Army to return to college and pursue a commission as an Army Officer. He received his commission as Second Lieutenant in the Regular Army as a Field Artillery officer. During the next twenty years, LTC Rafferty served in a variety of tactical assignments, including service in 1st and 3rd Battalions of the 75th Ranger Regiment, staff officer in the 25th Infantry Division, command of two artillery batteries in the 1st Armored Division, and command of 1st Battalion, 319th Airborne Field Artillery Regiment of the 82nd Airborne Division. Along with becoming an Army Ranger and Master Parachutist, he served multiple combat tours in Iraq and Afghanistan. Additionally, he was selected as an exchange officer for the U.S. Marine Corps Amphibious Warfare School and for the United Kingdom Joint Services Command and Staff College with the British Military.

Lieutenant Colonel Rafferty is both warrior and scholar. He holds a Bachelor of Arts Degree in History from Longwood College, a Master of Arts in Defense Policy from King's College-London, and a Master of Strategic Studies from the U.S. Army War College.

His devotion to his country is matched only by his commitment to family. Lieutenant Colonel Rafferty is married to the lovely Tracey Lowery Rafferty. They're proud parents of a thirteen-year-old daughter, Erin, and a twelve-year-old son, Evan.

Lieutenant Colonel Rafferty's great work has not gone unnoticed. His military awards include the Combat Action Badge, Expert Infantry Badge, three Bronze Star Medals, and the Iraq and Afghanistan Campaign Medals. He was inducted into the Honorable Order of Saint Barbara and is a Distinguished Member of both the 319th Airborne Field Artillery Regiment and 505th Parachute Infantry Regiment.

Mr. Speaker, it is my honor to recognize the selfless service of Lieutenant Colonel John Rafferty as he proceeds into the next chapter of his remarkable career and continues to serve the United States of America. I wish him the best as he continues to serve our great Nation and proceeds to the next chapter in his remarkable career.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 90, I was unable to attend the vote.

Had I been present, I would have voted "no."

RECOGNIZING THE ACHIEVEMENTS OF JAXSON'S ICE CREAM PARLOUR

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize Mr. Monroe Udell and Ms. Linda Zakeheim, the owners of Jaxson's Ice Cream Parlour located in Dania Beach, Florida.

Jaxson's has long been a staple in Dania Beach and this cultural landmark currently employs more than 70 people. Now, Monroe and Linda have taken it upon themselves to improve the standard of living for their employees. On February 24, 2014—the day of Monroe's 86th birthday—Jaxson's raised their minimum wage from $7.93 to $10.10 an hour.

Monroe and Linda have always appreciated the work their employees do to create a top rated restaurant. This higher minimum wage will allow their employees to enjoy a better standard of living and improved economic security. It will allow them to contribute more to the South Florida economy. And, it will show other businesses in the region that paying a higher wage is possible, profitable, and the right thing to do.

In 1965, Boisey Waiters, Dania's first African American City Commissioner, told me about Jaxson's, and I instantly became a fan. Monroe first opened the restaurant in 1953, and even then, it was a beacon. At that time, most establishments in Broward County did not serve colored people. Yet, from the very beginning Monroe took a stand against segregation by hiring and serving all restaurant patrons, regardless of race. That is why I was not surprised to hear that Monroe and Linda acted on their own conscience to help their employees afford a better lifestyle. Sixty-one years later, Jaxson's is still showing the way with their actions to better support their employees.

The employees of Jaxson's have worked tirelessly to develop the reputation of a restaurant that provides excellent food, great ice cream, and a family friendly atmosphere.

Mr. Speaker, I am so pleased to acknowledge and thank Monroe Udell, Linda Zakeheim, General Manager Jerry Smith, as well as all the employees working at Jaxson's. I wish them many more years of success.

RECOGNIZING DAN ''OX'' OCHSNER

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mrs. BACHMANN. Mr. Speaker, I rise today to honor Dan ''Ox'' Ochsner for more than a

decade of work as a radio host in St. Cloud, MN.

Originally from Fargo, ND, Ox began his radio career in 1991 as a rock DJ out of Fergus Falls. He's come a long way since then, now hosting an afternoon show on weekdays in St. Cloud with popularity in the Twin Cities and here in D.C.

He's not only an on-air personality and radio entrepreneur. Ox and his wife, Jan, have made an effort to stay involved and connected in the community. His involvement with Jaycees, Sertoma, Chamber of Commerce and the Boy Scouts haven't gone unnoticed. The St. Cloud Times named him one of the top 40 most influential people of the decade (2000–2010).

As I continue on in my final year in the House of Representatives, I look back with appreciation and respect for the people of the 6th District. One of those special people is Dan Ochsner. With a personality as fiery as his hair, he can always be counted on to provide a humorous take on current events to the people of central Minnesota.

There are few people kinder, funnier, and more genuine than Ox. It's an honor to represent a district in the halls of Congress with talented individuals like Dan. The 6th District of Minnesota is lucky to call Dan Ochsner one of their own.

PERSONAL EXPLANATION

HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. CRAWFORD. Mr. Speaker, on Tuesday, March 4th, 2014 I was inadvertently detained on rollcall Votes 91 and 92. Had I been present to vote I would have voted "yes" on both.

MARIA PEDRIANI, HAZLETON LODGE #200 ''2013–2014 ELK OF THE YEAR''

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. BARLETTA. Mr. Speaker, I rise to honor Maria Pedriani, the Hazleton Lodge #200 "2013–2014 Elk of the Year," for her loyal service to the Benevolent and Protective Order of Elks.

Mrs. Pedriani has been a resident of Hazleton, Pennsylvania for 36 years. After graduating from Mahanoy Area High School, she took post graduate courses at Luzerne County Community College and owned her own cosmetology business in Wilkes-Barre, Pennsylvania. Since joining the Elks two years ago, Mrs. Pedriani has been an outstanding asset in accomplishing lodge goals and is well known for her superb cooking abilities.

Beyond her involvement with the Hazleton Elks, Mrs. Pedriani has been an active member of the local community. She served on the board of "Helping Hands" and is a member of the Holy Rosary Church. In 2011, she was the keynote speaker at the American Cancer Society—Relay for Life where she spoke about her successful battle with Hodgkin lymphoma. She is also a proud wife, mother, and grandmother.

Mr. Speaker, for her committed service to the Benevolent and Protective Order of the Elks, I commend Maria Pedriani and congratulate her for being named the Hazleton Lodge #200 "2013–2014 Elk of the Year."

RECOGNIZING THE NORTHERN VIRGINIA CONSERVATION TRUST

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate the Northern Virginia Conservation Trust for receiving accreditation by the National Land Trust Accreditation Commission. The accreditation process is very rigorous and signifies the highest standards of excellence in land conservation.

When Congress first passed the tax incentives for land conservation, it placed a high degree of trust in non-profit land trusts to manage these transactions properly. Over the years, land conservation has become increasingly complex and requires careful adherence to the national Land Trust Standards and Practices. This accreditation process helps give taxpayers confidence that land trusts are a worthy public investment.

I want to thank the Northern Virginia Conservation Trust for its dedication and effectiveness in educating the public about the importance of conservation and preserving local natural areas, trails, streams, and parks. Its work helps to protect wildlife habitat, water quality and healthy communities. Since its founding 20 years ago, the Trust has protected 5,370 acres across Northern Virginia. And, by achieving national accreditation, the Northern Virginia Conservation Trust has expanded its capacity to accomplish this mission far into the future.

Mr. Speaker, I invite my colleagues to join me in commending the Northern Virginia Conservation Trust for its hard work and commitment to our community. I wish the Trust and its supporters continued success in their conservation efforts.

IN HONOR OF CHIEF WARRANT OFFICER 2 EDWARD ''EDDIE'' BALLI

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. FARR. Mr. Speaker, I rise today to honor Chief Warrant Officer 2 Edward "Eddie" Balli, an American hero who gave his life in service to his country. Eddie loved his job as an Unmanned Aerial System Operations Officer Platoon Leader for the 2nd Calvary Regiment. He provided the eyes in the sky for the soldiers on the ground.

On January 20, Eddie's unit was attacked by insurgents in the Kandahar province of southern Afghanistan. Believing it was his duty to place the safety of his fellow troops before his own; Eddie was killed while providing cover to protect the rest of his unit. His sacrifice ultimately saved the lives of several civilians and his fellow soldiers.

Eddie was a native of Salinas, California, graduating from North High School. Soon after graduation, he felt the call to serve his country. Following in the footsteps of others in his family, he joined the Army in 1991. During his distinguished career, Eddie received many accolades including the Bronze Star Medal and the Purple Heart during his many deployments in Iraq and Afghanistan. He was an inspiration to all who served with him. Eddie made himself available to talk with younger soldiers, mentoring them and offering both professional and personal advice.

Eddie was also a devout family man. He often spoke fondly of his wife, Kristy Balli, and his three children, Michael, Momilani, and Desirae. To his family he was more than just a soldier. He was a kind and loving husband, father, brother and son who had an infectious humor and quirky personality. His family was proud of his patriotic service to his country and the care he demonstrated for his fellow soldiers.

That caring personality, as both a soldier and a family man, is what made Eddie an extraordinary person. He was an exemplary soldier, family man, and friend who put the needs of others before his own.

Mr. Speaker, I rise today to honor the memory of a true patriot and hero, Chief Warrant Officer 2 Edward Balli. Our nation is grateful for his service and we promise that his life, legacy, and his sacrifice for our country will not be forgotten.

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2014

SPEECH OF

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 2014

Mr. LUETKEMEYER. Mr. Speaker, I rise today to address some of the many lingering issues surrounding the National Flood Insurance Program (NFIP).

The bill passed by the House yesterday will help a significant number of Missourians who have been saddled with inconceivable rate increases, who cannot sell their property, and who run the risk of losing their homes. I have heard from one constituent in particular who told of an unexpected premium increase that jumped from under $1,800 to more than $11,000, a cost difference that she and her husband will have difficulty meeting. It is my sincere hope that this legislation helps to address these issues.

While I supported H.R. 3370, I regret that the bill presented no opportunities for an increased presence for the private insurance market. One of the primary public policy goals associated with NFIP has been to spur private insurers to enter the flood insurance space. As long as NFIP generously subsidizes risk, however, the private market will remain a secondary player in the program. We must create a program that becomes, over time, actuarially-sound and creates a greater role for the private sector while reducing the government's role.

Yesterday the House took a step towards ensuring that our constituents are not saddled

with impossible premium increases, but our work on this issue is far from done. More must be done to reign in FEMA, create more accountability in NFIP, and ensure the program is on sound footing. We must also demand more accountability from FEMA and NFIP and work to ensure that flood maps are accurate and not overly encompassing.

If NFIP has taught us anything, it is that Federal government should not be involved in the insurance industry. Many living in Missouri's Third Congressional District are in desperate need of relief, and NFIP is in desperate need of reform. Private insurance companies have a role to play, and the program should be changed to allow the private market to participate. I will continue to work to make the program sustainable, reliable and more functional than it is today, and hope that my colleagues will join me in the effort to increase the private sector role in flood insurance.

COMMEMORATING THE ANNIVERSARY OF POGROM AT SUMGAIT

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize the anniversary of the pogrom that took place in Sumgait, Azerbaijan against people of Armenian descent. A pogrom is a violent riot aimed at massacre or persecution of an ethnic or religious group. On the evening of February 27, 1988 hundreds of Armenians were massacred in the seaside town of Sumgait in Soviet Azerbaijan. This violence against Armenians continued for three days and resulted in the reported killing of 32 people, with countless others that remain unaccounted for.

It is my hope that by speaking out publicly against atrocities suffered by our brethren around the world, we will help reaffirm America's commitment to an enduring, peaceful and democratic resolution.

I ask that my colleagues join me in solemnly commemorating the death of these innocent lives. My thoughts are with the Armenian community, especially those that lost loved ones during the pogrom at Sumgait 26 years ago.

TRIBUTE TO MAYOR CHOKWE LUMUMBA

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize the life and legacy of Mayor Chokwe Lumumba of Jackson, Mississippi.

Mayor Chokwe Lumumba was born August 2, 1947, in Detroit, Michigan. He was the second of eight children born to Lucien and Priscilla Francis Taliaferro. Mayor Lumumba earned his Bachelor's degree in Political Science from Kalamazoo College in Kalamazoo, Michigan. He later finished first in his law school freshman class before graduating cum laude from Wayne State University Law School.

