SUPPORTING LGBT PRIDE MONTH

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. CLARKE. Mr. Speaker, I stand with my colleagues in the Congressional Progressive Caucus in honor of LBGT Pride Month.

We have had many achievements to celebrate in recent years—the end of ''Don't Ask, Don't Tell,'' the extension of many benefits to the same-sex partners of federal employees, the enactment of marriage equality in several states and here in the District of Columbia.

These achievements have been critical in our effort to create a society in which we fulfill the promise of the Declaration of Independence that all persons are created equal and the promise of the Fourteenth Amendment that every person has a right to the equal protection of the law.

The foundation of these achievements was not built here in Washington, D.C. Instead, it was the work of activists around this nation, it was the conversations between families at the dinner table, it was the realization of millions of Americans that ''I know a gay person, I know a transgender person,'' and that he or she remains my son, my daughter, my brother, my sister, my friend.

For who among us would accept a society in which our children and our friends are allowed to become victims of legalized discrimination?

Who among us would not allow our brothers and sisters who are in committed relationships to sanctify their love in the form of marriage?

Who among us would exclude our neighbors and our colleagues from full participation in this civil society?

When we celebrate Pride Month, we celebrate these relationships, relationships in which parents come to know who their children really are, in which friends come to know their friends, in which Americans have come to know and accept their fellow Americans regardless of their sexual orientation.

It is these relationships that have provided the foundation for many of the achievements of the LGBT community. Today, we have much to celebrate.

FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

SPEECH OF

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes:

Ms. VELÁZQUEZ. Mr. Chair, millions of people in our country lack basic access to fresh, healthy foods. Three million people in New York City alone live in places where stores that sell fresh produce are few or far away. These people have difficulty accessing fruits and vegetables, cooking meals with unprocessed foods, and getting the nutrients they need to live a healthy lifestyle.

These conditions exacerbate the obesity epidemic in America. More than a third of adults and 17 percent of children are obese, and obesity rates in low-income and minority communities are even higher.

The roots of the problem are structural: without access to fresh foods high in nutrients and low in calories, we can't expect people to keep a healthy diet. And we can't expect their children to learn healthy eating habits.

Recently, there has been progress in connecting urban areas with sources for healthier food, and this Farm Bill makes important progress in that area. The Healthy Food Financing Initiative and other programs will continue to bring supermarkets and farmers' markets to new communities.

But there are also exciting opportunities to use the spaces and resources available to inner-city neighborhoods to grow fresh foods right where they are needed the most and educate the community about the value of these foods. Urban farming can turn abandoned properties or public spaces into community gardens and centers of learning.

For instance, Added Value in New York City, which I have worked to support, has operated five farms in New York City over the past 13 years. Today, it cultivates two farms in Red Hook, employs 40 teenagers through its youth empowerment program, and educates 1,200 students every year about healthy food and farming.

Unfortunately, urban farms face many challenges, from a lack of funding to restrictive zoning rules that limit the spaces available to them. Although USDA has programs in place that can help urban farmers, small organizations often lack the resources to navigate a complicated system and gain access to these programs.

My amendment would open up more opportunities for urban agriculture and assist urban farmers in applying to programs that could benefit them. Reforms like this can help urban farms across the country bring healthy foods into their communities and educate students and families about the value of healthy foods and how to use them at home.

I ask my colleagues to join me in supporting access to fresh, healthy foods for low-income individuals through the development of urban agriculture. Through careful reforms, we can help urban farms educate Americans about their food choices, fight the obesity epidemic, and turn undeveloped properties in inner-city neighborhoods into valuable community spaces.

SMALL BUSINESS OPPORTUNITY ACCELERATION ACT OF 2013

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. HAHN. Mr. Speaker, whenever we get to go back to our districts, I always try to make time to meet some more small businesses—to hear direct from them, what is standing in their way, what the need to hire and grow. And over and over again, I hear that the difficulty accessing capital is holding back the businesses of my district, and across the nation.

Interest rates are low, but the upfront costs of capital can push away many small businesses that would otherwise be able to seize an opportunity in the market that would strengthen and even expand their business. The Small Business Administration has worked to make it easier and less costly for small businesses to access capital with the 7(a) loans. However, the SBA charges an upfront fee for its loan guarantee that can deter small businesses from pursuing small loans to take advantage of fleeting opportunities that require a quick influx of capital.

By targeting the small loans that are so critical to the entrepreneurs and small businesses in my district, we can make it easier for these job creators to succeed and grow. That's why I am introducing legislation that would eliminate the upfront guarantee fee for SBA 7(a) loans of $150,000 or less.

