



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, MONDAY, JULY 13, 2015

No. 108

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. EMMER of Minnesota).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

July 13, 2015.

I hereby appoint the Honorable TOM EMMER 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 6, 2015, 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 1:50 p.m.

DON FRISBEE

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

Mr. BLUMENAUER. Mr. Speaker, this weekend, we will gather in Portland to mourn the passing and celebrate the life of Don Frisbee, who died June 26 at the age 91.

Don led an extraordinary life, rising through the company ranks to become the chairman and CEO of PacifiCorp, then the major private utility in the Pacific Northwest.

He was a bold and visionary leader of this important company. He was a

board member of Fortune 500 companies like Weyerhaeuser and First Interstate Bank, now Wells Fargo. He was widely regarded as the most influential business leader in Oregon for 2 decades.

Don's influence, though, extended beyond the business space. He was also on the board of two prestigious Northwest academic institutions, Whitman College in Walla Walla and Reed College in Portland, where he played a critical role in the development of that storied institution.

He helped promote the growth of Portland State University, the Oregon Health Science University, and helped guide the Children's Institute.

Later in his retirement, he worked for 5 years with his daughter-in-law, Denise Frisbee, on a program throughout the State of Oregon to connect people with their public schools.

He cared deeply about the civic infrastructure, how to encourage and empower individuals to make a difference the way that he, himself, had. He was instrumental in the creation and growth of the Oregon Leadership Forum, which now for 30 years has gathered people from all across Oregon on an ongoing, yearlong program to develop leadership capacity and commitment to our State. From its founding to his board leadership, from participating in the very first year's programming, he was the driving force for this unique organization.

The utility executive was passionate about Oregon's special places. He loved the out-of-doors and his own special place, his beloved ranch in Sisters, located in a spectacular setting in central Oregon.

This veteran utility executive didn't think there was a conflict between sound, sustainable business practices and protecting the environment. During the last conversation I had with Don, he talked about how delighted he was with the Pope's encyclical on the environment and global warming.

For all his many accomplishments, his family and friends were central in his life, even more so as the years passed. He lost his beloved wife, Emily, in 2003, after 56 years of marriage. Together, they built a family, a career, and a better community.

A little at loose ends after losing Emily, later in life, he met, wooed, and wed a widow who was his neighbor, Betty Perkins. Together, they found extraordinary happiness. They had an amazing effect on everyone they met, whether on a cruise, on the 60th reunion of Don's class at the Harvard Business School, or just people on the street.

At a time when most their age would be in rocking chairs, they were traveling the world, providing inspiration to all privileged to spend time around them. His was an extraordinary life well lived.

Portland is often regarded as one of America's finest city, listed on all the best places. Over the last 50 years, no one made it a better place than Don Frisbee.

Our hearts go out to Don's family; his wife, Betty; and to all of those who were touched by this extraordinary man.

TIME TO STREAMLINE SIMPLE IRA ROLLOVERS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, in 1966, Federal legislation established a new type of employer-sponsored retirement plan known as a SIMPLE IRA. These plans are designed to give small businesses a retirement option for their employees without the administrative burdens of other employer-sponsored retirement plan types.

SIMPLE IRAs face a 25 percent early withdrawal penalty during the first 2

□ 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.

H5091

years of their existence, compared to 10 percent for other IRAs. In order to prevent accountholders from unknowingly rolling their IRA funds into SIMPLE IRAs and being surprised by an increased early retirement penalty, current law prohibits rolling funds over into a SIMPLE IRA from other retirement accounts.

However, SIMPLE IRAs have the same early withdrawal penalty as other IRAs after that initial 2-year period, and consumers and financial planners have struggled with the rollover restrictions as they attempt to consolidate accounts.

This week, I will introduce legislation to allow for rollovers into SIMPLE IRA accounts that have met the 2-year threshold. The Joint Committee on Taxation has previously estimated this legislation would have a negligible effect on Federal tax revenues. This bill will simplify retirement planning and ensure a complex Tax Code does not prevent sensible financial planning decisions. Individuals should be able to consolidate their retirement funds in a way that best meets their needs.

This legislation is a small but important first step in the long road to ensuring our tax system works for Americans, not against them.

SHORT-TERM HIGHWAY FUND EXTENSIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Mr. Speaker, 2-year short-term highway fund extensions have become one of Congress' most costly habits. Kudos to the Senate Committee on Environment and Public Works, which has marked up the highway portion and may come to the floor this week with a 6-year bill.

That bill is not yet paid for, but the Senate is at least making progress toward a 6-year bill, the kind that is needed to make a dent in the backlog of our construction projects in the States.

We should not be deterred by the likelihood of another short-term bill, perhaps going to the end of the year. The goal before the year is out must be a long-term bill.