Mayor Lumumba was a nationally renowned attorney who was licensed in Mississippi, Michigan and U.S. Federal Courts. He has represented clients in over 16 jurisdictions, including Canada and the Choctaw Court. Mayor Lumumba has won settlements and/or judgments for victims of medical malpractice, employment discrimination, sexual harassment and police misconduct. He has worked in high profile cases such as the representation of the late Tupac Shakur. In 2011, he helped win the release of the Scott Sisters who had served 16 years of double life prison sentences for an $11.00 (eleven-dollar) robbery. He successfully represented Lance Parker who was falsely accused of assault during the 1992 Los Angeles uprising which followed the brutal beating of Rodney King.

Since 1968, Mayor Lumumba has crisscrossed the globe to fight for "Human Rights for Human Beings." He supported the survivors of Katrina by serving on the Board of the People's Hurricane Relief Fund and organizing other activists to form the Mississippi Disaster Relief Coalition and co-organizing the Gulf Coast Survivors Assembly. Mayor Lumumba's work as a community activist has spanned over four decades. He has worked with organizations such as the Jackson Human Rights Coalition, which pressured the State to retry the person who murdered Medgar Evers. He has worked for over twenty years organizing, directing, coaching, and mentoring youth through programs such as the Jackson Panthers Basketball Organization. He was also a devout member of Word and Worship Christian Church.

Prior to his election as Mayor, Mr. Lumumba served as Jackson City Councilman for Ward 2. Widowed by his late wife Nubia Alake, Mayor Lumumba was a loving and devoted father to his three children, Kambon Mutope, Rukia Kai and Chokwe Antar Lumumba. He was also the proud grandfather of Qadir Lumumba-Benjamin.

Mr. Speaker, I take great pride in recognizing Mayor Chokwe Lumumba as a bright, caring, and humble individual. I commend his outstanding and historical contributions to the City of Jackson, the State of Mississippi, the Civil Rights Movement, and national politics.

PERSONAL EXPLANATION

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. BOUSTANY. Mr. Speaker, due to inclement weather on the morning of Tuesday, March 4, my flight was unable to leave for Washington, DC, from Lafayette, Louisiana. Therefore, I was unable to return in time for votes. Had I been present to vote, my voting record would reflect the following: H.R. 3370—"yea"; H. Res. 488—"yea."

I also offer the following statement in favor of the Homeowner Flood Insurance Affordability Act:

I support H.R. 3370, responsible legislation keeping thousands of Louisiana homeowners from facing dramatic increases in their flood insurance premiums.

The National Flood Insurance Program must be financially sustainable and it is irresponsible for it to carry a debt of $24 billion.

However, we must find a balance between fiscal stability and punishing homeowners who followed the rules. This legislation brings fairness to homeowners and much-needed stability to the NFIP.

I am pleased this bill restores the grandfathering provision, the home improvement provision clause, and provides meaningful protection to Pre-Firm properties. I look forward to FEMA improving the flood mapping process to help inform the decision-makers in communities across America.

Local leaders must be vigilant in managing the growth of our neighborhoods in South Louisiana to ensure they are using the best available data to drive our zoning requirements, our building codes, and our insurance ratings.

Congress must remain engaged in its oversight of this program and its implementation in the years ahead. It must be committed to finding creative ways to further strengthen the NFIP without harming policy holders or the general public.

HONORING TORIN KOOS

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. REICHERT. Mr. Speaker, today I rise to honor an Olympic athlete from Washington State's 8th District, Mr. Torin Koos. Mr. Koos just returned from representing our nation in the XXII Olympic Winter Games in Sochi, Russia. Mr. Koos is an incredible athlete who has reached the pinnacle of his sport and competed in the Men's Sprint Free Qualification.

I applaud both his achievement and the hard-work and perseverance that paid off during these games. Simply to attend the Olympics is to be among an elite group of people. I thank Mr. Koos for representing America so well, and I am proud to call him a constituent and a Washingtonian.

RECOGNIZING THE ANNIVERSARY OF THE KHOJALY TRAGEDY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. SHUSTER. Mr. Speaker, Azerbaijan is a key strategic partner of the United States, and I am honored to be Co-Chairman of the House Azerbaijan Caucus. Azerbaijan has been a key ally in a post 9/11 era, emerging as one of the first countries to offer strong support and assistance to the United States.

I would like to take a moment to recognize the anniversary of the tragedy that took place in Khojaly, Azerbaijan, a town and townspeople that were destroyed on February 26, 1992.

We just marked the 22nd anniversary of that devastating and heartbreaking day. Sadly, today there is little attention or interest paid to the plight of Khojaly outside of Azerbaijan. However, one of our greatest strengths as elected officials is the opportunity to bring to light truths that are little known and command recognition. As a friend of Azerbaijan, I am proud to remind my colleagues that we must

never forget the tragedy that took place at Khojaly.

At the time, the Khojaly tragedy was widely documented by the international media, including the Boston Globe, Washington Post, New York Times, Financial Times, and many other European and Russian news agencies.

Khojaly, a town in the Nagorno-Karabakh region of Azerbaijan, now under the control of Armenian forces, was the site of the largest killing of ethnic Azerbaijani civilians. With a population of approximately 7,000, Khojaly was one of the largest urban settlements of the Nagorno-Karabakh region of Azerbaijan.

According to Human Rights Watch and other international observers the massacre was committed by the ethnic Armenian armed forces, reportedly with the help of the Russian 366th Motor Rifle Regiment. Human Rights Watch described the Khojaly Massacre as ''the largest massacre to date in the conflict'' over Nagorna-Karabakh. In a 1993 report, the watchdog group stated ''there are no exact figures for the number of Azeri civilians killed because Karabakh Armenian forces gained control of the area after the massacre'' and ''while it is widely accepted that 200 Azeris were murdered, as many as 500–1,000 may have died.''

Azerbaijan has been a strong strategic partner and friend of the United States. The tragedy of Khojaly was a crime against humanity and I urge my colleagues to join me in standing with Azerbaijanis as they commemorate this tragedy.

RECOGNIZING PAUL TAIT

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to Paul Tait on the occasion of his retirement from the Southeast Michigan Council of Governments (SEMCOG) after 42 years of dedicated service.

Paul attained his undergraduate and graduate degrees from the University of Michigan. He came to SEMCOG in 1972, and was named Executive Director of that organization in 1998. Under Paul's leadership, SEMCOG has used data and information to help make decisions resulting in literally billions of dollars in road, transit, and water infrastructure investment.

As important as data and information are to regional planning, local government actions are also critical. Paul recognized this and worked to give all communities—large and small—a voice in the process.

In a speech at the National Defense Executive Reserve Conference in 1957, President Eisenhower, who of course had served as Supreme Commander of the Allied Forces in Europe during World War II, made this remarkable assertion: ''Plans are worthless, but planning is everything.'' He went on to say that while there are indeed some immutable truths, most of what we confront in our daily lives changes over time. President Eisenhower's basic point was that we shouldn't put too much faith in static plans, but rather invest in planning that assumes that conditions will change.

Eisenhower's admonition is relevant because, for more than four decades, SEMCOG has been the regional planning partnership in Southeast Michigan. Over that time, our area has seen an astonishing amount of change. SEMCOG's task has been to recognize the changing circumstances and needs in our area—whether it's land use, transportation, air quality, water infrastructure, or economic development—and help our communities shape a regional public policy that is responsive and dynamic. Paul has played a key role in SEMCOG's work and effectiveness.

Among his many other accomplishments, Paul is the devoted husband of Chris. They have four children and six grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing Paul Tait for his leadership at SEMCOG and his commitment to the citizens of Southeast Michigan.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

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 $17,444,385,246,890.50. We've added $6,817,508,197,977.42 to our debt in 5 years. This is over $6.8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

U.S. POLICY TOWARD SUDAN AND SOUTH SUDAN

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. SMITH of New Jersey. Mr. Speaker, last week, I chaired a subcommittee hearing on U.S. policy toward Sudan and South Sudan. The hearing was very important, and not only because the United States Government has been involved in Sudan and its various crises for the past three decades. Many of us first became interested in Sudan in the 1980s because of the persistent reports of modern-day slavery, in which northern Arabs enslaved African southerners. My office helped to bring one of these unfortunate people to America for medical treatment after he was freed, and his story affected me deeply.

Ker Deng had been kidnapped into slavery while still a child, and while he was an adolescent, the man who held him in bondage rubbed peppers in his eyes, blinded him and later abandoned him. Ker is studying here in the United States thanks to his benefactor, Ellen Ratner, and is awaiting a second operation to help him recover at least some of his eyesight. How many other Sudanese will never have that opportunity or even achieve their freedom? For example, Ker's mother has never been freed from bondage.

We began supporting southern Sudanese efforts to end the oppression from the North in the mid-1990s. In 2005, we helped both North and South achieve the Comprehensive Peace Agreement, CPA, to end the long civil war and provide the steps for a mutually beneficial peace and productive coexistence. Unfortunately, the rebellion in the Darfur region distracted from efforts to fulfill that agreement.

Khartoum's alliance with the Janjaweed Arabs resulted in mass killings and displacement in Darfur. An estimated 1.9 million people were displaced, more than 240,000 people were forced into neighboring Chad, and an estimated 450,000 people were killed. At the time, Congress insisted that this was genocide. Eventually, the Bush administration concurred, but the United Nations declined to go so far in their terminology, calling what happened in Darfur ''crimes against humanity.''

A peace agreement between the main rebel force in Darfur and the Government of Sudan was signed in May 2006, but it did not last. In fact, no sustained agreement has been reached between the government and Darfur rebel groups—partly because these groups have continued to split and form offshoots, but also because the Khartoum government has not appeared willing to resolve the Darfur situation constructively. In June 2005, the International Criminal Court initiated an investigation that resulted in arrest warrants for Sudan President Omar al-Bashir and three other government officials and militia leaders. None of these warrants has been served, none of the four have been taken into custody and the Government of Sudan has refused to cooperate with the ICC.

Meanwhile, the CPA remained unimplemented. In January 2011, South Sudan, which had been a semiautonomous region of the country since the signing of the CPA, voted in a referendum on whether to remain part of Sudan or become independent. Having been marginalized and mistreated for decades, it was not surprising that southern Sudanese voted overwhelmingly—at the level of 98.8 percent—to become an independent nation. On July 9, 2011, South Sudan became the world's newest nation. However, these unimplemented elements of the CPA would bedevil the new country from its birth.

A referendum in the disputed Abyei region and consultations on the status of Sudan's Southern Kordofan and Blue Nile states were never completed. In May 2011, Sudanese armed forces assumed control of towns in Abyei, quickly forcing at least 40,000 residents to flee. Within weeks, fighting spread to Southern Kordofan and Blue Nile states, as Khartoum sought to crush the Sudan People's Liberation Army—North, which had fought with southerners in the North-South civil war. Northern attacks on residents in those three areas continue unabated.

Last year, Sudan and South Sudan engaged in a conflict over oil supplies from the South, involving allegations that Khartoum was undercounting the level of oil flow to cheat South Sudan, as well as the southern seizure of the oil town of Heglig. Again, this dispute was largely the result of unresolved issues from the CPA.

South Sudan continues to be engaged in a conflict that began last December, despite a cessation of hostilities agreement. Thousands have been killed and tens of thousands have been displaced. Exact figures are constantly shifting because this conflict continues. I will soon introduce a resolution offering a sequenced approach to reaching a lasting resolution to this newest crisis. This conflict also

is the result of too little attention paid to the warning signs because of preoccupation with one of the many crises in the two Sudans.

Over the last three decades, I and other committee and subcommittee chairs have held numerous hearings on Sudan—from the North-South civil war to the Darfur conflict to the fighting in Abyei, Southern Kordofan and Blue Nile to the current conflict in South Sudan. All this attention is more than justified, but our approach to addressing them has been intermittent. Too often, each crisis is seen as a problem unto itself, unrelated to other issues in these two countries.

In fact, successive administrations and Congresses, advocacy groups and humanitarian organizations have focused so much on individual crises and issues that no one has created a panoramic view which shows how all these individual crises interrelate with each other. This ''stovepiping'' of government policy and public attention has meant that long-term solutions have been neglected while short-term eruptions have had to be dealt with. In reality, the two Sudans are inexorably linked and no crisis in either can be resolved successfully without taking into account the entire Sudan-South Sudan panorama.

We must end this cycle of myopic policy formulation based on the crisis of the moment and adopt a long-term, holistic vision of what the best interest of the people of Sudan and South Sudan demands—indeed, what would be in the best interest of the entire region.

As we learned in our subcommittee hearing on the Sahel crisis last May, Islamic extremists have their sights set on making inroads wherever there is conflict, across the belt of Central Africa stretching from Senegal to Sudan and beyond. Continuing unrest in the two Sudans only serves to provide training grounds or bases of operation for terrorists. Hardened ethnic conflict can spread to long-term enmity that no peace agreement alone can resolve. Hopefully, this will not be the case in South Sudan, but that conflict is headed in that ominous direction.