As we continue to work to strengthen the small businesses that are the backbone of our nation's economy, and to combat the many obstacles to their accessing the capital they need to succeed, I hope my colleagues will support this legislation.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. JACKSON LEE. Madam Speaker, I rise in strong opposition to H.R. 1797, the ''Pain-Capable Unborn Child Protection Act.'' Last year I opposed this irresponsible and reckless legislation when it was brought to the floor under a suspension of the rules and fell well short of the two-thirds majority needed to pass. I opposed the bill, which arbitrarily bans a woman from exercising her constitutionally protected right to choose to terminate a pregnancy after 20 weeks, last year for the same reasons I do now. This purely partisan and divisive legislation:

1. Unduly burdens a woman's right to terminate a pregnancy and thus puts their lives at risk;

2. Does not contain exceptions for the health of the mother;

3. As introduced and considered in the Judiciary Committee, unfairly targeted the District of Columbia; and

4. Infringes upon women's right to privacy, which is guaranteed and protected by the U.S. Constitution.

Madam Speaker, the rule governing debate on this bill also set the terms of debate for the farm bill that makes drastic reductions in SNAP funding and nutrition programs that help women, children, infants, and the poor.

Coupling these two bills together under one rule sends the uncaring message that it is right and good to force a woman to carry an unwanted pregnancy to term and then withhold from her and her infant the support necessary for them to maintain a nutritious and healthy diet.

Madam Speaker, in 2010, Nebraska passed a law banning abortion care after 20 weeks.

Since then 10 more red states—Alabama, Arizona, Arkansas, Georgia, Idaho, Indiana, Kansas, Louisiana, North Dakota, and Oklahoma—have enacted similar bans. None of these laws has an adequate health exception. Only one provides an exception for cases of rape or incest.

H.R. 1797 seeks to take the misguided and mean-spirited policy of these states and make it the law of the land. In so doing, the bill poses a nationwide threat to the health and wellbeing of American women and a direct challenge to the Supreme Court's ruling in Roe v. Wade.

Madam Speaker, one of the most detestable aspects of this bill is that it would curb access to care for women in the most desperate of circumstances. It is these women who receive the 1.5 percent of abortions that occur after 20 weeks.

Women like Danielle Deaver, who was 22 weeks pregnant when her water broke. Tests showed that Danielle had suffered anhydramnios, a premature rupture of the membranes before the fetus has achieved viability. This condition meant that the fetus likely would be born with a shortening of muscle tissue that results in the inability to move limbs.

In addition, Danielle's fetus likely would suffer deformities to the face and head, and the lungs were unlikely to develop beyond the 22-week point. There was less than a 10% chance that, if born, Danielle's baby would be able to breathe on its own and only a 2% chance the baby would be able to eat on its own. Danielle and her husband decided to terminate the pregnancy but could not because of the Nebraska ban. Danielle had no recourse but to endure the pain and suffering that followed. Eight days later, Danielle gave birth to a daughter, Elizabeth, who died 15 minutes later.

H.R. 1797 hurts women like Vikki Stella, a diabetic, who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and had no chance of survival. Because of Vikki's diabetes, her doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion. Because Vikki was able to terminate the pregnancy, she was protected from the immediate and serious medical risks to her health and her ability to have children in the future was preserved.

Madam Speaker, every pregnancy is different. No politician knows, or has the right to assume he knows, what is best for a woman and her family. These are decisions that properly must be left to women to make, in consultation with their partners, doctors, and their God.

That is why the American College of Obstetricians and Gynecologists, the nation's leading medical experts on women's health, strongly opposes 20-week bans, citing the threat these laws pose to women's health.

Madam Speaker, I also strongly oppose H.R. 1797 because it lacks the necessary exceptions to protect the health and life of the mother. In fact, the majority Republicans rejected an amendment offered by our colleague, Congressman NADLER, which would have added a ''health of the mother'' exception to the bill.

During the markup of H.R. 1797 in the Judiciary Committee, Republicans even rejected an amendment I offered that would have provided a limited exception in cases where ''the pregnancy could result in severe and long-lasting damage to a woman's health, including lung disease, heart disease, or diabetes.''

Imagine, Madam Speaker, an amendment permitting an exception in the case where a woman risked heart or lung disease was rejected by Judiciary Republicans as too lenient and compassionate toward women.

I offered my amendment again to the Rules Committee but again, Committee Republicans refused to make it in order.

Madam Speaker, it is an additional measure of just how incredibly bad this bill is that when it was introduced and considered in the Judiciary Committee, it did not even include an exception for rape or incest.

