

And let's not forget, for male employees of these firms, their wives and daughters who are on their healthcare coverage will also be discriminated against and treated differently.

The stupidity of this Supreme Court decision is that it completely overlooks the fact that 58 percent of the women who get prescription oral contraceptives do it not just for birth control, but for another medical reason, such as endometriosis, ovarian cysts, or Polycystic Ovary Syndrome. Even those women will be out of luck, which means they don't have the same rights as all those men who buy Viagra. That's still covered.

The most dangerous thing that has happened here is that this court has set a precedent for the nearly 48 cases currently working their way through the courts filed by for-profit companies about contraception coverage. Those 48 cases now have this decision as legal precedent.

It is not beyond the realm of possibility that the idea of blood transfusions, vaccinations, and treatment for HIV/AIDS would no longer be covered. With this court, we are pedaling backward to the 19th century but I've got news for the five men on the court behind this decision: the women of America don't want to go! And this bill helps ensure that we don't.

H.R. 5051, The Protect Women's Health from Corporate Interference Act—also called the "Not My Boss's Business Act"—would ensure that an employer that provides a group health plan for its employees does not deny coverage of a specific health care item or service to its employees or covered dependents of employees where that coverage is mandated by Federal law.

The bill specifically states the Religious Freedom Restoration Act does not excuse or relieve this duty, and allows for the existing exemption for houses of worship and accommodation for religious non-profit organizations that do not wish to provide coverage of contraceptives.

The women of this country don't want a court or anyone else to determine that they are second-class citizens, and this bill would put an end to that. And what we need is a vote. We're all here today to call on Speaker BOEHNER to bring this to the floor. Wouldn't that be something?

Mr. Speaker, the House has been given two opportunities to defeat the previous question: once on Tuesday, and another today. Both times, we offered an amendment to the rule that would have given Members an opportunity to consider reversing the damage done by the recent Hobby Lobby Supreme Court decision. Both times, the House has rejected this measure.

No employer should have the right to limit the health choices of its employees—male or female. It is pure discrimination, when 99 percent of women in this country have used some form of birth control during their lifetime—but now have to literally go to unreasonable measures to simply secure the fundamental health care they need.

PERSONAL EXPLANATION

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2014

Ms. CHU. Mr. Speaker, on July 15, 2014, I was unavoidably detained from votes due to a

conflict. Had I been present on the House floor I would have voted as follows: "no" on rollcall No. 408, H. Res. 669, the rule providing for consideration of H.R. 5021, the Highway and Transportation Funding Act of 2014.

I would have voted as follows on amendments to H.R. 5016, the Financial Services and General Government Appropriations Act, 2015: "aye" on rollcall No. 409, the Jackson Lee Amendment; "no" on rollcall No. 410, the Roskam Amendment; "aye" on rollcall No. 411, the Moore Amendment; and "aye" on rollcall No. 412, the Waters Amendment.

RECOGNIZING MS. DOROTHY
PARKS FOR HER 50 YEARS OF
DEDICATED AND FAITHFUL
SERVICE

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2014

Mr. OWENS. Mr. Speaker, I rise today to recognize Dorothy Parks. I had the honor and privilege of working with Ms. Parks in Plattsburgh, NY for more than 30 years. She works hard every day, diligently and happily performing the tasks she is assigned.

This month will mark her 50th year at the firm where we both worked, she having started there on July 13, 1964. During her five decades at the firm, Ms. Parks earned the respect of all who came to trust and depend on her, including myself. She has guided many new staff and young lawyers, teaching us the ropes, if you will, with a smile and a gentle hand.

While working for the firm, Ms. Parks raised four children and now has six loving grandchildren for whom she is a dedicated grandparent.

Ms. Parks' employer, Stafford, Piller, Murnane, Kelleher and Trombley, will be recognizing her successful 50 year career later this month with a celebratory luncheon.

H.R. 5016, "FINANCIAL SERVICES
AND GENERAL GOVERNMENT AP-
PROPRIATIONS ACT"

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2014

Mr. BLUMENAUER. Mr. Speaker, I voted against H.R. 5016, the Financial Services and General Government Appropriations Act.

The bill cut too deeply into many important services—including an insane \$340 million cut to the Internal Revenue Service (IRS). No business cripples its account receivables department and neither should we. The Congressional Budget Office has found that cutting the IRS's ability to enforce tax law ultimately costs more in lost revenue than the money saved in the initial cut. This is simply bad policy that does not save the government money.

I was pleased to see the rejection of an amendment offered by Representative FLEMING, which would have rolled back the Administration's guidance to banks seeking to provide services to state-legal marijuana busi-

nesses, and the adoption of an amendment offered by Representative HECK, which will increase access to these services. These were two strong votes to stop forcing state-legal marijuana businesses to operate only in cash, a situation that is unsafe and invites illegal activity. This was a victory for commonsense reform.

This was a rare bright spot, however, in otherwise reckless legislation that slows the enactment of effective financial regulations, reduces our ability to collect much-needed revenue and meddles in the affairs of the D.C. government. It was for these reasons that I opposed this legislation and was disappointed to see it pass.