Two years ago, I held a meeting in my office with representatives from Sudan's Nubian, Darfuri, Beja and Nuba communities, who all believe that Khartoum is engaged in a long-term effort to exterminate non-Arab Sudanese. Have we missed such a pernicious campaign while hopping from one crisis to another as each appeared?

The purpose of last week's hearing was to examine current U.S. policy toward Sudan and South Sudan to see how we can unify our policy in order to more effectively end long-running tragedies that appear get worse despite all the busy attention to which we pay them. This involves more than what the Department of State and other executive agencies do, or even what support Congress can provide. Advocacy and humanitarian organizations also must join government in seeing the forest and not just the trees, so to speak.

We must develop, support and implement policies toward Sudan and South Sudan that make sense in the long term and not just produce temporarily satisfying peace accords that have no sustainability. Peace and prosperity for both countries are linked, and we must act accordingly. The hearing, we hope, will serve to highlight what must be done.

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2014

SPEECH OF

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 2014

Ms. CASTOR of Florida. Mr. Speaker, I rise to urge all of my colleagues to pass H.R. 3370, the Homeowner Flood Insurance Affordability Act.

If this bill passes we will keep middle class families in their homes, bring relief to our local economy and provide needed reliability to middle class friends and neighbors.

Since November 2013, I have urged action on flood insurance on every bill that moved through the Rules Committee to the floor of the U.S. House.

Families who were facing massive flood insurance premium increases will now be able to breathe easier. The reforms will help ensure that flood insurance will be there in times of disaster.

This legislation allows individuals purchasing covered homes to also assume the predetermined rates and restores grandfathered properties under prior law so that owners would pay rates applicable to the original flood risk.

We have learned that we must keep a close eye on FEMA and flood maps and this legislation gives us more tools to do so. I credit the outcry many of our neighbors, realtors, chambers of commerce and others who helped focus the pressure on the Republican leaders in Congress to act.

This has been an anxious time for homeowners, but the immense pressure by families and the business community on the House GOP was an effort that paid off. This Congress has an unfortunate reputation for not addressing the challenges that middle class families face. Today, we can come together to do just that.

I thank my Florida colleagues who worked in a bipartisan manner to bring relief to more than two million National Flood Insurance Program policyholders in our state and I urge a ''yes'' vote on the bill.

100TH ANNIVERSARY OF THE NATIONAL COOPERATIVE EXTENSION SERVICE

HON. JASON T. SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the 100th Anniversary of the National Cooperative Extension Service. The Smith-Lever Act of 1914 created this educational partnership which began between the U.S. Department of Agriculture and the nation's land-grant universities. The Cooperative Extension Service grants state universities funds to produce significant research which is available for the use of the public across the nation. In addition, research based education programs have improved the lives of many through the advancements made in farming, business, health services, and emergency management.

In the Show-Me State, the Missouri Extension Services have been fundamental to community development. Nearly seventy percent of Missouri's taxpayer funded research is produced by the land grant universities. This information is used to enhance vital industries like agriculture, business, and healthcare. The state of Missouri has benefitted immensely through the active role of the Extension programs which equip our communities with vital information and educational programs.

For the advances made possible in Missouri and across the nation by the Cooperative Extension Service, it is my pleasure to recognize the 100th Anniversary of the National Cooperative Extensions in the House of Representatives.

UNITED STATES-ISRAEL STRATEGIC PARTNERSHIP ACT OF 2014

SPEECH OF

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 2014

Ms. FRANKEL of Florida. Mr. Speaker, anyone who turns on the news for even a few minutes will see our good friend Israel in a region of chaos and unrest.

War in Syria—with refugees pouring into Turkey, Jordan, and Lebanon. Violence in Iraq. Upheaval in Egypt. And of course, the threat of nuclear advancement in Iran.

And yet, Israel remains a strong, stable, and reliable ally.

More than ever, we must do all we can to strengthen our critical relationship.

H.R. 938, the United States-Israel Strategic Partnership Act of 2013, will do just that.

It designates Israel as a ''major strategic partner'' and increases our mutually beneficial cooperation in the areas of energy, science, water, agriculture, alternative fuel technologies, and homeland security.

At a time of deep political division in Congress, this bill has across the board support, with 351 cosponsors, a reflection that our alliance with Israel is rooted in shared national interests, common values of democracy and freedom, and a recognition that the same forces threatening Israel also threaten the United States.

I urge my colleagues to join me in supporting H.R. 938.

NAGORNO KARABAKH ANTONOMOUS REGION OF AZERBAIJAN

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Ms. CHU. Mr. Speaker, twenty-six years ago, the Nagorno Karabakh Autonomous Region of Azerbaijan petitioned to become part of Armenia. Their desire to determine their own future was met with brutal force and violence that was tragically reminiscent to events preceding the Armenian Genocide.

For the next two years, the Armenian population was the target of racially motivated pogroms. Hundreds were murdered, many more were wounded, and the Armenian community still grapples with the scars from the horrific attacks in Sumgait, Kirovabad, and Baku.

On February 20, 1988, Nagorno Karabakh began its national liberation movement with a resolution to secede from Azerbaijan, and on December 10, 1991, Nagorno Karabakh officially declared independence, becoming a democratic state committed to freedom and respect for human rights. But today, the people of Nagorno Karabakh are still forced to live under the constant threat of violence from Azerbaijan.

As we commemorate the somber anniversary of the beginnings of their struggle, we wish for the peaceful resolution of this conflict and the right of the Nagorno Karabakh people to determine their own future.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. GERLACH. Mr. Speaker, unfortunately, on February 25, 2014, I missed two recorded votes on the House floor. Had I been present, I would have voted ''yea'' on rollcall 63 and ''yea'' on rollcall 64.

TRIBUTE TO L. TOM BULLA

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the career and contributions of Mr. L. Tom Bulla, upon the occasion of his receipt of the Shepherd Center of Greenbrier Valley's Community Service Award. Mr. Bulla's work ethic and volunteer spirit are truly deserving of this award, as he has proudly served communities, both in his professional and private life.

Tom began his career in 1962 and worked diligently to build a solid reputation as a credible leader in the North Carolina and Virginia banking communities. In 1981, he was hired as president, CEO, and director of Huntington Trust and Savings Bank in West Virginia. In 1985, Tom oversaw the successful merger of Huntington Trust with the First Huntington National Bank. Shortly thereafter, his services were requested at Charleston National Bank, where he would serve as president and CEO, and again direct the merger of two West Virginia banks; Charleston National with Bank One, in 1993. A year later, Tom accepted a position as president, CEO, and director of First National Bankshares Corporation and The First National Bank in Ronceverte, West Virginia. Tom was very active in the West Virginia Bankers' Association, serving both on its Board of Directors and as its Chairman from 1996 through 1997. Additionally, Tom was selected by his colleagues to serve on the Federal Home Loan Bank of Pittsburgh's Board of Directors from 1997 until 2000.

Tom's career shepherded him into public service with an appointment from Governor JOE MANCHIN as the state's first Secretary of Commerce, where he successfully managed the consolidation of seven government agencies.

As impressive as Tom's achievements in banking and the public sector have been, his contributions to our communities are equally impactful. Tom dedicated his time and energy to numerous nonprofit agencies including the Clay Center for the Arts and Sciences, Tamarack Foundation, United Way of West Virginia, Hospice, Charleston Area Medical Center, and the American Cancer Society. He served on the Lewisburg Building Commission, West Virginia Education Fund, YMCA Spirit of the Valley, and the West Virginia Economic Development Authority, along with a host of other valuable community and state organizations. And lastly, the Shepherd Center of the Greenbrier Valley, who is honoring him with its Community Service Award for Tom's fulfillment of its three tenets: lifelong learning, service to others, and spiritual growth.

Tom Bulla resides in Lewisburg, West Virginia with his wife, Nancy. Known affectionately as ''Papa'' or ''Papa T'' by his grandchildren, Tom enjoys spending time with his extended family and his lifelong love: automobiles.

Mr. Speaker, the State of West Virginia, our communities, and indeed, the United States of America owe Tom Bulla a debt of gratitude for his many years of distinguished service in his professional and personal life. I am honored to call him a friend and fellow West Virginian.

THE IMPORTANCE OF WOMEN PARTICIPATING IN A PEACEFUL RESOLUTION TO THE CONFLICT IN SYRIA

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. SIRES. Mr. Speaker, this month marks the 3 year anniversary of the conflict in Syria. This conflict is destabilizing the region and has created the largest humanitarian crises we have ever seen. Over 100,000 people have already been killed and 9 million people are currently in desperate need of humanitarian assistance. 3 million people are in hard to reach areas and over 250,000 people have been cut off from assistance for over a year. The UN has characterized the situation as ''dramatic beyond description.'' There have already been multiple failed attempts at peace-talks and cease-fires. The international community and Syrian forces must come together to find a long over-due peaceful agreement and end these inhumane and debilitating acts of violence.

As we celebrate International Women's Day on March 8th, 2014, there is no better time to recognize the role of women in these protracted conflicts. They are not just the victims of violence; they are the resilient leaders working tirelessly to keep their families safe. Women leaders, who are pushing for peace can help further peace negotiations, understand a country's needs for an inclusive transition process and put Syrians on a path to reconciliation.

While we continue to search for solutions, the United States joined by the rest of the world must do all it can to have an inclusive peace process that alleviates the tremendous amount of suffering being inflicted on Syria's civilian population.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Tuesday, March 4, 2014.

Had I been present, I would have voted ''yea'' on rollcall vote 91 in support of passage of the Homeowner Flood Insurance Affordability Act of 2014.

Had I been present, I would have voted ''yea'' on rollcall vote 92 in support of H. Res. 488 supporting the people of Venezuela. The Venezuelan people have the right to protest peacefully without fear of violence or intimidation.

THE 25TH SILVER ANNIVERSARY OF THE CONGRESSIONAL BLACK CAUCUS VETERANS BRAINTRUST

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Ms. BROWN of Florida. Mr. Speaker, I rise to commemorate March 5, Boston's Crispus Attucks Day, and to celebrate the 25th Silver Anniversary of the Congressional Black Caucus Veterans Braintrust which took place this past September within a truly unique historical and contemporary context of Black, or African American military service and sacrifice. First, a series of national commemorations: the 200th anniversary of the War of 1812, the 150th anniversary of the Civil War to Save the Union and End Slavery, the 100th anniversary of the death of Harriet Tubman, known as ''The General,'' the 90th anniversary of the burial of Col. Charles Young, the third black graduate from West Point, the 70th anniversary of the D-Day Invasion, the 60th anniversary of the Korean War, the 50th anniversary of the assassination of Medgar Evers, World War II veteran and Civil Rights Hero, 50th anniversary of the Vietnam War, and the 12th anniversary of 9/11; and second, amid the drum beat of war, with the U.S. threatened bombing of Syria, the senseless violence of Aaron Alexis and the Washington, DC, Navy Yard shooting rampage, and the battle of the budget, or yet another governmental shutdown on October 1st, affecting more than 800,000 employees at a cost of $25 billion. According to the U.S. Office of Personnel Management, a disproportionate number of the furloughed federal workers were Black, or African American, who made up 17.7 percent of the workforce.

Chaplain Michael McCoy, Sr., provided the Veterans Braintrust forum's invocation and benediction because we know from experience that Washington forums that start with an invocation and end with a benediction are blessed occasions. Welcoming remarks were given by Representatives CHARLES RANGEL (NY–13), SANFORD BISHOP, Jr. (GA–02), EDDIE BERNICE JOHNSON (TX–30) and myself. With Representative SANFORD BISHOP, Jr. speaking in his role as the Ranking Democrat on the House Appropriations Subcommittee on Military Construction and Veterans Affairs, and as

Co-Chair of the bi-partisan Congressional Military Family Caucus expressing a keen awareness of the dangers sequestration and furloughs are having on our nation's servicemembers, military families, and veterans, and further reductions to the active-duty Army, National Guard and the Army Reserves. In addition, as the representative in the U.S. House for Fort Benning, the third largest Army Base in the country where sequestration will have a dramatic impact on the soldiers, their families, and the Columbus, GA, community. Further, he emphasized, if sequestration goes forward, the Army will reduce over 210,000 soldiers to meet their budgetary requirements. Afterward Members were called away to the Capitol to talk on the floor and vote on the budget, and the forum was turned over to moderator Ron E. Armstead, Executive Director. Yet the forum remained well attended, powerful, and there was a tremendous amount of energy in the room.