Congress has taken to authorizing the highway trust fund for 2 years, knowing full well that the trust fund, collecting gas user fees at 1993 levels, would run out even before those 2 years are out; then the waltz begins with endless short-term bills.

The States are disgusted and exhausted. MAP-21 ran out before the end of its 2-year lifetime. The last short-term bill extension was so useless that it has lasted longer than expected because the States could not apply the funds to the backlog of now endless rescheduled projects; 6-month extensions have yielded 6-month projects, usually only patchwork.

This poster goes beyond showing that the short-term extensions have been

useless to the States. These short term bills and extensions are having negative effects on the pocketbooks of our constituents. The highway user fee, which has not been raised for 22 years, costs drivers \$97 a year. The bad roads that are the result cost those same drivers \$515 per year.

Find your State for the cost to your constituents. Here is a random sample: Louisiana, \$514 per year; Oklahoma, \$763 per year; New Jersey, \$685 per driver; Ohio, \$446 per driver; California, \$762 per driver; and Pennsylvania, \$471 per driver.

All the figures are high, regardless of State or region of the country, and those high dollar amounts go out of the pockets of our constituents to patch bad roads, instead of putting the funds into fixing those roads, bridges, and transit.

Congress' short-term attention to our roads, highways, transit and bridges is breaking the bank, not for the Federal Government, but for our constituents. It is no longer the old adage "you can't get something for nothing" rather, not funding the highway trust fund for 6 years costs the people we represent not nothing, but \$515 per driver.

We have got to fund our transportation projects or ask our constituents to pay for their bad roads. The costs to the American people make our options clear what the best thing to do is.

THE DEPARTMENT OF JUSTICE IS DENYING JUSTICE TO VICTIMS OF SEXUAL ASSAULT

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

Mr. POE of Texas. Mr. Speaker, the Department of Justice is failing rape victims.

Across America, an estimated 400,000 untested rape kits sit on shelves. Government officials long blamed a lack of resources to test the kits; so Congress fixed this problem in the reauthorization of the Violence Against Women Act, VAWA, as it is called.

VAWA included the Sexual Assault Forensic Evidence Reporting Act, or SAFER, which allows and mandates that 75 percent of Debbie Smith DNA Backlog Grant funds go directly to test the long backlog of rape kits.

The bottom line, money has been allocated to fund the backlog of 400,000 rape kits. Funds are required to be made available for audits, so we could find the true number of languishing kits throughout different States and then test them.

The goal of SAFER was to ensure that no rape kit went untested, so all victims had answers and all rapists were brought to justice; yet, Mr. Speaker, it has been 2 years. Kits remain in basements on dusty shelves, and nothing has changed.

The money is there; the law is written, but the DOJ, the Department of Justice, shamelessly ignores this man-

date leaving sexual assault victims waiting for justice. Meanwhile, untested rape kits create an unfair treatment of victims. One thing it does is it allows the guilty outlaws to go free and prevents the innocent from being exonerated.

Also, the statute of limitations may expire. Then, when the criminal is captured, he may escape justice because the kit was analyzed too long after the crime was committed. That is a travesty of justice. It is an insult and shameful treatment of sexual assault victims.

To quote an old legal maxim, "the criminal goes free because the constable has blundered" or, in this case, the constable is incompetent.

Without this SAFER Act, which allowed the implementation of funds to analyze backlogs of rape kits, we would still be in a problem that we had 2 years ago.

□ 1215

But these funds are available for the States to analyze and get the kits tested. Once tested, the results would allow the apprehension of criminals.

This is not occurring. The Department of Justice has yet to even offer the SAFER audit grants to the States. The DOJ cannot show that 75 percent of the funds are going to direct testing and lab capacity enhancement, as required by the law.

To give rape victims justice, DNA often holds the critical key and the only key to learning the identity of the perpetrators. Without this, justice is often delayed or denied forever.

Ignoring SAFER is an affront to sexual assault victims. Mr. Speaker, victims deserve to know who assaulted them. They need to know for peace of mind. It is mental turmoil for rape victims not to know the identity of the perpetrator while sometimes they still fear for their own safety. A rape kit DNA test may prove to be their best and last and only hope in knowing the identity of the rapist.

Bureaucrats should do their job. Quit making excuses for not implementing the law.

In my 30 years as a prosecutor and criminal court judge, I talked to and met a lot of sexual assault victims. Sexual assault, or rape, is, to me, the worst crime in society. And rape victims, more than anything else, want to know who did it. They want to know who did it.

We have the capability of helping rape victims know who the perpetrator in 400,000 cases. Why aren't we doing it?

Not knowing the identity of a rapist is haunting to their victims. It is traumatizing. And to know that the rapist still may be on the loose because the testing kit was not done is inexcusable incompetence.

Each day that goes by, we are running out the clock on the statute of limitations, increasing the chance that criminals may escape the long arm of the law. It is time to analyze the