INTRODUCTION OF THE "PRO-
TECTING EMPLOYEES AND RE-
TIREEES IN MUNICIPAL BANK-
RUPTCIES ACT OF 2014"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2014

Mr. CONYERS. Mr. Speaker, when a municipality files for bankruptcy, its employees and retirees who have devoted their lives to public service—such as police officers, firefighters, sanitation workers and office personnel—risk having their hard-earned wages, pensions and health benefits cut or even eliminated.

This is why I am introducing the "Protecting Employees and Retirees in Municipal Bankruptcies Act of 2014." This legislation strengthens protections for employees and retirees under chapter 9 municipality bankruptcy cases by: (1) clarifying the criteria that a municipality must meet before it can obtain chapter 9 bankruptcy relief; (2) ensuring that the interests of employees and retirees are represented in the chapter 9 case; and (3) imposing heightened standards that a municipality must meet before it may modify any collective bargaining agreement or retiree benefit.

While many municipalities often work to limit the impact of budget cuts on their employees and retirees, as was recently demonstrated in the chapter 9 plan of adjustment recently approved by Detroit's public employees and retirees, other municipalities could try to use current bankruptcy law to set aside collective bargaining agreements and retiree protections.

My legislation addresses this risk by requiring the municipality to engage in meaningful good faith negotiations with their employees and retirees before the municipality can apply for chapter 9 bankruptcy relief. This measure would also expedite the appellate review process of whether a municipality has complied with this and other requirements. And, the bill ensures employees and retirees have a say in any plan that would modify their benefits.

SECTION-BY-SECTION EXPLANATION

Sec. 1. Short Title. Section 1 of the bill sets forth the short title of the bill as the "Protecting Employees and Retirees in Municipal Bankruptcies Act of 2014."

Sec. 2. Determination of Municipality Eligibility To Be a Debtor Under Chapter 9 of Title II of the United States Code. A municipality can petition to be a debtor under chapter 9, a specialized form of bankruptcy relief, only if a bankruptcy court finds by a preponderance of the evidence that the municipality satisfies certain criteria specified

in Bankruptcy Code section 109. In the absence of obtaining the consent of a majority of its creditors, section 109 requires the municipality, in pertinent part, to have negotiated in good faith with its creditors or prove that it is unable to negotiate with its creditors because such negotiation is impracticable.

Section 2(a) of the bill amends Bankruptcy Code section 109 in three respects. First, it provides clear guidance to the bankruptcy court that the term "good faith" is intended to have the same meaning as it has under the National Labor Relations Act at least with respect to creditors who are employees or retirees of the debtor. Second, section 2(a) revises the standard for futility of negotiation from "impracticable" to "impossible." This change ensures that before a municipality may avail itself of chapter 9 bankruptcy relief it must prove that there was no possible way it could have engaged in negotiation in lieu of seeking such relief. Third, the amendment clarifies that the standard of proof that the municipality must meet is "clear and convincing" rather than a preponderance of the evidence. These revisions to section 109 will provide greater guidance to the bankruptcy court in assessing whether a municipality has satisfied the Bankruptcy Code's eligibility requirements for being granted relief under chapter 9.

Bankruptcy Code section 921(e), in relevant part, prohibits a bankruptcy court from ordering a stay of any proceeding arising in a chapter 9 case on account of an appeal from an order granting a municipality's petition to be a debtor under chapter 9. Section 2(b) strikes this prohibition thereby allowing a court to issue a stay of any proceeding during the pendency of such an appeal. This ensures that the status quo can be maintained until there is a final appellate determination of whether a municipality is legally eligible to be a chapter 9 debtor.

Typically, an appeal of a bankruptcy court decision is heard by a district or bankruptcy appellate panel court. Under limited circumstances, however, a direct appeal from a bankruptcy court decision may be heard by a court of appeals. Until a final determination is made as to whether a municipality is eligible to be a debtor under chapter 9 of the Bankruptcy Code, the rights and responsibilities of numerous stakeholders are unclear. To expedite the appellate process and promote greater certainty to all stakeholders in the case, section 2(c) of the bill allows an appeal of a bankruptcy court order granting a municipality's petition to be a chapter 9 debtor to be filed directly with the court of appeals. In addition, section 2(c) requires the court of appeals to hear such appeal *de novo* on the merits as well as to determine it on an expedited basis. Finally, section 2(c) specifies that the doctrine of equitable mootness does not apply to such an appeal.

Sec. 3. Protecting Employees and Retirees. The chapter 9 debtor must file a plan for the adjustment of the municipality's debts that then must be confirmed by the bankruptcy court if it satisfies certain criteria specified in Bankruptcy Code section 943. Section 3 of the bill makes several amendments to current law intended to ensure that interests of municipal employees and retirees are better protected. With respect to plan confirmation requirements, section 3 amends Bankruptcy Code section 943 to require consent from such employees and retirees to any plan that impairs—in a manner prohibited by non-bankruptcy law—a collective bargaining agreement, a retiree benefit, including an accrued pension, retiree health, or other retirement benefit protected by state or municipal law or as defined in Bankruptcy Code section 1114(a).