The keynote address was given by the first African American to obtain the rank of Three Star Admiral in the U.S. Coast Guard, Admiral Manson K. Brown, a native of Washington, DC, who brought greetings from the 24th Commandant of the U.S. Coast Guard, Admiral Robert J. Papp, Jr. As Commanding Officer of Coast Guard Headquarters he asked all veterans to stand and be recognized, and to let our Navy friends, colleagues and family members know that our thoughts and prayers continued to be with them over the tragic loss of so many lives at the Washington, DC, Navy Yard. Adm. Brown went on to say the key objective during the sequester has been to preserve the ability of the Coast Guard to meet the highest priority mission activities, including search and rescue, critical security operations, and emergency response. In addition, he pointed out that as part of Adm. Papp's commitment to support the President and First Lady's efforts to strengthen military families over the last three years, the Coast Guard has strengthened their military housing program, enhanced child development services, and improved communications between operational commanders and families by strengthening their Ombudsman network. They also launched a military family campaign, bringing a specific focus to strengthening their linkage with retirees, over the year, in order to create a vibrant national retiree network as a way to enhance outreach to Coast Guard veterans at large. In short, he reported that the Coast Guard as a military service is managing through sequestration and shielding the impacts where they can for military families and veterans. However, this is a delicate balancing act based on tough choices that senior Coast Guard leaders must make between military families and veterans, or non-mission-critical training, air and surface operations reductions, ships, aircraft and shore facilities deferred maintenance, as well as personnel staffing and travel cuts. In closing, Admiral Brown said, ''In terms of today's important Congressional budgetary discussions, this situation bears watching into an uncertain future.''

The keynote address was followed by two very special presentations. The first recognized Harlem's own, the late Dr. Joseph Warren, a gifted scholar, teacher and leader who inspired many. Second, the Montford Point Marines Associations recognized my efforts in the 2012 awarding of the Congressional Gold Medal, including Rebecca Lungren of 69 Productions for the upcoming Montford Point Marines movie ''Black Boots.''

Our distinguished panel consisted of Keith Miller, President, Foundation for Advancement in Science and Education (FASE); Dr. Mike Haynie, Executive Director and Founder of the Institute for Veterans and Military Families (IVMF) at Syracuse University; Darlene Young, National President of Blacks in Government (BIG); Col. Kevin Preston, USA, Ret., Director of the Veterans Initiative for the Walt Disney Company/ESPN; Lewis Runnion, Director of the Military Affairs Advisory Group at Bank of America (BOA); Mayor Setti Warren of Newton, Massachusetts, Chairman of the Community Development and Housing Committee, U.S. Conference of Mayors; Mike Betz, General Manager, Military Student Initiatives, Education Corporation of America (ECA); Edward Jennings, Jr., U.S. Department of Housing and Urban Development, Southeast Regional Administrator; John Moran, Deputy Assistant Secretary, U.S. Department of Labor Veterans Employment and Training Service (VETS); Everett Kelley, National Vice President for the American Federation of Government Employees (AFGE); and Dr. Shelley MacDermid Wadsworth, Director, Military Family Research Institute and Center for Families at Purdue University. Their presentations were lively and moving, but also very informative and focused to the point, thus holding the audience to the end and well worth it.

Mr. Miller read a statement about DC resident Shirley Gibson, a real hero. She and other critical incident stress management team members, along with rescue workers, put their health on the line in the aftermath of New York City's 9/11 tragedy, and were later helped by an innovative detoxification treatment that was made available to them. Such innovative treatments as this rely on research funding. Unfortunately such funding is often the first to go when there are budget cuts. Consequently, sequestration is a threat to both the quality of life and health of our veterans.

Dr. Haynie commented on the applications of sequester, and more broadly programmed reductions in federal spending, as the reductions are positioned to impact the employment situation of our nation's veterans and their families. To begin, one of the most immediate consequences of sequester for veterans is the fact that 27.3 percent of the federal workforce is composed of military veterans, many of which will more than likely be furloughed. The DoD workforce will be particularly impacted, as it will sustain approximately 52 percent of the total planned budget cuts. 44 percent of the DoD workforce are military veterans—which speaks volumes about the potential effects on our military readiness, due to the resulting loss of valuable knowledge, skills and experience. In the end, adding veterans currently employed by the federal government to the ranks of the nation's unemployed is positioned to potentially overwhelm supportive services and community-based infrastructure already strained by limited resources. Research also suggests that many of our military and veterans families are already economically vulnerable, and in the face of Congressional budget battles those families are likely to become ''collateral damage'' of sequester—an indiscriminate and ill-conceived approach to addressing the Nation's fiscal challenges.

Retired Army Colonel Preston commented that our nation's veterans represent a value-added proposition for the business community, and hiring a veteran is not only the right thing, but also a smart business decision. Also when considering a veteran, do not fixate on their military rank, or job title—instead, view their attributes. Equally important, realize they are coming from a very different culture, have convertible task-oriented skill, years of leadership experience, a code of ethics, and winner's attitude. Moreover, our nation's veterans represent our society's best, so ''hire a vet.''

Mr. Runnion described how Bank of America's (BOA) Military Affairs Advisory Group was formed to bring together partners from across the company to help service members reintegrate into the civilian workforce through education, employment, wellness and housing. Additionally, how BOA supports our nation's active-duty military and veterans in three major areas: (1) Recruiting and Employment, (2) Customer Support, and (3) Community Outreach. One specific example he shared was BOA's three-year commitment to make up to 1,000 properties available to military veteran support organizations and other non-profit, community-based groups, which provide housing to military veterans and their families. Again, he reasserted, BOA has supported the U.S. military for more than 90 years, by contributing to military non-profits, providing banking services to military service members, and recruiting and retaining military veterans, Guard and Reservists, and military spouses.

Mayor Warren cited the U.S. Conference of Mayors Hunger and Homeless Survey (December, 2012), sharing excerpts from the executive summary—lack of affordable housing as a leading cause, followed by poverty, unemployment, evictions and violence. In addition, he discussed sequestration's impact on U.S. cities at the local level. While pointing out that cities are the laboratories of innovation, and along with their surrounding suburbs represent 90 percent of the nation's wage and salary income, which drives the national economy. Subsequently, 163 mayors have signed the U.S. Conference of Mayor's letter expressing opposition to sequester cuts that will deeply impact cities, for example, Community Development Block Grants (the largest and most flexible stream of federal dollars to cities and municipalities), particularly in addressing the needs of homeless veterans and homeless veterans supportive services organizations, now, and leading up to 2015, or President Obama's promise to end chronic homelessness among veterans.

Mr. Betz, discussed today's trends in education, as a result of troop drawdown and increased separation from the military. First, at a time when overall educational enrollment is declining, student veteran enrollment continues to increase. Second, additional assistance and coordination with the private employment sector is needed to insure employment opportunities for our transitioning student veterans where they may provide adequately for their families. Third, he cautioned against our growing regulatory environment, which threatens to restrict awareness and access to training for our transitioning veterans and limits institutional choice.

Mr. Kelley, an Army veteran stressed how AFGE's members know firsthand the pain that sequestration and furloughs inflict on lower wage federal workers and their families. Stating ''the current assault on federal employers is one of the most vicious we have ever seen.

We all know the real agenda behind sequestration and reduction in force: weakening government programs that try to level the playing field for the other 99 percent.'' Further, for the past five years, the VA has targeted low wage positions filled primarily by minorities, veterans, the disabled and women for ''reclassification.'' Or those positions that Congress created after the Vietnam War to provide entry-level job opportunities for disabled veterans. Similar, to broader-based budget cuts at other federal agencies under sequestration, VA's downgrading initiative is both arbitrary and vicious. Furthermore, we still have a great deal of work to do to fulfill President Obama's mandate in Executive Order 13518 to make federal government the leader in creating new job opportunities for veterans. Veterans comprise nearly 42 percent of DOD's workforce, nearly 25 percent of Homeland Securities workforce, and nearly 28 percent of VA's workforce. In conclusion, he said, ''we need to find a solution to the sequester, and not hold our military and their civilian supporters hostage.'' That is why AFGE is supporting HR 2785 introduced by Congressman TIMOTHY WALZ (MN–01), to expand veterans preference rights for reservists, and for employees of the VA health care system who do not have title five appeal rights.

And Dr. MacDermid Wadsworth, reiterated, African Americans comprise a significant percentage of service members and veterans, and have fought for the right to fight. And there is solid scientific evidence that shows the military has provided an environment for African American service members and their families that allows them to avoid some of the significant inequities that plague civilian society. For example, in civilian society, Black men are far less likely to marry and far more likely to divorce than their white counterparts. In the military, these differentials disappear, largely because economic resources are less likely to be tied to race. The military has also provided career opportunities and resources for single parents, ensuring that their children have access to health care and childcare—something their enlisted parents would have great difficulty obtaining in the civilian labor force with just a high school education. Moreover, she said, the sequester and the military drawdown pose a number of significant challenges.

First, the sequester has had a cascading effect on family support in DOD. Because the rules of the sequester limit the ways that DOD can implement reductions, the pressure to cut programs that help to minimize the corrosion that military service can impose on families is especially intense. The furlough's have effectively reduced much of the workforce by 20 percent, and prevented the replacement of departing workers. For example: 30 percent of family support positions in the Army are currently unable to be filled.

Second, the sequester is causing reductions that may be disproportionately hurtful to the programs that prevent and reduce child maltreatment, interpersonal violence, and other important family-related issues.

Third, the drawdown will pose difficult challenges in terms of reducing military opportunities in the future for African Americans to pursue careers in an environment free of many inequities we have been unable to erase in civilian society. Careers already underway will be cut short. The black service members who are unwillingly sent to the civilian job market will need much more special assistance to ensure that they find jobs and/or positions that maintain their present trajectories.

A fourth challenge that is in part an artifact of the sequester and in-part a result of the always-evolving diversity of families, especially now that it is clear that marriage is an imperfect way to define military families. Because it doesn't address the families of single service members whose parents, or sibling may constitute their primary support system, and it doesn't address committed partners who are unmarried. In this period of financial constraint, it might be tempting to forget about families. But every First Sergeant knows that families are key in the minds of service members, families are who they worry about while they serve, families make it possible for them to serve, families support them while they serve, and families care for them when they come home, especially when they are wounded or injured. Consequently, families are far too important to ignore, but she feels that is what could happen because of the perfect storm of sequester and policy complexities.

The question and answer period provided the attendees a long awaited opportunity to both comment and ask questions of the panelist.

While the government shutdown lasted 16 days, five fewer than in 1995—the budget battles, partisanship, gridlock and Congressional inaction have left many Americans confidence shaken with respect to the government according to several recent polls. American trust in government, and belief that it can solve pressing problems is at an all-time low. However, despite highly negative views of government, particularly Congress, according to Representative SANFORD BISHOP, Jr., the recent veterans unemployment rate, the lowest since 2001, tells a very different story. Post 9/11 veteran's unemployment is now below the national average, and for the first time since 2001 veterans are being hired at a faster rate than non-veterans. This improvement demonstrates that when Congress works together for a common cause we can make a difference.

The 25th silver anniversary gala reception and awards ceremony was held in veterans hearing room 334 of the Cannon House Office Building, and consisted of both church, and club music. Church in terms of the fellowship, spiritually uplifting and awe inspiring presentation of special Congressional Awards to Sgt. James Guilford, Jr., USA, WWII (102 years old); Kenneth Guscott, U.S. Army Air Force, WWII; Hon. Federal Judge George Leighton, Ret., USA, WWII (100 years old); Dr. Rodney Atkins, Co-Chair, Annual Texas African American Soldiers Recognition Day; Johnnie Collins, Jr., Executive Director, AMVETS, Department of DC; James ''Jack'' Hadley, Founder & Curator of the Jack Hadley Black History Museum; Chaplain Michael McCoy, Sr., National President of the Military Chaplain Association & Associate Director Diversity Development, U.S. Department of Veterans Affairs; Philadelphia City Councilwoman Jannie Blackwell, Widow of Hon. Lucien Blackwell (PA–02), a decorated Korean War veteran, Ari Merretazon, 1st Vice President of Pointman Soldiers

Heart Ministry & 2012 Black Male Engagement (BME) Leadership Award Winner for Veterans Community Development, Rev. Marsena Mungin, Commissioner of Women at Veterans Are Still Warriors, Veterans Serving Veterans, Inc., Ervin ''Tootsie'' Russell, USA, Vietnam veteran, AMERICAL Division. Posthumous: Capt. William Cooke, USA, WWII; John D. O'Bryant, USA; Dr. Jay Carrington Chunn, II, USMC; Eddie Lee Washington, USA, an accomplished musician & educator and Sgt. John Wesley Motley, Jr., USA, Korean War. Historic Groups, and Film: the Crispus Attucks Museum of Indianapolis, Jack Hadley Black History Museum in Thomasville, GA, and the film ''Veterans of Color,'' produced by the Manasota Branch of the Association for the Study of African American Life and History (ASALH) in Florida, and music culminating with Ray Charles soulful rendition of ''America the Beautiful.''

