



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 160

WASHINGTON, WEDNESDAY, JULY 16, 2014

No. 111

## 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,  
July 16, 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.

### HONORING JUDGE TOM GRAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACK) for 5 minutes.

Mrs. BLACK. Mr. Speaker, I rise today to honor a friend and exemplary member of our community, Judge Tom Gray.

Judge Gray has led a distinguished career in Sumner County, Tennessee, serving as a judge since 1982 and as a chancellor of the 18th judicial district since 1986. As he will soon step aside from his career in public service to spend more time with his family, I wanted to take this opportunity to

highlight just a few of the reasons Judge Gray has been so important to our community.

Mr. Speaker, Tom Gray is a Tennessean through and through. He graduated from Central High School in Shelbyville, received his bachelor's and master's degrees from George Peabody College, and received his law degree from the Nashville YMCA Law School.

During his exemplary career in the Tennessee legal community, Judge Gray served as treasurer and secretary of the Tennessee Judicial Conference. He has served on committees to improve education and domestic relations, as well as to improve work between the bench and the bar. He has hosted student groups at the courthouse and has spoken to local civic clubs and churches.

As a proud Sumner County resident, he has served as the president of the Gallatin Rotary Club. His long resume of community activities includes work with the Sumner County Historical Society, the Rosemont Society, Habitat for Humanity, as well as the Sumner County Museum.

Judge Gray is a proud member of the Hendersonville United Methodist Church and a proud husband, father, and grandfather.

Mr. Speaker, my friends and I in Sumner County wish all the best to our friend Tom as he retires from the bench. I look forward to watching Judge Gray begin the next chapter of his life. It is my honor to speak on his behalf here today.

### ORCA CAPTIVITY

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

Mr. SCHIFF. Mr. Speaker, while the documentary "Blackfish" ignited a public and passionate debate over whether orcas should be held in captivity for the purposes of display and

entertainment, as they are at Sea World and other parks around the world, marine mammal experts have, for decades, been engaged in a longer discussion about the scientific value and morality of keeping killer whales in captivity.

"Blackfish" documents the history of the captivity of orcas in the United States, focusing on one whale named Tilikum, who figured in the deaths of three of his trainers.

Public displays of animals can engage our children and kindle a lifelong interest in and respect for wildlife. They can sometimes add to our scientific body of knowledge. Indeed, these are often cited as the justifications for keeping animals in captivity. Yet the shows in which these animals are displayed often have more in common with a rock concert than a scientific exposition, and many believe that the psychological and physical harm done to these magnificent animals far outweighs any benefits reaped from their display.

Here are a few facts that call into question the propriety of keeping these animals in captivity.

In the wild, orcas frequently swim 100 miles a day and dive to great depths in search of food. In captivity, they are held in tiny, shallow concrete pools where they often wallow listlessly when not being asked to perform.

In the wild, the average life expectancy for male orcas is 30, and for females it is 50 years; whereas, most captive orcas die before they reach the age of 25. Remarkably, a 103-year-old orca was recently spotted off the coast of Canada.

In the wild, dorsal fin collapse is extremely rare, but all adult male orcas in captivity have collapsed dorsal fins. Many scientists attribute this phenomenon to the condition of their captivity, such as repetitive circular swimming patterns, gravitational pull from spending the vast majority of the

□ 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.



Printed on recycled paper.

H6299

time at the surface of the water, and dehydration.

Marine mammals are some of the most intelligent nonhuman animals on Earth. They are highly social and live in matrilineal pods that can be as large as 40 individuals. Pod members are interdependent. Pods often have their own hunting techniques and communication styles that some argue are akin to language or dialect. Orcas in marine parks do not live in natural pods, and separation of calves and mothers has been documented on multiple occasions.

In the wild, not a single human death has been attributed to an orca, but captive orcas are responsible for numerous injuries and deaths. Because of this, the Labor Department's OSHA office has conducted an investigation and issued new rules aimed at protecting human trainers and handlers of orcas by prohibiting those trainers from getting in close contact with the animals during the shows. These rules have recently been upheld by the court of appeals.

Last month, my colleague JARED HUFFMAN and I advanced an amendment to require USDA to finalize long-delayed regulations pertaining to the captivity of orcas. It is my hope that USDA will do so based on sound science and recognition of the harm these animals suffer in captivity, and not grounded in an effort to placate the interests of the industry that showcases them.

We cannot be responsible stewards of our natural environment and propagate messages about the importance of animal welfare when our policies and practices do not reflect our deeply held principles.

From my own point of view, I believe it is time to phase out killer whale captivity. This means no more captive breeding, no more wild captures. Orcas held in captivity now should live out their lives in their current habitats if they cannot likely survive in the wild. But with the death of this generation of captive orcas, we should draw a line: no more confinement in tiny tanks; no more forced social structures; no more captivity for our entertainment.

High mortality rates, aberrant behavior among orcas, the consistent collapsed dorsal fins, and the tragic deaths of trainers themselves all point in the same direction—an end to the forced captivity of these majestic creatures.

