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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. RIVERA).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 24, 2012.

I hereby appoint the Honorable DAVID RIVERA 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 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

THE DRONES ARE COMING

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

Mr. POE of Texas. Mr. Speaker, for years, the United States has used drones to track terrorists overseas, catch outlaws along the border and other lawful purposes—but now, thousands of drones are heading to the homeland. The FAA plans to allow the expanded use of drones to operate nationwide by the year 2015. It is estimated, by 2020, 30,000 of them will be flying in American skies.

Yes, Mr. Speaker, the drones are coming.

Who will operate these drones, and what will be their mission? Could it be a suspicious government agent who thinks someone looks kind of funny? The EPA bureaucrat to monitor somebody's farm and watch Bessie the cow graze in the pasture? Or a nosy neighbor who wants to make sure someone's shutters are pretty and the flowers don't violate the homeowners' association rules? Or could it be a legitimate and lawful and legal purpose of drones that doesn't violate the right of privacy?

These are the kinds of situations Americans face as we enter this uncharted and unprecedented world of drone technology.

Congress has the legal obligation to ensure that the Fourth Amendment rights of private citizens are protected in this new "drone world." You see, Mr. Speaker, the Fourth Amendment says this:

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated. No warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

The Fourth Amendment limits government intrusion into our lives. The Constitution limits eavesdropping, snooping, and spying on American citizens. While there are some legitimate uses for drones domestically, such as monitoring forest fires and floods and hurricanes, tracking an escaped bank robber, and other law enforcement uses, it is up to Congress to limit their use so that the Fourth Amendment and the right of privacy are protected.

That is why I am introducing the Preserving American Privacy Act.

Now is the time for Congress to act, not in 2015. With the increased technology of surveillance, Congress has to be proactive in controlling drone use to law enforcement and also in protecting civilians from the private use of

drones. This bill will ensure the privacy of private citizens is protected by establishing guidelines about when and for what purposes law enforcement agencies, private citizens, and businesses can use drones.

I repeat: This bill will ensure the privacy of private citizens, that it is protected by establishing guidelines about when and for what purposes law enforcement agencies, private citizens, and businesses can use drones.

First, it would prevent the FAA from issuing a permit for the use of a drone to fly in United States airspace for law enforcement purposes unless it is pursuant to a warrant and in the investigation of a felony. This would apply to State, Federal, and local jurisdictions. The warrant exceptions and exigent circumstances rules that are already the law of the land would be the same as those that are applicable in the State, Federal, or local jurisdiction where that surveillance occurs.

It would also prevent the FAA from issuing a permit to any private individual for the use of a drone for the surveillance of a U.S. citizen or the property of a U.S. citizen unless that person under surveillance has consented or the owner of the property has consented. There may be some other lawful exceptions as well.

Lastly, this bill would ensure that no evidence obtained from the use of a drone may be used at an administrative hearing.

Americans expect their constitutional rights will be protected at any time in our history or our future, so Congress must decide when drones can and cannot be used in order to ensure constitutional safeguards. This decision cannot be left up to government agencies, special interest groups, or others. Mr. Speaker, technology may change with time, but the Constitution does not.

And that's just the way it is.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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THE NEAR COLLAPSE OF THE ECONOMY: AVOIDING A REPEAT PERFORMANCE

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

Mr. BLUMENAUER. There is plenty of blame for the near collapse of the economy over the last 5 years—greedy, even criminal business behavior, lax or nonexistent oversight with regulators asleep at the switch. Clearly, there were some reckless consumers and a failed political system. But as instructive as the postmortem might be, it's more important to avoid a repeat performance.

What should we do? I would suggest we simplify, regulate, and prosecute.

Let's begin by reinstating the Glass-Steagall, Depression-era bank regulation that helped promote stability in that industry. It would be a small step in the right direction, a signal that the era of deregulation, unfettered, is at an end. I hope we can move to performance-based regulation. The Dodd-Frank bill had many important and valuable features, but I fear that it is at risk of becoming a bureaucratic nightmare.

We do need to regulate. The cozy, light-touched, gentle—some would say diffident—approach that assumes that the gentle people in the financial industry will self-police must be a thing of the past. We should provide the various regulatory authorities with adequate staff and budget. We should pay them properly so that they aren't a training ground to be hired away for much higher salaries by the industry they're supposed to regulate. We should have high expectations that they will do their jobs, and then we should back them up and not undercut those efforts.

Finally, we should prosecute. Sending people to jail will send a message. All of the people in American prisons collectively have not stolen as much with guns as the American public, our pension funds, our businesses lost in the near meltdown of the economy. Every time somebody illegally profits from a financial transaction, somebody else loses. Crooks, whatever the color of their collars, should be held accountable.