Equally important, our once in a lifetime awards guest speaker was none other than Dr. Mark Attucks, the fifth generation descendant of Crispus Attucks, the first American martyr to die during the Boston Massacre on March 5, 1770, a prelude to the American Revolution, accompanied by his father Jesse Attucks, Jr., a decorated U.S. Marine who served in Vietnam. His ancestor was the first of more than 5,000 African American Patriots who served our country in the Revolutionary War. In 1888, a monument was built to honor his forefather and the events of that fateful day in our nation's history. The following poem was written and read at the dedication ceremony by John Boyle O'Reilly.

''Where shall we seek for a hero, and where shall we find a story?
Our laurels are wreathed for conquest, our songs for completed glory; But we honor a shrine unfinished, a column with pride,
If we sing the deed that was sown like seed when Crispus Attucks died.

''Honor to Crispus Attucks, who was leader and voice that day
The first to defy, and the first to die, with Maverick, Carr and Gray
Call it riot or revolution, his hand first clenched at the crown
His feet were the first in perilous place to pull the King's flag down
His breast was the first one rent apart that liberty's stream might flow
For our freedom now and forever, his head was the first laid low
Call it riot or revolution, or mob or crowd, as you may
Such deaths have been seed of nations, and such lives shall be honored for aye.''

In 1998, the U.S. Mint authorized a commemorative silver dollar honoring Crispus Attucks and the Black Revolutionary War Patriots. However, two little known facts standout: First, his name Attucks does not have any European roots. Simply speaking the current spelling is not a ''slave'' name. Second, from the American Revolution to the present day an Attucks has served in the military, fighting for America's freedom, making Attucks the nation's longest serving military family.

Lastly, special 25th Silver Anniversary thank yous go to Dr. Frank Smith, Jr., Dr. William Lawson, Dr. Donna Holland Barnes, Shannon Gopaul, Clyde Sims, Jr., James Gordon, Jr., Charles Henderson, Edward Daniels II, Lela Campbell, Carolyn Williams, Rev. Marsina Mungin, Cathy Santos, Chaplain Michael McCoy, Sr., Ralph ''Coop'' Cooper, Ernest Washington, Jr., Anthony ''Tony'' Hawkins, Clarence ''Tiger'' Davis, LeRoy Colston II, Thomas ''Tom'' Harris, Mildred ''Milli'' Smith,

Morocco "Roc" Coleman, Robert "Big Bob" Blackwell, Cheryl Holland-Jones, the Educational Corporation of America (ECA), T. Michael Sullivan and the William Joiner Institute for the Study of War and Social Consequences, and Congressional staff members Ronnie Simmons, Lee Footer, Stephanie Anim-Yankah, Jonathan Halpern, Adam McCombs, George Henry, Hannah Kim, and Reba Raffaelli.

Congratulations on 25 years, during which the journey has been the destination.

PERSONAL EXPLANATION

HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. CASTRO of Texas. Mr. Speaker, on rollcall No. 91 on H.R. 3370, Homeowner Flood Insurance Affordability Act of 2013, I am not recorded. Had I been present, I would have voted "yea."

CONGRATULATING THE MINORITY BUSINESS DEVELOPMENT AGENCY ON ITS 45TH ANNIVERSARY AND THE OPENING OF MBDA BUSINESS CENTER AT HOUSTON COMMUNITY COLLEGE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Ms. JACKSON LEE. Mr. Speaker, I rise today to congratulate the Minority Business Development Agency, MBDA, on its 45th anniversary and commend its commitment and success in promoting the growth and competitiveness of a critical segment of the U.S. economy, the minority business community. For the past 45 years, the MBDA has provided an essential service to this nation, working to level the playing field for minority-owned businesses.

The results speak for themselves. At the time of MBDA's creation there were only 322,000 minority-owned firms in the nation. Today, the number stands at 5.8 million; 215,000 of which are in the City of Houston. Over the last five years in particular, the MBDA has assisted firms gain access to over $19 billion in contracts and capital resulting in the creation and retention of nearly 60,000 jobs.

Today, the MBDA is celebrating this day in my district by launching a new MBDA Business Center at Houston Community College, which was awarded a three-year $900,000 grant to operate the MBDA Business Center. HCC's MBDA Business Center will help boost job creation and global competitiveness of minority-owned businesses across the nation. I look forward to continuing to work with MBDA and Houston Community College to create jobs locally so that we may thrive globally.

Congratulations, MBDA, on 45 years of great work. May the next 45 years be even better.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 85, I was unable to attend the vote. Had I been present, I would have voted "no."

HONORING PATRICK DENEEN

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. REICHERT. Mr. Speaker, today I rise to honor an Olympic athlete from Washington State's 8th District, Mr. Patrick Deneen. Mr. Deneen just returned from representing our nation in the XXII Olympic Winter Games in Sochi, Russia. Mr. Deneen is an incredible athlete who has reached the pinnacle of his sport and achieved a well-deserved 6th place finish in the Men's Moguls event.

I applaud both his achievement and the hard work and perseverance that paid off during these games. Simply to attend the Olympics is an honor, and to do so well is a testament to everything Mr. Deneen has accomplished. I thank him for representing America so well, and I am proud to call him a constituent and a Washingtonian.

HONORING THE LIFE AND LEGACY OF DR. BENJAMIN J. LAMBERT III

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor the life and legacy of my friend and former colleague in the Virginia General Assembly, Dr. Benjamin J. Lambert III, who passed away on Sunday, March 2, 2014.

Benny, as he was affectionately known by his friends, family, and constituents, was a pioneering figure in Virginia politics. We were both elected to the Virginia House of Delegates in 1977. In 1980, Benny became the first African American elected to represent the Commonwealth on the Democratic National Committee. In 1985, he was elected overwhelmingly to fill the seat vacated by then-Lieutenant Governor Doug Wilder. During my time serving alongside Benny, I always admired his ability to build strong relationships with his colleagues, work across the aisle, and take the tough positions that were not always politically popular but were the ones he believed were right for his constituents.

Benny was born in Richmond on January 29, 1937 to Frances and Benjamin J. Lambert, Jr. He attended Henrico County Schools at a time when they were still racially segregated. He graduated from Virginia Randolph High School in Glen Allen, just outside of Richmond. He went on to earn his undergraduate degree from Virginia Union University, and his graduate degree from the Massachusetts College of Optometry. After graduate school, Benny returned to Richmond and practiced optometry in the Jackson Ward neighborhood. He was an active member of the Virginia, National and American optometric societies and was chosen as Virginia's Optometrist of the Year in 1980.

Benny came to the Virginia General Assembly after years of political and civic activism, which helped him to become a very influential and effective legislator during his 30 year tenure. He severed on several committees in the General Assembly, including Education and Health, General Laws, Privileges and Elections, General Government, and Health and Human Resources. He also has the distinction of being the first African American in the 20th century to serve on the Virginia Senate Finance Committee.

Additionally, he chaired the Subcommittees on Higher Education and General Government, the Brown v. Board Scholarship Commission, and the Lead Abatement Subcommittee. Benny also served as a member of the Joint Commission on Health Care, the Joint Subcommittee Studying the Election Process and Voting Technologies, the Dr. Martin Luther King, Jr. Memorial Commission, the Commission on State Employees Health Benefits Reform, and the Virginia Legislative Black Caucus. In 2010, Governor Bob McDonnell appointed him vice chair of the Commission on Government Reform and Restructuring.

Outside of government, Benny had a very active civic life. He was a member of the NAACP, the Richmond Crusade for Voters, the Jackson Ward Civic Association, the Richmond Jaycees, the North Richmond YMCA, and he served on the board of his alma mater, Virginia Union University. Benny was also an active member of Omega Psi Phi Fraternity, Inc.

Benny devoted his career in and out of public service to the citizens of Richmond and Central Virginia, always doing what he thought was best for his community, regardless of the political consequences.

Mr. Speaker, words alone cannot express the tremendous loss to the Richmond community and the Commonwealth of Virginia with Benny's passing. Benny Lambert was a humble optometrist that achieved so much on behalf of his community during his 77 years of life. My thoughts and prayers are with Benny's wife Carolyn, his children and grandchildren, and his many friends and admirers during this difficult time.

RED BANK ELEMENTARY SCHOOL BUSINESS MENTOR PROGRAM

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. WILSON of South Carolina. Mr. Speaker, The American Dream is attainable with hard work and dedication. South Carolina is very fortunate to have devoted teachers who dedicated to helping every child succeed. This week, a group of teachers and students from Red Bank Elementary School in Lexington, South Carolina, are visiting Washington to see the government at work. I am very proud of this group of young people, as they are dedicated to achieving a bright future by participating in their school's Business Mentor Program.

The Red Bank Elementary School Business Mentor Program engages children in learning by connecting them with local mentors affiliated with businesses in the Midlands community. Leaders from Michelin Tire Corporation, Lexington Medical Center, Prysmian Group, Riverbanks Zoo and Botanical Garden, and he South Carolina State Museum have impacted close to 150 students over the past three years. By connecting the skills each student learns in the classroom to a professional environment, these bright children are given the opportunity to chase their dreams.

As a member of the House Education and the Workforce Committee, I am encouraged by the opportunities these young students are able to enjoy and appreciate the business mentors for contributing to their future.

RECOGNIZING THE 125TH ANNIVERSARY OF THE PENSACOLA NEWS JOURNAL

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the 125th anniversary of the Pensacola News Journal. During its incredible 125 year history, the News Journal has been an invaluable resource for the people of Pensacola and Northwest Florida, and we are proud to have such a first-class newspaper in our community.

In 1889, two local newspapermen, John O'Connor and John C. Witt, gathered support from the local business community to start a daily morning paper. The paper, originally known as the Daily News, was first published on March 5, 1889, with a staff of ten people working to write and produce the paper in downtown Pensacola. The newly created paper quickly began to flourish and within a decade had a daily circulation of more than 1,500. Thanks to the success of the Daily News, a rival paper, the Pensacola Journal was started by M. Loftin in March 1897. The following year, the Pensacola Journal became a daily and began directly competing with the Daily News through publication of a highly regarded afternoon daily.

For more than two decades, these two competing papers fought to expand their reach in the growing Pensacola community. While this fierce competition raised the quality of both papers, it also required constant innovation and expansion, leaving them both in precarious financial shape. In 1922, John H. Perry, a Kentucky native, arrived in Pensacola and decided to purchase the Pensacola Journal. Two years later, he purchased the Daily News and merged the two publications to under the News-Journal Company umbrella.

With the reporting resources of both papers now working together and the business acumen of the News-Journal Company leadership, the two papers began an era of unbridled growth and expansion. The News-Journal Company moved to a new larger location in downtown Pensacola; however, because of the meteoric growth of the papers, they quickly outgrew this location and began plans for further development. In order to meet the needs of this growing company, the News-Journal Company funded the creation of an entirely new street in downtown Pensacola, which was given to the City of Pensacola at no cost to the taxpayer.

With the space available in its new location, the News-Journal Company constructed one of the most modern and advanced newspaper structures in the Southeast. The company's meteoric growth continued throughout the 1950s when it added a new pressroom and brand new state-of-the-art three-unit Goss Headliner Press. By the end of the decade, the paper required even more room to operate its growing enterprise, and by 1960 the News-Journal company headquarters had more than doubled in space and added two additional press units.

Thanks to the two papers' well-earned reputation for quality journalism, the first-rate publication infrastructure, and robust circulations, the News-Journal Company was acquired by the Nation's largest newspaper publisher, Gannett Company, Inc., in 1969 for $15.5 million. Six years after the purchase, the News-Journal building underwent another renovation, highlighted by the construction of a new plant that was on the cutting edge of newspaper technology.

After operating under the same roof for more than six decades, the Pensacola Daily News and the Pensacola Journal were combined in 1985, to create one morning newspaper called the News Journal. The News Journal carried on the proud traditions of both long-time Pensacola institutions and continued its commitment to meeting the needs of the expanding Northwest Florida community. A new Goss Headliner offset press was installed to enhance the quality of their printing operation, and the paper won several national newspaper awards for investigative reporting and environmental coverage.

In 2004, the News Journal expanded into the digital age during coverage of the devastating Hurricane Ivan. Despite the catastrophic impact of the storm, which caused nearly $20 billion in economic damages, the News Journal was able to use its generator and one working phone line to transmit photographs and news coverage of the storm to a sister paper to post on the News Journal's website. During this difficult time, the News Journal relayed stories to millions across the world, aid their outstanding coverage earned the newspaper a Pulitzer Prize finalist nomination, the second in the paper's history.