Madam Speaker, this may come as news to some in this body, but each year approximately 25,000 women in the United States become pregnant as a result of rape. And about a third (30%) of these rapes involved women under age 18.

Madam Speaker, last and most important, I oppose H.R. 1797 because it is an unconstitutional infringement on the right to privacy, as interpreted by the Supreme Court in a long line of cases going back to Griswold v. Connecticut in 1965 and Roe v. Wade decided in 1973. In Roe v. Wade, the Court held that a state could prohibit a woman from exercising her right to terminate a pregnancy in order to protect her health prior to viability. While many factors go into determining fetal viability, the consensus of the medical community is that viability is acknowledged as not occurring prior to 24 weeks gestation.

By prohibiting nearly all abortions beginning at ''the probable post-fertilization age'' of 20 weeks, H.R. 1797 violates this clear and long standing constitutional rule.

In striking down Texas's pre-viability abortion prohibitions, the Supreme Court stated in Roe v. Wade:

> With respect to the State's important and legitimate interest in potential life, the ''compelling'' point is at viability. This is so because the fetus then presumably has the capability of meaningful life outside the mother's womb. State regulation protective of fetal life after viability thus has both logical and biological justification. If the State is interested in protecting fetal life after viability, it may go as far as to proscribe abortion during that period, except when it is necessary to preserve the life or health of the mother.

Supreme Court precedents make it clear that neither Congress nor a state legislature can declare any one element—''be it weeks of gestation or fetal weight or any other single factor—as the determinant'' of viability. *Colautti* v. *Franklin, 439 U.S. 379, 388–89 (1979).* Nor can the government restrict a woman's autonomy by arbitrarily setting the number of weeks gestation so low as to effectively prohibit access to abortion services as is the case with the bill before us.

If this bill ever were to become law, it would not survive a constitutional challenge even to its facial validity. A similar 20-week provision enacted by the Utah legislature was struck down years ago as unconstitutional by the United States Court of Appeals for the 10th Circuit because it ''unduly burden[ed] a woman's right to choose to abort a nonviable fetus.'' *Jane L.* v. *Bangerter, 102 F.3d 1112, 1118 (10th Cir. 1996).* And just last month, the Ninth Circuit struck down a 20 week ban on the ground that the U.S. Supreme Court has been ''unalterably clear'' that ''a woman has a constitutional right to choose to terminate her pregnancy before the fetus is viable.'' *Isaacson* v. *Horne*, F.3d , No. 12–16670, 2013 WL 2160171, at *1 (9th Cir. May 21, 2013).

Madam Speaker, the constitutionally protected right to privacy encompasses the right of women to choose to terminate a pregnancy before viability, and even later where continuing to term poses a threat to her health and safety. This right of privacy was hard won and must be preserved inviolate. For this reason, I offered an amendment before the Rules Committee that would ensure that the legislation before us is not to be interpreted to abridge this right. The Jackson Lee Amendment #2 provided:

> SEC. 4. RULE OF CONSTRUCTION. Nothing in this Act shall be construed or interpreted to limit the right of privacy guaranteed and protected by the United States Constitution as interpreted by the United States Supreme Court in the cases of *Griswold* v. *Connecticut*, 381 U.S. 479 (1965); *Eisenstadt* v. *Baird*, 405 U.S. 438 (1972), and *Roe* v. *Wade*, 410 U.S.113 (1973).

Regrettably, the Rules Committee did not make this amendment in order. Unregrettably, I strongly oppose H.R. 1797 and urge all members to join me in voting against this unwise measure that put the lives and health of women at risk.

FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

SPEECH OF

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes:

Mr. GRIMM. Mr. Chair, I rise today to express my sincere thanks to Chairman FRANK LUCAS for his acceptance of the amendment to the Farm Bill that I offered with my colleagues from New York Reps. CHRIS GIBSON and TIM BISHOP. Our amendment would require the Secretary of Agriculture to conduct a study and no later than 180 days after enactment report back to the relevant committees in the House and Senate an analysis of energy use in USDA facilities, a list of energy audits that have been conducted at USDA facilities, a list of energy efficiency projects that have been conducted at USDA facilities and a list of energy savings projects that could be achieved with additional mechanical insulation at USDA facilities.

Thermal Insulation for piping, equipment, and other mechanical devices, known as mechanical insulation, is a proven energy efficiency and emission reduction technology that will reduce costs, save energy, and improve personnel safety. It is also important to point out that 95 percent of all mechanical insulation products used in the United States are manufactured in the United States.