To make this happen, the public needs to focus some of their frustration to make this an issue in the election. At a time when politicians and special interests are making strange and outrageous noises, here is a real issue for them to address.

REGULATORY REFORM: FINDING A BALANCE

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

Mr. WALBERG. Mr. Speaker, for the record, America's businesses and innovators do not need the administration mandating how they run their

companies—yet it regularly does and in the form of burdensome and costly regulations. We all share in the responsibility to find the balance of making sure employees have the safest working conditions possible while allowing them to have a job to come back to every day. Burdensome, onerous regulations place such a heavy toll on businesses that hiring slows and they are forced to start cutting from their workforces.

□ 1010

Part of protecting employees' jobs is making sure that the business they work for is still able to grow and create more good-paying jobs for those in Michigan and across the country.

Over the course of this Congress, I have had the opportunity to speak with numerous small businesses, owners, and workers who state unequivocally that they'd rather Washington hand out less regulations and more certainty. According to a Chamber of Commerce small business outlook survey from earlier this year, nearly 80 percent of small businesses say taxes, regulations, and legislation make it harder for them to hire. That's because small businesses are forced to pay on average \$10,000 per employee per year in order to comply with excessive regulations. The Small Business Administration has reported that when added up, those costs amount to \$1.75 trillion annually, which is enough money for businesses to provide 35 million private sector jobs with an average salary of \$50,000 per year.

Mr. Speaker, truly, the price of red tape is the loss of American jobs. Because of these regulations, the United States is also losing its competitive edge. According to the "Global Competitiveness Report" for 2011-2012, the U.S. fell to the fifth most competitive economy in the world. It is down from second place when President Obama took office in 2009. The reason stated by the report: more burdensome regulations.

I ask my Big Government colleagues: What's wrong with being number one? Regulations are important, and businesses should be held accountable for the safety of their employees. But how much is too much? So far this year, the Federal Register has run more than 40,000 pages of regulations that range from burdensome to downright ridiculous. It contains such provisions as multiple hospital claim reimbursement codes for injuries caused by parrots and burns from flaming water skis. We need regulatory reform that cleans up the system, removes duplicative regs, and wipes out burdensome and excessive rules.

My Republican colleagues and I in the House have passed dozens of bills to pull back the government's regulatory arm. We passed the Regulations From the Executive in Need of Scrutiny, or REINS, Act which would require both Congress and the President approve all major rulings created by Federal agen-

cies. We also have passed rules that would discourage any regulation that will have an annual impact of more than \$100 million, resulting in major increases in costs and prices, or impose a significant negative effect on competition and jobs.

This week, we'll vote on H.R. 4078, the Red Tape Reduction and Small Business Job Creation Act, which would prevent any Federal agency from taking a significant regulatory action until employment has reached 6 percent or less. House Republicans remain committed to growing the economy and requiring congressional approval for any regulation that has significant impact on the economy or burdens small businesses and costs jobs.

We must stop allowing unelected bureaucrats to enact job-killing rules with no checks or balances. By preventing these kinds of job-hindering proposals, we can give job creators more certainty about what rules they can expect. Small businesses are our country's real job creators, creating seven out of every 10 jobs.

To protect these jobs and our country and Michigan, I'll continue to fight for less red tape here and in Washington, and more jobs in our homeland.

TRIBUTE TO KATHLEEN "KATHI" WILKES

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

Ms. JACKSON LEE of Texas. Mr. Speaker, these are tasks that we often do not find welcoming. I rise this morning to pay tribute to a public servant among us, someone who served in this House as a staff person, a chief of staff in my office. I rise this morning to pay tribute to Kathleen "Kathi" Wilkes, whose memorial service will be held this afternoon, July 24, 1:30 p.m., at the Alfred Street Baptist Church in Alexandria, Virginia.

Kathi died suddenly last Saturday. The good news is that so many of her friends were able to fly in, as I was able to do from Houston, and to be with her in those waning hours. One can always ask the question why, and there is no explanation for someone so full of life, so ready to serve, so willing to help, to lose their life so suddenly, even as she was so active the week of her death.

Kathi had a wonderful history of coming from Ohio, touching down in Pennsylvania, in Houston, and Washington, D.C. How often can what we call a "civilian" touch the lives of so many States and so many people? Kathi pulled herself up by her bootstraps, supported herself, and became a nurse. As she was so good at nursing as well, she continued to nurture people, maybe in the spirit of Florence Nightingale.

That was not enough for Kathi. She continued to put herself through school and ultimately graduated and became a lawyer. That brought her to Houston, Texas, working for one of the major