Pensacola's proud newspaper tradition continues today as the Pensacola News Journal celebrates its 125th anniversary. The News Journal continues to provide excellent coverage to more than 31,000 daily and 47,000 Sunday subscribers. In addition, the paper's website, pnj.com, provides constant news to more than 500,000 visitors, logging more than 4.3 million page views per month. The News Journal's tradition of evolving to meet the needs of the community will continue this summer when the company moves into a new digital facility that will help the paper continue to provide the quality reporting that local residents have grown to trust.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize the 125th anniversary of the Pensacola News Journal. Freedom of the Press, as guaranteed by the First Amendment, is one of the cornerstones of our Nation's democracy, and it has helped pave the way for American success and innovation. The Pensacola News Journal is a shining example of the kind of world-class newspaper envisioned by our Founding Fathers. They have enriched Northwest Florida for 125 years, and my wife Vicki and I send our congratulations to all the staff of the News Journal, both current and former, and wish them continued success in the future.

HONORING MIDFIELD HIGH SCHOOL AS ALABAMA'S CLASS 3A BOY'S STATE BASKETBALL CHAMPIONS

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to pay tribute to the Midfield High School Patriots for their victory in the 2014 Class 3A Alabama State Basketball Championship. On behalf of the 7th Congressional District, I congratulate the Patriots for the tremendous athleticism and teamwork they displayed throughout the season under the outstanding leadership of Head Coach Darrell Barber and his coaching staff. Midfield High School won its second state championship in three years with its victory over Barbour County on Saturday, March 1. These young men and their coaches pursued excellence and were driven by hard work and determination during every game of the season. The Patriots finished the season undefeated in their region and lost only 7 games overall.

As the daughter of a high school basketball coach, I know this decisive victory is the result of the tremendous efforts of both the players and coaching staff of Midfield High School. Coach Barber is known for setting high expectations for his players and assisting them in meeting those expectations. The exemplary leadership and dedicated support from the coaching staff was a major factor in the success of the Midfield Patriots.

In the championship game, the Midfield Patriots defeated Barbour County by 22 points for a final score of 62–40. The Patriots forced 11 turnovers, but only gave up the ball seven times.

In the second half, the Midfield Patriots led by as many as 25 points and never less than 13 points. During the entire fourth quarter, the Patriots never led by less than 20 points. Tournament MVP Aaron Gaines scored 22 points with four 3-pointers. Alvin Murry completed the game with 15 points and 10 rebounds. Jermaine Turner scored 11 points and made eight assists and seven rebounds.

Following the victory, Head Coach Darrell Barber thanked God, his family and the Midfield community for supporting the Patriots throughout the season. He explained how the nay-sayers gave the team motivation making them more dedicated to win. ''It gave us a little fuel,'' he told Al.com following the victory. ''As you all know myself and my guys, we play with a chip on our shoulder and we coach with a chip on our shoulder to get this program recognition.''

Winning the state championship is a proud moment these boys achieved through hard work and commitment. Members of the team include: Eric Billups, Kelvin Eatmon, Aaron Gaines, Ahmad Isaac, Derrick Morse, Jabril Muhammad, Alvin Murry, Joseph Murry, Jeremy Shields, Jermaine Turner, and Cedric Russell.

I would like to commend the Midfield coaching staff under the leadership of Head Coach Darrell Barber and the assistant coaches including Coaches Matthew Epps, Courtney Jones, and Charles Thomas and the bus driver, Mr. Rod Isaac.

On behalf of the 7th Congressional District, the State of Alabama and this nation, I ask my colleagues to join me in congratulating the accomplishments of the Midfield High School Boys Basketball Team for their victory in the Class 3A Alabama State Championship. Congratulations. Go Patriots.

RECOGNIZING TECH MOLDED PLASTICS AS PLASTICS NEWS PROCESSOR OF THE YEAR AWARD

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise today to offer my heartiest congratulations to Tech Molded Plastics Inc., a family-owned injection mold company, on being named Plastics News' Processor of the Year.

Located in Meadville, Pennsylvania, Tech Molded Plastics celebrated its 40th year in business just last year. In 1973, Bill Hanaway and his wife Eva started their family business in a rented garage. Over the years, Tech Molded has expanded and diversified its business through smart investments in their people and technology. In the mid-1990s, Tech Molded erected the factory building that now houses its company headquarters. In 2011, the company expanded again by purchasing the building adjacent to it with an investment of more than $1.5 million. Today, sons Scott, Mark, and Doug still run the family business along with their mother, Eva, manufacturing precision parts for the electronics, automotive, and medical industry. Employing 120 Pennsylvanians and generating sales of $17.7 million, Tech Molded Plastics embodies the best of America's family-owned small businesses.

Mr. Speaker, in light of being awarded Processor of the Year, I ask that my colleagues join with me today in recognizing Tech Molded Plastics for its national leadership in the plastics industry and for the invaluable contributions of the Hanaway family to the citizens of Meadville and Western Pennsylvania.

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, March 6, 2014 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 11

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Financial Institutions and Consumer Protection

To hold hearings to examine finding the right capital regulations for insurers.

SD–538

Committee on Health, Education, Labor, and Pensions

Subcommittee on Primary Health and Aging

To hold hearings to examine what the U.S. health care system can learn from other countries.

SD–430

Committee on Homeland Security and Governmental Affairs

Subcommittee on Financial and Contracting Oversight

To hold hearings to examine whistleblower retaliation at the Hanford nuclear site.

SD–628

10:15 a.m.

Committee on the Judiciary

To hold hearings to examine open government and freedom of information, focusing on reinvigorating the Freedom of Information Act for the digital age.

SD–226

2:15 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

To hold closed hearings to examine United States Special Operations Command in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SR–222

Committee on Foreign Relations

Business meeting to consider Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing, done at the Food and Agriculture Organization of the United Nations, in Rome, Italy, on November 22, 2009 (the ''Agreement'') (Treaty Doc.112–04) Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, done at Auckland, New Zealand, November 14, 2009 (Treaty Doc.113–01), Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, done at Tokyo on February 24, 2012, and signed by the United States on May 2, 2012 (Treaty Doc.113–02), Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, adopted on September 28, 2007, at the twenty-ninth Annual Meeting of the North Atlantic Fisheries Organization (NAFO) (Treaty Doc.113–03), S. Res. 361, recognizing the threats to freedom of the press and expression in the People's Republic of China and urging the Government of the People's Republic of China to take meaningful steps to improve freedom of expression as fitting of a responsible international stakeholder, original Ukraine legislation, and the nominations of Bathsheba Nell Crocker, of the District of Columbia, to be Assistant Secretary for International Organization Affairs, Robert A. Wood, of New York, for the rank of Ambassador during his tenure of service as U.S. Representative to the Conference on Disarmament, Luis G. Moreno, of Texas, to be Ambassador to Jamaica, John L. Estrada, of Florida, to be Ambassador to the Republic of Trinidad and Tobago, Joseph William Westphal, of New York, to be Ambassador to the Kingdom of Saudi Arabia, Douglas Alan Silliman, of Texas, to be Ambassador to the State of Kuwait, Mark Gilbert, of Florida, to be Ambassador to New Zealand, and to serve concurrently and without additional compensation as Ambassador to the Independent State of Samoa, and Matthew H. Tueller, of Utah, to be Ambassador to the Republic of Yemen, all of the Department of State.

S–116

2:30 p.m.

Committee on Appropriations

Subcommittee on Legislative Branch

To hold hearings to examine proposed budget estimates for fiscal year 2015 for the Congressional Budget Office and the Government Accountability Office.

SD–192

Committee on Homeland Security and Governmental Affairs

Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce

To hold hearings to examine more efficient and effective government, focusing on improving the regulatory framework.

SD–419

MARCH 12

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the situation in Afghanistan.

SH–216

9:45 a.m.

Committee on Rules and Administration

To hold hearings to examine election administration, focusing on innovation, administrative improvements and cost savings.

SR–301

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Housing, Transportation, and Community Development

To hold hearings to examine Superstorm Sandy recovery, focusing on ensuring strong coordination among Federal, state, and local stakeholders.

SD–538

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine how a fair minimum wage will help working families succeed.

SD–430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine management, focusing on creating a 21st century government.

SD–342

Committee on the Judiciary

To hold hearings to examine certain nominations.

SD–226

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Air Force Sergeants Association, American Ex-Prisoners of War, Fleet Reserve Association, Gold Star Wives, Iraq and Afghanistan Veterans of America, Non Commissioned Officers Association, Paralyzed Veterans of America, and Wounded Warrior Project.

SD–G50

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine defense health programs.

SD–192

Committee on the Budget

To hold hearings to examine the President's proposed budget request and revenue proposals for fiscal year 2015.

SD–608

2 p.m.

Committee on Appropriations

Subcommittee on Department of Homeland Security

To hold hearings to examine proposed budget estimates for fiscal year 2015 for the Department of Homeland Security.

SD–138

Committee on Veterans' Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2015 for Veterans' Programs.

SR–418

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine military space programs in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SR–222

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Economic Policy

To hold hearings to examine the state of United States retirement security, focusing on the middle class.

SD–538

Committee on Commerce, Science, and Transportation

Business meeting to consider S. 1014, to reduce sports-related concussions in youth, S. 1406, to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen

penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, S. 1468, to require the Secretary of Commerce to establish the Network for Manufacturing Innovation and for other purposes, S. 2022, to establish scientific standards and protocols across forensic disciplines, S. 2028, to amend the law relating to sport fish restoration and recreational boating safety, S. 2049, to curb unfair and deceptive practices during assertion of patents, H.R. 2052, to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to conduct an interagency review of and report to Congress on ways to increase the global competitiveness of the United States in attracting foreign direct investment, an original bill entitled, ''U.S. Merchant Marine Academy of Visitors Enhancement Act'', and the nominations of Kelly R. Welsh, of Illinois, to be General Counsel of the Department of Commerce, Kathryn B. Thomson, of Virginia, to be General Counsel of the Department of Transportation, David J. Arroyo, of New York, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, and nominations for promotion in the United States Coast Guard.

SR–253

Committee on Foreign Relations

To hold hearings to examine national security and foreign policy priorities in the President's proposed budget request for fiscal year 2015 for International Affairs.

SD–419

MARCH 13

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United States Northern Command and United States Southern Command in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SD–G50

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Stanley Fischer, of New York, Jerome H. Powell, of Maryland, and Lael Brainard, of the District of Columbia, all to be a Member of the Board of Governors of the Federal Reserve System, Gustavo Velasquez Aguilar, of the District of Columbia, to be Assistant Secretary of Housing and Urban Development, and J. Mark McWatters, of Texas, to be a Member of the National Credit Union Administration.

SD–538

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2015 for the Department of Homeland Security.

SD–342

Committee on Indian Affairs

To hold an oversight hearing to examine tribal transportation, focusing on pathways to infrastructure and economic development in Indian country.

SD–628

2:30 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia

To hold hearings to examine the President's proposed budget request for fiscal year 2015 for the Federal Emergency Management Agency.

SD–342

MARCH 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SD–G50

MARCH 26

10 a.m.

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of The American Legion.

SD–G50

2:30 p.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine the the current readiness of United States forces in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SR–232A

MARCH 27

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the posture of the Department of the Navy in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SD–G50

APRIL 1

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. European Command and U.S. Transportation Command in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SD–G50

2:15 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

To hold hearings to examine proliferation prevention programs at the Department of Energy and at the Department of Defense in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SR–222

APRIL 2

9:30 a.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine military construction, environmental, energy, and base closure programs in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SR–232A

APRIL 3

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the posture of the Department of the Army in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SD–G50

APRIL 10

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the posture of the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.