Such consent would be conveyed to the court by the authorized representative of

such individuals. Subject to certain exceptions, section 3 specifies that the authorized representative of individuals receiving any retirement benefits pursuant to a collective bargaining agreement is the labor organization that signed such agreement unless such organization no longer represents active employees. Where the organization no longer represents active employees of the municipality, the labor organization that currently represents active employees in that bargaining unit is the authorized representative of such individuals.

Section 3 provides that the exceptions apply if: (1) the labor organization chooses not to serve as the authorized representative; or (2) the court determines, after a motion by a party in interest and after notice and a hearing, that different representation is appropriate. Under either circumstance, the court, upon motion by any party in interest and after notice and a hearing, must order the United States Trustee to appoint a committee of retired employees if the debtor seeks to modify or not pay the retiree benefits or if the court otherwise determines that it is appropriate for that committee be comprised of such individuals to serve as the authorized representative.

With respect to retired employees not covered by a collective bargaining agreement, the court, on motion by a party in interest after notice and a hearing, must order the United States Trustee to appoint a committee of retired employees if the debtor seeks to modify or not pay retiree benefits, or if the court otherwise determines that it is appropriate to serve as the authorized representative of such employees. Section 3 provides that the party requesting the appointment of a committee has the burden of proof.

Where the court grants a motion for the appointment of a retiree committee, section 3 requires the United States Trustee to choose individuals to serve on the committee on a proportional basis per capita based on organization membership from among members of the organizations that represent the individuals with respect to whom such order is entered. This requirement ensures that in a case where there are multiple labor organizations, the committee fairly represents the interests of the members of those various organizations on a proportional basis.

Finally, section 3 of the bill imposes a significant threshold that must be met before retiree benefits can be reduced or eliminated. Current law has no such requirement. In a case where the municipality proposes in its plan to impair any right to a retiree benefit, section 3 permits the committee to support such impairment only if at least two-thirds of its members vote in favor of doing so.

HONORING ED HATRICK

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2014

Mr. WOLF. Mr. Speaker, I rise today to honor Mr. Ed Hatrick, who served as superintendent of Loudoun County Public Schools for 23 years before retiring on June 30.

Ed spent his entire career in Loudoun County, starting as a high school English teacher in 1967. He also served as a principal, director of special education, director of instruction, supervisor of guidance and foreign languages and assistant superintendent for pupil services before becoming superintendent in 1991.

As superintendent, Ed has watched Loudoun grow from a rural farming community

with 8,000 students into a suburban community with a student population of 70,000 students. Since 1991, Loudoun County has constructed 54 new schools and renovated 33 more.

Ed has served as president of the Urban Superintendents Association of America and president of the American Association of School Administrators. He also has served in numerous professional and community offices and has been recognized for his work by the General Assembly of Virginia. He received an honorary doctor of humanities degree from Shenandoah University for his community service.

I am pleased to submit the following article from Leesburg Today on Ed's career and retirement. I ask that my colleagues join me in congratulating him for many years of distinguished service to our nation's youth.

[From Leesburg Today, June 24, 2014.]

SUPERINTENDENT HATRICK HONORED AS

"UNCOMMON COMMON MAN"

(By Danielle Nadler)

Even at 9:30 p.m. on a Friday, Edgar B. Hatrick III couldn't help but teach.

Standing in a sprawling ballroom with some of the commonwealth's most influential individuals at his retirement dinner, the 23-year superintendent and former high school English teacher launched into a metaphor.

He said, as geese fly in formation they offer encouragement to the lead goose through their honking, and when the lead goose tires, another pulls forward to take the lead. The story left many in the room chuckling. They'd heard it repeated at staff meetings and back-to-school orientations over the years.

Hatrack laughed with them, before finally interrupting the chatter to say, "That's what being in Loudoun County Public Schools has been all about."

"I have felt the warmth, the support and the understanding that has led me to say if I had to do it all over again—the whole 47-and-a-half years—I would not change one thing," he said, fighting back tears. "It has been just that wonderful to be able to work with you to build up this school system."

Hatrack, 68, retires Monday as the region's longest serving superintendent. More than 500 people crowded the National Conference Center ballroom Friday to thank Hatrick for his service to help shape the learning experiences of hundreds of thousands of students in Virginia.

Politicians and fellow school administrators praised Hatrick for his influence on public education on a national and even global scale. He drew attention to Loudoun when it was the fastest growing school system in the country, opening 50 new schools to keep up with enrollment that has increased by 53,637 students during his tenure. And as former president of the American Association of School Administrators, he united superintendents to advocate better measures of schools' effectiveness than the federal No Child Left Behind model.

AASA Executive Director Dan Domenech described him as "a recognized brand for education around the world."

But it was the stories of Hatrick, from as early as his high school years when friends knew him as Skip, that best illustrate what he's been to Loudoun County, an individual the Loudoun Education Foundation called an "uncommon common man."

His former classmate Carolyn Whitely and Evan Mohler, former assistant superintendent for Support Services, described Hatrick as the student teachers wanted in