Mr. Speaker, while the documentary *Blackfish* ignited a passionate public debate over whether orcas should be held in captivity for the purposes of display and entertainment, as they are at Sea World and other parks around the world, marine mammal experts have, for decades, been engaged in a longer discussion about the scientific value and morality of keeping killer whales in captivity.

*Blackfish* documents the history of the captivity of orcas in the United States, focusing on one whale named Tilikum, who figured in the deaths of three of his trainers.

Public displays of animals can engage our children, and kindle a lifelong interest in and

respect for wildlife. They can sometimes add to our scientific body of knowledge. Indeed, these are often cited as justifications for keeping these animals in captivity. Yet the shows in which these animals are displayed often have more in common with a rock concert than a scientific exposition, and many believe that the psychological and physical harm done to these animals far outweighs any benefits reaped from their display.

Here are some very simple facts that call into question the propriety of keeping these magnificent animals in captivity:

In the wild, orcas frequently swim 100 miles in a day and dive to great depths in search of food. In captivity, they are held in tiny, shallow concrete pools, where they often wallow listlessly when not being asked to perform.

In the wild, the average life expectancy for male orcas is 30, and for females is 50, whereas most captive orcas die before they reach the age of 25. Remarkably, a 103-year-old orca was recently spotted off the coast of Canada.

In the wild, dorsal fin collapse is extremely rare, but all adult male orcas in captivity have collapsed dorsal fins. Many scientists attribute this phenomenon to the conditions of their captivity—such as repetitive circular swimming patterns, gravitational pull from spending the vast majority of the time at the surface of the water, and dehydration.

Marine mammals are some of the most intelligent non-human animals on Earth. They are highly social and live in matrilineal pods that can be as large as 40 individuals. Pod members are interdependent and pods have their own hunting techniques and communication styles that some argue are akin to different languages.

Orcas in marine parks do not live in natural pods, and separations of calves and mothers have been documented on multiple occasions. When I watched the *Blackfish*, I was particularly struck by the description of a mother's visceral reaction when her calf was taken away from her and transported to another park—crying out with long-distance calling sounds—noises not heard previously by marine biologists at the park.

As the film *Blackfish* documents, several factors lead to severe psychological and physical problems for these animals when in captivity, and in many instances, can result in premature death—not to mention putting the lives of their handlers at risk. In the wild, not a single human death has been attributed to an orca, but captive orcas are responsible for numerous injuries and deaths. Because of this, the Labor Department's Occupational Safety and Health Administration (OSHA) conducted an investigation and issued new rules aimed to protect the human trainers and handlers of orcas by prohibiting trainers from getting in close proximity to the animals during shows. These rules were recently upheld by the U.S. Court of Appeals.

Last month, my colleague Rep. JARED HUFFMAN and I advanced an amendment to require USDA to finalize long delayed regulations pertaining to the captivity of orcas. It is my hope that USDA will do so based on sound science and recognition of the harm these animals suffer in captivity, and not grounded in an effort to placate the interests of the industry that showcases them. We cannot be responsible stewards of our natural environment and propagate messages about the

importance of animal welfare when our policies and practices do not reflect our deeply held principles.

From my own point of view, I believe it's time to phase out killer whale captivity. That means no more captive breeding, no more wild captures. Orcas held in captivity now should live out their lives in their current habitats, if they cannot likely survive in the wild. But with the death of this generation of captive orcas, we should draw a line. No more confinement in tiny tanks. No more forced social structures. No more captivity for our entertainment.

High mortality rates, aberrant behavior among orcas, the consistent collapsed dorsal fins, and the tragic deaths of the trainers themselves all point in the same direction—an end to the forced captivity of these majestic creatures.

#### AMERICA'S DEBT IMPACTS ILLEGAL ALIEN CHILDREN SOLUTION

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

Mr. BROOKS of Alabama. Mr. Speaker, America's deficits have averaged a trillion dollars a year for 5 years. America's total debt has blown through the \$17 trillion mark, and our Comptroller General warns America that our financial path is unsustainable.

Last year, America's debt service cost roughly \$250 billion—which is five Federal transportation or 14 NASA programs we can't afford because we have to pay debt service.

If not fixed, what do these deficits and debt mean?

On a micro level, America must learn from Detroit and Stockton, where bankruptcy courts battle over pension plan funding. On a macro level, we must learn from Greece and Spain, where unemployment is 26 and 28 percent worse than America at any time during the Great Depression. We must learn from Argentina and Venezuela, where inflation rates were 28 percent and 56 percent in one year, in 2012.

Closer to home, we must learn from Puerto Rico, the home for 3.5 million Americans. In February, Puerto Rico's sovereign debt was downgraded to junk bond status, thereby damaging Puerto Rico's economy for years, if not decades, to come.

This brings me to the taxpayer cost of today's massive flood of illegal alien children surging across America.

According to Customs and Border Protection data, in fiscal year 2012, 24,000 illegal alien children surged across our border. That surge increased by 59 percent, to 39,000 illegal alien children in FY 2013. That surge increased by another 58,000 illegal alien children so far this fiscal year, with an estimated total of 90,000 crossing our borders for all of fiscal year 2014—a startling 132 percent increase.

How should America fix this problem?

First, the Obama administration must stop enticing illegal alien children to America with promises of amnesty and money. America cannot give