

an indication that we know how to work together. I want to applaud my colleagues for joining our efforts to protect taxpayers.

Mr. MULVANEY. Mr. Speaker, I reserve the balance of my time.

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Mr. CONNOLLY. Again, I want to thank my friend, Mrs. BUSTOS, for her leadership on this very important issue.

I, also, in closing, just want to say to my friend from South Carolina, part of improper payments is also fraud, and the biggest chunk of that is Medicare fraud. We need the help of U.S. Attorney's Offices to go after that. I am aware of one U.S. Attorney's Office last year that identified and recovered \$3 billion of Medicare fraud. Now, I believe there are 99 U.S. Attorney's Offices in the United States. If every one of them made going after this fraud a priority, I assure you, we could significantly reduce improper payments by a commensurate amount. I would be glad to work with him and my friend, Mrs. BUSTOS, on a bipartisan basis to address that aspect of it as well.

Again, I want to thank Mr. MULVANEY for his leadership and for the bipartisan approach we have approached this legislation.

We have no more speakers on our side, Mr. Speaker.

I yield back the balance of my time.

Mr. MULVANEY. Mr. Speaker, I have no further speakers, and I urge adoption.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. MULVANEY) that the House suspend the rules and pass the bill, S. 614.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## MICROBEAD-FREE WATERS ACT OF 2015

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1321) to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1321

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Microbead-Free Waters Act of 2015".*

### SEC. 2. PROHIBITION AGAINST SALE OR DISTRIBUTION OF RINSE-OFF COSMETICS CONTAINING PLASTIC MICROBEADS.

(a) IN GENERAL.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

“(ddd)(1) The manufacture or the introduction or delivery for introduction into interstate

commerce of a rinse-off cosmetic that contains intentionally-added plastic microbeads.

“(2) In this paragraph—

“(A) the term ‘plastic microbead’ means any solid plastic particle that is less than five millimeters in size and is intended to be used to exfoliate or cleanse the human body or any part thereof; and

“(B) the term ‘rinse-off cosmetic’ includes toothpaste.”.

(b) APPLICABILITY.—

(1) IN GENERAL.—The amendment made by subsection (a) applies—

(A) with respect to manufacturing, beginning on July 1, 2017, and with respect to introduction or delivery for introduction into interstate commerce, beginning on July 1, 2018; and

(B) notwithstanding subparagraph (A), in the case of a rinse-off cosmetic that is a non-prescription drug, with respect to manufacturing, beginning on July 1, 2018, and with respect to the introduction or delivery for introduction into interstate commerce, beginning on July 1, 2019.

(2) NONPRESCRIPTION DRUG.—For purposes of this subsection, the term “nonprescription drug” means a drug not subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)).

(c) PREEMPTION OF STATE LAWS.—No State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect restrictions with respect to the manufacture or introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing plastic microbeads (as defined in section 301(ddd) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a)) that are not identical to the restrictions under such section 301(ddd) that have begun to apply under subsection (b).

(d) RULE OF CONSTRUCTION.—Nothing in this Act (or the amendments made by this Act) shall be construed to apply with respect to drugs that are not also cosmetics (as such terms are defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 1321, the Microbead-Free Waters Act of 2015.

I am pleased to have partnered with my friend, Energy and Commerce Committee Ranking Member FRANK PALLONE from New Jersey, on this very important bill to begin the phaseout of plastic microbeads, which you can see in this picture, literally the size of a pinhead sometimes on a penny, to begin the phaseout of plastic microbeads from personal care products on July 1, 2017.

Many folks might be wondering, what exactly is a microbead? Well, I

am sure many of you here and at home are using products that contain microbeads without even realizing it. Microbeads are those tiny little scrubbers in cleansers, body scrubs, and even toothpaste. On their own, they are nearly invisible, smaller than a pinhead, as I indicated.

But once they are flushed down the drain, that is when the problem really begins. They are so small they easily flow through the water filtration systems and end up in our bodies of water, obviously, including the Great Lakes, where I hail from. They are known to absorb pollutants and often mistaken as food by fish and wildlife. Simply put, microbeads are causing megaproblems.

As someone who grew up on Lake Michigan and represents a large chunk of the Michigan coastline, I understand firsthand how important it is to maintain the beauty and integrity of our Great Lakes and all of our water systems. The Great Lakes have survived many a foe—severe pollution, oil spills, discharge from refineries, zebra mussels, and attempts to steal our water, just to name a few. We are going to fight any activity that puts our beloved Great Lakes in jeopardy.

Many State and local governments have created a patchwork of differing laws, which creates problems for interstate commerce. This bipartisan legislation will also preempt all State and local laws related to microbeads in cosmetics, which will ensure certainty for manufacturers and other job creators across the country.

I urge all my colleagues to join me in ending this pesky problem of microbeads. They are tiny plastic, but big time pollution. As Michigan's Holland Sentinel editorialized this past spring, “There's no reason keeping our faces feeling clean should require us to trash our lakes.”