SD–106

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1285–S1327

Measures Introduced: Eight bills and seven resolutions were introduced, as follows: S. 2078–2085, S.J. Res. 33, and S. Res. 370–375. **Page S1315**

Measures Passed:

Biosecurity and Agro-Defense: Senate agreed to S. Res. 373, recognizing the importance of biosecurity and agro-defense in the United States. **Page S1326**

World Wildlife Day: Senate agreed to S. Res. 374, designating March 3, 2014, as "World Wildlife Day". **Page S1326**

Measures Considered:

Child Care and Development Block Grant Act—Agreement: Senate continued consideration of the motion to proceed to consideration of S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990. **Pages S1285–88**

A unanimous-consent agreement was reached providing that at a time to be determined by the Majority Leader, with the concurrence of the Republican Leader, Senate begin consideration of S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990; provided further, that the cloture motion filed on Thursday, February 27, 2014, with respect to the motion to proceed to consideration of the bill, be withdrawn. **Page S1305**

Military Sexual Assault—Agreement: A unanimous-consent agreement was reached providing that upon disposition of the nomination of John Roth, of Michigan, to be Inspector General, Department of Homeland Security, Senate execute the previous order with respect to S. 1752, to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice, and S. 1917, to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Forces. **Page S1327**

Adegbile Nomination: Senate resumed consideration of the nomination of Debo P. Adegbile, of New York, to be an Assistant Attorney General. **Pages S1288–95**

During consideration of this nomination today, Senate also took the following action:

By 47 yeas to 52 nays (Vote No. 48), Senate rejected the motion to close further debate on the nomination. **Page S1295**

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the nomination. **Page S1295**

Gottemoeller Nomination—Agreement: Senate resumed consideration of the nomination of Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security. **Pages S1304–05**

During consideration of this nomination today, Senate also took the following action:

By 55 yeas to 45 nays (Vote No. 57), Senate agreed to the motion to close further debate on the nomination. **Page S1304**

A unanimous-consent-time agreement was reached providing that following morning business on Thursday, March 6, 2014, the time until 11:20 a.m. be equally divided between the Majority Leader and the Republican Leader, or their designees; that at 11:20 a.m. on Thursday, March 6, 2014, Senate vote on confirmation of the nomination of Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security; that following disposition of the Gottemoeller nomination, Senate vote on confirmation of the nominations of Suzanne Eleanor Spaulding, of Virginia, to be Under Secretary, Department of Homeland Security, and John Roth, of Michigan, to be Inspector General, Department of Homeland Security, that there be two minutes for debate prior to each vote, equally divided in the usual form, and that all after the first vote be ten minutes in length; and that no further motions be in order to any of the nominations. **Pages S1304–05**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 98 yeas (Vote No. EX. 50), Pedro A. Delgado Hernandez, of Puerto Rico, to be United States District Judge for the District of Puerto Rico. **Pages S1296, S1300–02**

During consideration of this nomination today, Senate also took the following action:

By 57 yeas to 41 nays, 1 responding present (Vote No. 49), Senate agreed to the motion to close further debate on the nomination. **Pages S1295–96**

By a unanimous vote of 99 yeas (Vote No. EX. 52), Pamela L. Reeves, of Tennessee, to be United States District Judge for the Eastern District of Tennessee. **Page S1302**

During consideration of this nomination today, Senate also took the following action:

By 62 yeas to 37 nays (Vote No. 51), Senate agreed to the motion to close further debate on the nomination. **Page S1302**

By a unanimous vote of 100 yeas (Vote No. EX. 54), Timothy L. Brooks, of Arkansas, to be United States District Judge for the Western District of Arkansas. **Page S1302**

During consideration of this nomination today, Senate also took the following action:

By 59 yeas to 41 nays (Vote No. 53), Senate agreed to the motion to close further debate on the nomination. **Pages S1302–03**

By 58 yeas to 41 nays (Vote No. EX. 56), Vince Girdhari Chhabria, of California, to be United States District Judge for the Northern District of California. **Page S1304**

During consideration of this nomination today, Senate also took the following action:

By 57 yeas to 43 nays (Vote No. 55), Senate agreed to the motion to close further debate on the nomination. **Pages S1303–04**

Messages from the House: **Pages S1313–14**

Measures Referred: **Page S1314**

Measures Placed on the Calendar: **Page S1314**

Measures Read the First Time: **Page S1314**

Executive Communications: **Pages S1314–15**

Executive Reports of Committees: **Page S1315**

Additional Cosponsors: **Pages S1315–17**

Statements on Introduced Bills/Resolutions: **Pages S1317–25**

Additional Statements: **Pages S1311–13**

Notices of Hearings/Meetings: **Page S1326**

Authorities for Committees to Meet: **Page S1326**

Privileges of the Floor: **Page S1326**

Record Votes: Ten record votes were taken today. (Total—57) **Pages S1295–96, S1301–04**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:36 p.m., until 9:30 a.m. on Thursday, March 6, 2014. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1327.)

Committee Meetings

(Committees not listed did not meet)

NATIONAL SECURITY SPACE LAUNCH PROGRAMS

Committee on Appropriations: Subcommittee on Department of Defense concluded a hearing to examine national security space launch programs, after receiving testimony from Cristina Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office; Michael Gass, United Launch Alliance, Centennial, Colorado; Elon Musk, Space Exploration Technologies, Hawthorne, California; and Scott Pace, George Washington University Elliott School of International Affairs Space Policy Institute, Washington, D.C.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program, after receiving testimony from Charles T. Hagel, Secretary, General Martin E. Dempsey, USA, Chairman, Joint Chiefs of Staff, and Robert F. Hale, Under Secretary, Comptroller, all of the Department of Defense.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine nuclear forces and policies in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program, after receiving testimony from M. Elaine Bunn, Deputy Assistant Secretary, Nuclear and Missile Defense Policy, Lieutenant General Stephen W. Wilson, USAF, Commander, Air Force Global Strike Command, Major General Garrett Harencak, USAF, Assistant Chief of Staff, Strategic Deterrence and Nuclear Integration, and Vice Admiral Terry J. Benedict, USN, Director, Strategic Systems Programs, all of the Department of Defense.

PRESIDENT'S PROPOSED BUDGET REQUEST

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2015, after receiving testimony from Sylvia M. Burwell, Director, Office of Management and Budget.

PRESIDENT'S PROPOSED BUDGET REQUEST

Committee on Finance: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2015, after receiving testimony from Jacob J. Lew, Secretary of the Treasury.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of L. Reginald Brothers, Jr., of Massachusetts, to be Under Secretary for Science and Technology, and Francis Xavier Taylor, of Maryland, to be Under Secretary for Intelligence and Analysis, both of the Department of Homeland Security, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported the nomination of Maria Contreras-Sweet, of California, to be Administrator of the Small Business Administration.

INCOME SECURITY AND THE ELDERLY

Special Committee on Aging: Committee concluded a hearing to examine income security and the elderly, focusing on securing gains made in the war on poverty, and if trends in marriage, work, and pensions may increase vulnerability for some retirees, after receiving testimony from Barbara D. Bovbjerg, Managing Director, Education, Workforce, and Income Security, Government Accountability Office; Patricia Neuman, The Henry J. Kaiser Family Foundation, and Joan Entmacher, National Women's Law Center, both of Washington, D.C.; and Dixie Shaw, Catholic Charities Maine, Caribou.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 4148–4155; and 4 resolutions, H.J. Res. 112; H. Con. Res. 89; and H. Res. 499–500, were introduced. **Pages H2198–99**

Additional Cosponsors: **Page H2199**

Report Filed: A report was filed today as follows:

H. Res. 501, providing for consideration of the bill (H.R. 2824) to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes; providing for consideration of the bill (H.R. 2641) to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes; and providing for consideration of motions to suspend the rules (H. Rept. 113–374). **Page H2198**

Speaker: Read a letter from the Speaker wherein he appointed Representative Fleischmann to act as Speaker pro tempore for today. **Page H2151**

Recess: The House recessed at 10:52 a.m. and reconvened at 12 noon. **Page H2156**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated yesterday, March 4th:

United States-Israel Strategic Partnership Act: H.R. 938, amended, to strengthen the strategic alliance between the United States and Israel, by a ⅔ yea-and-nay vote of 410 yeas to 1 nay, Roll No. 95 and **Pages H2167–68**

Better Buildings Act: H.R. 2126, amended, to facilitate better alignment, cooperation, and best practices between commercial real estate landlords and tenants regarding energy efficiency in buildings, by a ⅔ yea-and-nay vote of 375 yeas to 36 nays, Roll No. 98. **Pages H2177–78**

Agreed to amend the title so as to read: "To promote energy efficiency, and for other purposes.". **Page H2178**

Suspending the Individual Mandate Penalty Law Equals Fairness Act: The House passed H.R. 4118, to amend the Internal Revenue Code of 1986 to delay the implementation of the penalty for failure to comply with the individual health insurance mandate, by a yea-and-nay vote of 250 yeas to 160 nays, Roll No. 97. **Pages H2168–77**

Rejected the Horsford motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 185 yeas to 227 nays, Roll No. 96. **Pages H2175–76**

H. Res. 497, the rule providing for consideration of the bills (H.R. 3826) and (H.R. 4118), was agreed to by a recorded vote of 228 ayes to 182 noes, Roll No. 94, after the previous question was ordered by a yea-and-nay vote of 221 yeas to 184 nays, Roll No. 93. **Pages H2160–67**

Electricity Security and Affordability Act: The House began consideration of H.R. 3826, to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units. Consideration of the measure is expected to resume tomorrow, March 6th. **Pages H2178–92, H2192–95**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–40 shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H2185**

Agreed to:

Capito amendment (No. 3 printed in H. Rept. 113–373) that clarifies that the bill does not preclude a performance standard that is based on a technology developed in a foreign country, as long as that technology has been demonstrated to be achievable at a power plant in the United States; **Pages H2189–90**

McKinley amendment (No. 4 printed in H. Rept. 113–373) that requires the EPA when submitting their report to Congress to consult with the Energy Information Administration; Comptroller General; National Energy Technology Laboratory; and the National Institute for Standards and Technology; **Page H2190**

McKinley amendment (No. 5 printed in H. Rept. 113–373) that states when reporting to the Congress, the amendment will, additionally, require the EPA to look at the economic impact of such rule or guidelines, including the potential effects on: require capital investments and projected costs for operation and maintenance of new equipment required to be installed; and the global competitiveness of the United States; and **Pages H2190–91**

Latta amendment (No. 7 printed in H. Rept. 113–373) that clarifies that the definition of "demonstration project" refers to projects that are receiving federal government funding or financial assistance. **Pages H2193–94**

Proceedings Postponed:

Smith (TX) amendment (No. 1 printed in H. Rept. 113–373) that seeks to require the Administrator to apply the specific criteria, under the bill, for setting a standard based on the best system of emission reduction for new sources within the coal category, when setting a standard for any fossil fuel category; **Pages H2186–88**

Capps amendment (No. 2 printed in H. Rept. 113–373) that seeks to allow the EPA to consider all pollution control technologies being used in the United States or elsewhere when setting new power plant emission standards; **Pages H2188–89**

Schakowsky amendment (No. 6 printed in H. Rept. 113–373) that seeks to accept the scientific finding of the EPA that greenhouse gas pollution is "contributing to long-lasting changes in our climate that can have a range of negative effects"; and **Pages H2191–92**

Waxman amendment (No. 8 printed in H. Rept. 113–373) that seeks to provide that the bill takes effect when the Administrator of the EIA certifies that another Federal program, other than one under section 111 of the Clean Air Act, will reduce carbon pollution in at least equivalent quantities, with similar timing and from the same sources as the reductions required under the rules and guidelines nullified by section 4. **Pages H2194–95**

H. Res. 497, the rule providing for consideration of the bills (H.R. 3826) and (H.R. 4118), was agreed to by a recorded vote of 228 ayes to 182 noes, Roll No. 94, after the previous question was ordered by a yea-and-nay vote of 221 yeas to 184 nays, Roll No. 93. **Pages H2160–67**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, March 6th. **Page H2195**

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H2166, H2166–67, H2167–68, H2176, H2176–77, and H2177–78. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:41 p.m.

Committee Meetings

APPROPRIATIONS—DEPARTMENT OF AGRICULTURE FY 2015 BUDGET

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Department of Agriculture FY 2015 Budget. Testimony was heard from Phyllis Fong, Inspector General, Department of Agriculture; Karen Ellis, Assistant Inspector General for Investigations, Department of Agriculture; Gil Harden, Assistant Inspector General for Audit, Department of Agriculture.

APPROPRIATIONS—LIBRARY OF CONGRESS FY 2015 BUDGET

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Library of Congress FY 2015 Budget. Testimony was heard from James H. Billington, Librarian of Congress; and Robert Dizard, Deputy Librarian of Congress.

APPROPRIATIONS—GOVERNMENT ACCOUNTABILITY OFFICE FY 2015 BUDGET

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Government Accountability Office FY 2015 Budget. Testimony was heard from Gene Dodaro, Comptroller General, Government Accountability Office.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUESTS FROM THE U.S. PACIFIC COMMAND, U.S. CENTRAL COMMAND, AND U.S. AFRICA COMMAND FY 2015 BUDGET

Committee on Armed Services: Full Committee held a hearing entitled ''The Fiscal Year 2015 National Defense Authorization Budget Requests from the U.S. Pacific Command, U.S. Central Command, and U.S. Africa Command''. Testimony was heard from General Lloyd J. Austin III, USA, Commander, U.S. Central Command; and General David M. Rodriguez, USA, Commander, U.S. Africa Command.

PRESIDENT'S FISCAL YEAR 2015 BUDGET

Committee on the Budget: Full Committee held a hearing entitled ''The President's Fiscal Year 2015 Budget''. Testimony was heard from Sylvia M. Burwell, Director, Office of Management and Budget.

CULTURE OF UNION FAVORITISM: THE RETURN OF THE NLRB'S AMBUSH ELECTION RULE

Committee on Education and The Workforce: Full Committee held a hearing entitled ''Culture of Union Favoritism: The Return of the NLRB's Ambush Election Rule''. Testimony was heard from public witnesses.

DATA SECURITY: EXAMINING EFFORTS TO PROTECT AMERICANS' FINANCIAL INFORMATION

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''Data Security: Examining Efforts to Protect Americans' Financial Information''. Testimony was heard from William Noonan, Deputy Special Agent in Charge, Criminal Investigation Division, Cyber Operations, United States Secret Service; Larry Zelvin, Director, National Cybersecurity and Communications Integration Center, Department of Homeland Security; and public witnesses.

GROWTH OF FINANCIAL REGULATION AND ITS IMPACT ON INTERNATIONAL COMPETITIVENESS

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''The Growth of Financial Regulation and its Impact on International Competitiveness''. Testimony was heard from public witnesses.

THREATS TO ISRAEL: TERRORIST FUNDING AND TRADE BOYCOTTS

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled ''Threats to Israel: Terrorist Funding and Trade Boycotts''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee began a markup on the following legislation: H.R. 3732, the ''Immigration Compliance Enforcement Act''; H.R. 3973, the ''Faithful Execution of the Law Act of 2014''; and H.R. 4138, the ''Executive Needs to Faithfully Observe and Respect Congressional Enactments Act''.

NATIONAL FISH HATCHERY SYSTEM: STRATEGIC HATCHERY AND WORKFORCE PLANNING REPORT

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held a hearing entitled ''National Fish Hatchery System: Strategic Hatchery and Workforce Planning Report''. Testimony was heard from the following Representatives: Roe (TN); Crawford; and Collins (GA); David Hoskins, Assistant Director, Fish and Aquatic Conservation, Fish and Wildlife Service; Diane Parks, Acting Deputy Chief of Operations and Regulations, Headquarters, U.S. Army Corps of Engineers; and a public witness.

IRS: TARGETING AMERICANS FOR THEIR POLITICAL BELIEFS

Committee on Oversight and Government Reform: Full Committee continued a hearing from May 22, 2013, entitled ''The IRS: Targeting Americans for Their Political Beliefs''. Lois Lerner, Former Director, IRS Exempt Organizations, was sworn in as a witness, but did not testify.

RESPONSIBLY AND PROFESSIONALLY INVIGORATING DEVELOPMENT ACT OF 2013; AND PREVENTING GOVERNMENT WASTE AND PROTECTING COAL MINING JOBS IN AMERICA

Committee on Rules: Full Committee held a hearing on H.R. 2641, the ''Responsibly and Professionally Invigorating Development Act of 2013''; and H.R. 2824, the ''Preventing Government Waste and Protecting Coal Mining Jobs in America''. The Committee granted, by record vote of 7–4, a structured rule for H.R. 2824. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–41, modified by the amendment printed in part A of the Rules Committee report, and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments to H.R. 2824 printed in part B of the Rules Committee report. 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. The rule waives all points of order against the amendments printed in part B of the report. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides a structured rule for H.R. 2641. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–39 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments to H.R. 2641 printed in part C of the Rules Committee report. 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. The rule waives all points of order against the amendments printed in part C of the report. The rule provides one motion to recommit with or without instructions. In section 3, the rule provides that it shall be in order at any time on the legislative day of March 6, 2014, for the Speaker to entertain motions that the House suspend the rules relating to a measure addressing loan guarantees to Ukraine. Testimony was heard from Chairman Hastings (WA), and Representatives Cartwright, Yarmuth, Marino, and Johnson (GA).

MISCELLANEOUS MEASURES

Committee on Small Business: Full Committee held a markup on the following legislation: H.R. 4093, the ''Greater Opportunities for Small Business Act of 2014''; H.R. 4094, the ''Contracting Data and Bundling Accountability Act of 2014''; H.R. 2751, the ''Commonsense Construction Contracting Act of 2013''; H.R. 2882, the ''Improving Opportunities for Service-Disabled Veteran-Owned Small Businesses Act of 2013''; H.R. 776, the ''Security in Bonding Act of 2013''; H.R. 2452, the ''Women's Procurement Program Equalization Act of 2013''; and H.R. 4121, the ''Small Business Development Centers Improvements Act of 2014''. The following bills ordered reported as amended: H.R. 4094; H.R. 2882; H.R. 776; and H.R. 4121. The following bills were ordered reported without amendment: H.R. 4093; H.R. 2751 and H.R. 2452.

OVERVIEW OF PUBLIC-PRIVATE PARTNERSHIPS FOR HIGHWAY AND TRANSIT PROJECTS

Committee on Transportation and Infrastructure: Panel on Public-Private Partnership, hearing entitled ''Overview of Public-Private Partnerships for Highway and Transit Projects''. Testimony was heard from Joseph Kile, Assistant Director for Microeconomic Studies, Congressional Budget Office; James M. Bass, Interim Executive Director and Chief Financial Officer, Texas Department of Transportation; and public witnesses.

Joint Meetings

LEGISLATIVE PRESENTATION

Committee on Veterans' Affairs: Senate committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of Veterans of Foreign Wars, after receiving testimony from William A. Thien, Veterans of Foreign Wars of the United States, Georgetown, Indiana.

WESTERN BALKANS

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine developments in the Western Balkans and policy responses, focusing on policy approaches of the United States toward the countries of the Western Balkans, including H. Con. Res. 61, expressing the sense of the House of Representatives regarding the execution-style murders of United States citizens Ylli, Agron, and Mehmet Bytyqi in the Republic of Serbia in July 1999, after receiving testimony from Hoyt Yee, Deputy Assistant Secretary of State for European and Eurasian Affairs; Tanja Fajon, Member, European Parliament, Llubljana, Slovenia; and Kurt Volker, McCain Institute for International Leadership, Washington, D.C.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 6, 2014

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the nominations of Timothy G. Massad, of Connecticut, to be Chairman, Sharon Y. Bowen, of New York, and J. Christopher Giancarlo, of New Jersey, all to be a Commissioner, all of the Commodity Futures Trading Commission, 10 a.m., SR–328A.

Committee on Armed Services: to hold hearings to examine United States Central Command and United States Africa Command in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider revised subcommittee organization for the 113th Congress; to be immediately followed by a hearing to examine Moving Ahead for Progress in the 21st Century Act (MAP–21) reauthorization, focusing on the Federal role and current challenges to public transportation, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, to hold hearings to examine enhancing our rail safety, focusing on current challenges for passenger and freight rail, 11 a.m., SR–253.

Committee on Environment and Public Works: to hold hearings to examine preventing potential chemical threats and improving safety, focusing on oversight of the President's executive order on improving chemical facility safety and security, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine Syria spillover, focusing on the growing threat of terrorism and sectarianism in the Middle East and Ukraine update, 11 a.m., SD–419.

Full Committee, to hold hearings to examine the nominations of Deborah L. Birx, of Maryland, to be Ambassador at Large and Coordinator of United States Government Activities to Combat HIV/AIDS Globally, Suzan G. LeVine, of Washington, to be Ambassador to the Swiss Confederation, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein, Maureen Elizabeth Cormack, of Virginia, to be Ambassador to Bosnia and Herzegovina, and Peter A. Selfridge, of Minnesota, to be Chief of Protocol, and to have the rank of Ambassador during his tenure of service, all of the Department of State, 2:15 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Financial and Contracting Oversight, to hold an oversight hearing to examine contractor performance information, 9:30 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 1675, to reduce recidivism and increase public safety, and the nominations of Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh Circuit, Bruce Howe Hendricks, to be United States District Judge for the District of South Carolina, Mark G. Mastroianni, to be United States District Judge for the District of Massachusetts, and Leslie Ragon Caldwell, of New York, to be an Assistant Attorney General, Department of Justice, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Legislative Branch, hearing on House Officers FY 2015 Budget, 9:30 a.m., HT–2, Capitol.

Subcommittee on Agriculture, Rural Development, FDA, and Related Agencies, hearing on Commodity Futures Trading Commission FY 2015 Budget, 10 a.m., 2362–A Rayburn.

Committee on Armed Services, Full Committee, hearing entitled "The Fiscal Year 2015 National Defense Authorization Budget Request from the Department of Defense", 9:30 a.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Power, hearing entitled "Benefits of and Challenges to Energy Access in the 21st Century: Fuel Supply and Infrastructure", 9 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled "U.S. Foreign Policy Toward Ukraine"; and H. Res. 499, Condemning the violation of Ukrainian sovereignty, independence, and territorial integrity by military forces of the Russian Federation, 9 a.m., 2172 Rayburn.

Committee on Natural Resources, Subcommittee on Public Lands and Environmental Regulation, hearing on the following legislation: H.R. 414, to provide for the continued lease or eventual conveyance of certain Federal land within the boundaries of Fort Wainwright Military Reservation in Fairbanks, Alaska; H.R. 1839, the "Hermosa Creek Watershed Protection Act of 2013"; H.R. 2430, the "Hinchliffe Stadium Heritage Act of 2013"; and H.R. 3606, the "Emigrant Wilderness Historical Use Preservation Act of 2013", 10 a.m., 1324 Longworth.

Committee on Science, Space, and Technology, Subcommittee on Oversight and Subcommittee on Research and Technology, joint hearing entitled ''Can Technology Protect Americans from International Cybercriminals?'', 9:30 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Contracting and Workforce, hearing entitled ''ObamaCare and the Self-Employed: What About Us?'', 10 a.m., 2360 Rayburn.

Committee on Ways and Means, Full Committee, hearing on President Obama's budget proposals for fiscal year 2015, 9:30 a.m., 1100 Longworth.

House Permanent Select Committee on Intelligence, Full Committee, hearing on access to transcripts; member access request; and ongoing intelligence activities, 9 a.m., 304–HVC. This is a closed hearing.

Joint Meetings

Joint Hearing: Senate Committee on Veterans' Affairs, to hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the American Veterans (AMVETS), Blinded Veterans Association, Jewish War Veterans, Military Officers Association of America, Military Order of the Purple Heart, National Association of State Directors of Veterans Affairs, National Guard Association of the United States, The Retired Enlisted Association, Vietnam Veterans of America, 9:30 a.m., 345 Cannon Building.

Next Meeting of the **SENATE**

9:30 a.m., Thursday, March 6

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will consider the nominations of Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security, Suzanne Eleanor Spaulding, of Virginia, to be Under Secretary, Department of Homeland Security, and John Roth, of Michigan, to be Inspector General, Department of Homeland Security, with votes on confirmation of the nominations at 11:20 a.m.

Following disposition of the nomination of John Roth, of Michigan, to be Inspector General, Department of Homeland Security, Senate will begin consideration of S. 1752, to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice, and S. 1917, to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Forces, with up to four roll call votes on or in relation to the bills, at approximately 2 p.m.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Thursday, March 6

House Chamber

Program for Thursday: Complete consideration of H.R. 3826—Electricity Security and Affordability Act. Consideration of H.R. 2641—Responsibly and Professionally Invigorating Development Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Bachmann, Michele, Minn., E305
Barletta, Lou, Pa., E303, E303, E306
Boustany, Charles W., Jr., La., E307
Brown, Corrine, Fla., E310
Capito, Shelley Moore, W.Va., E310
Carter, John R., Tex., E305
Castor, Kathy, Fla., E309
Castro, Joaquin, Tex., E313
Chu, Judy, Calif., E309
Coffman, Mike, Colo., E308
Connolly, Gerald E., Va., E304, E306
Crawford, Eric A. ''Rick'', Ark., E306
Farr, Sam, Calif., E306
Frankel, Lois, Fla., E309
Gerlach, Jim, Pa., E310
Gutiérrez, Luis V., Ill., E310
Hastings, Alcee L., Fla., E305
Jackson Lee, Sheila, Tex., E303, E313
Kelly, Mike, Pa., E315
Levin, Sander M., Mich., E308
Luetkemeyer, Blaine, Mo., E306
McMorris Rodgers, Cathy, Wash., E304
Miller, Jeff, Fla., E314
Reichert, David G., Wash., E307, E313
Richmond, Cedric L., La., E303
Sánchez, Linda T., Calif., E307
Schwartz, Allyson Y., Pa., E305, E313
Scott, Robert C. ''Bobby'', Va., E313
Sewell, Terri A., Ala., E314
Shimkus, John, Ill., E304
Shuster, Bill, Pa., E307
Sires, Albio, N.J., E310
Smith, Christopher H., N.J., E308
Smith, Jason T., Mo., E309
Thompson, Bennie G., Miss., E307
Van Hollen, Chris, Md., E303
Webster, Daniel, Fla., E303
Wilson, Joe, S.C., E313

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