I urge all Members to support this legislation, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1321, the Microbead-Free Waters Act of 2015.

This legislation sets up a strong Federal program to ban the use of plastic microbeads in personal care products. I would like to personally thank Chairman FRED UPTON for working with me to introduce and move this important legislation.

Plastic microbeads have been in use in cosmetic products, such as face washes and toothpaste, for many years. These tiny plastic beads are often used as exfoliants, removing dead skin cells from the surface of the skin. While these plastic particles are not harmful to the user of the product, in recent years, studies have shown that these tiny particles that are often washed down the drain are making it through the wastewater treatment process and ending up in our Nation's waterways. We must put a stop to this unnecessary and avoidable pollution.

Mr. Speaker, studies conducted in the Great Lakes, the world's largest source of freshwater, have turned up alarmingly high levels of microplastic. In addition to contributing to the buildup of plastic pollution in waterways, microbeads can often be mistaken by fish and other organisms as food. I have serious concerns about fish and other aquatic life potentially ingesting these particles and the effect this could have on humans who consume fish that have ingested the plastic.

Numerous natural, biodegradable alternatives to plastic microbeads already exist in commerce and product supply chains, including apricot seeds, walnut shells, and pecan shell powder. Several personal care product companies have already announced plans to phase out the use of plastic microbeads in their products in favor of natural exfoliants.

Beginning with Illinois in 2014, nine States have enacted some form of a ban on plastic microbeads in personal care products. Yet, in my opinion, we need a national solution. Our Nation's waterways do not always respect State boundaries. In order to put a stop to these plastic particles making their way into our oceans, lakes, and streams, we need to ban plastic microbeads in every State.

The legislation before us today is the product of bipartisan input since it has moved through the committee process. Chairman UPTON and I have worked to strengthen and clarify a number of provisions in the bill, most notably, by setting up an aggressive timetable for the phaseout of these products, which begins in 2017, earlier than any of the currently enacted State laws.

The legislation exclusively bans the use of biodegradable plastic as an alternative ingredient, a loophole that has been discovered in a number of existing State laws. Many of the State laws contain a provision allowing companies to transition to biodegradable plastic as an alternative ingredient, and little is known about the ability of these biodegradable plastics to break down in a marine environment.

The language we used to define the scope of this bill was carefully chosen. Plastic microbead is defined as any solid plastic particle that is less than 5 millimeters in size and is used to exfoliate or cleanse the human body. This definition limiting the scope to exfoliating products is also in all nine State-passed laws, and it focuses the prohibition on the products currently containing plastic microbeads that are being washed down the drain.

The bill also includes preemption of State laws regulating plastic

microbeads and cosmetics. While I am typically not a supporter of preempting State law, the strong Federal standard we have developed is more protective and implementation will occur sooner than in any State law in place.

Mr. Speaker, limiting pollution in our Nation's waterways has always been one of my top priorities. It is an issue that helps further creation of the Environmental Protection Agency in 1970 after the Cuyahoga River in Ohio caught fire. While much progress has been made, we must continue our efforts to protect America's waterways. And by banning plastic microbeads in personal care products, we are taking one more step towards a cleaner and healthier environment in America.

I urge my colleagues to support this important legislation. Again, thank our Chairman UPTON, and I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to take this time to thank my colleague, Mr. PALLONE. This was his legislation, which I co-sponsored, as he indicated. We moved it through regular order, lots of hearings, a unanimous vote in subcommittee and full committee, and we want to get this bill to the President for him to sign.

As I have talked to Members of the Great Lakes Coalition, our colleagues in the Great Lakes States—Republican and Democrat—but also our Senators from the Great Lakes as well, there is huge interest in getting this bill to the President. It will, indeed, make a difference. The phaseout time was appropriate, so, in essence, we are telling the manufacturers to stop making it, and a time then for them to see the products off the shelf, so that ultimately, they will not be in cosmetics or toothpaste and other personal care products.

Again, I want to thank the gentleman for his leadership on this. I look forward to passing it on a bipartisan vote.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Let me thank the chairman again. As he pointed out, this truly has been a bipartisan effort. There is also a Senate bill that is bipartisan that this matches, which I think was a strong indication that we can get this bill not only passed here, but also in the Senate and get it to the President's desk.

I should also point out that this is one of those occasions, which happens quite a bit, even though people don't realize it, where the industry is actually in cooperation with us, and the cosmetic products industry supports this initiative as well.

For all those reasons, let's get the bill passed, and I urge all my colleagues to vote "yes."

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 1321, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally-added plastic microbeads."

A motion to reconsider was laid on the table.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2032. An act to adopt the bison as the national mammal of the United States; to the Committee on Oversight and Government Reform.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mrs. COMSTOCK, on Friday, December 4, 2015:

An act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

#### BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 4, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 22. To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

#### ADJOURNMENT

Mr. UPTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, December 8, 2015, at 10 a.m. for morning-hour debate.

#### EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third quarter of 2015, pursuant to Public Law 95-384, are as follows: