

MURDERED FOR THEIR FAITH

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, today marks 1 year since three young Americans were killed, I believe, for their faith. I think the evidence supports that.

On February 10, 2015, Deah Barakat, Yusor Abu-Salha, and Razan Abu-Salha were murdered in Chapel Hill, North Carolina. They were shot and killed because of their faith. They were Muslim.

Yusor was a graduate of North Carolina State University, and planned on enrolling at UNC Chapel Hill School of Dentistry, where her husband, Deah, was studying to become a dentist. Razan, Yusor's sister, was a student at NCSU as well. She was only 19.

These murders are heartbreaking. They should be heartbreaking to every American. They show us the stark reality that bigotry is alive and well and that good people have to stand against it. Hate speech and scapegoating have real life consequences.

Children are bullied in school, houses of worship are vandalized, and people are killed for the way they dress or how they pray. This should end now.

HONORING VERNITA TODD, CEO OF HEART CITY HEALTH CENTER

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize and pay tribute to a champion of public health in my district as she moves to California to continue her work serving the public.

As chief executive officer of Heart City Health Center in Elkhart, Indiana, Vernita Todd has tirelessly advocated on behalf of others. Over the last 10 years, she has led the Center in achieving its mission of contributing to the health of our community by providing access to high-quality and accessible health care.

Vernita has received national recognition for her role in prioritizing advocacy as a crucial component to Heart City Health Center's mission. Whether at the city, State, or Federal level, the impact of her work can surely be felt by thousands.

On behalf of the people of Indiana's Second Congressional District, I thank Vernita Todd for her contributions to improving thousands of lives throughout the northern Indiana community and the country as a whole. I wish her the best of luck in her future endeavors.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. DENHAM) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 10, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 10, 2016 at 9:25 a.m.:

That the Senate passed S. 2109.

That the Senate passed with an amendment H.R. 1428.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

SAFE DRINKING WATER ACT IMPROVED COMPLIANCE AWARENESS ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4470) to amend the Safe Drinking Water Act with respect to the requirements related to lead in drinking water, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4470

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 "Safe Drinking Water Act Improved Compliance Awareness Act".

SEC. 2. ENFORCEMENT OF DRINKING WATER REGULATIONS.

Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in the header, by inserting "STATES, THE ADMINISTRATOR, AND" before "PERSONS SERVED";

(2) in paragraph (1)—

(A) in subparagraph (C), by striking "paragraph (2)(E)" and inserting "paragraph (2)(F)"; and

(B) by adding at the end the following:

"(D) Notice of any exceedance at the 90th percentile of a lead action level in a regulation promulgated under section 1412.";

(3) in paragraph (2)—

(A) in subparagraph (B), by striking "subparagraph (D)" and inserting "subparagraph (E)";

(B) in subparagraph (C)—

(i) in the header, by striking "VIOLATIONS" and inserting "NOTICE OF VIOLATIONS";

(ii) in the matter preceding clause (i)—

(I) by inserting "and each exceedance described in paragraph (1)(D)," after "for each violation"; and

(II) by inserting "or exceedance" after "Each notice of violation";

(iii) by inserting "or exceedance" after "the violation" each place it appears; and

(iv) in clause (iv)—

(I) in subclause (I), by striking "broadcast media" and inserting "media, including broadcast media,";

(II) in subclause (II)—

(aa) by striking "in a newspaper of general circulation serving the area" and inserting "for circulation in the affected area, including in a newspaper of general circulation serving the area,"; and

(bb) by striking "or the date of publication of the next issue of the newspaper"; and

(III) in subclause (III), by striking "in lieu of notification by means of broadcast media or newspaper";

(C) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(D) by inserting after subparagraph (C) the following:

"(D) NOTICE BY ADMINISTRATOR.—If, after 24 hours after the Administrator's notification under subsection (a)(1)(A), the State with primary enforcement responsibility or the owner or operator of the public water system has not issued a notice that is required under subparagraph (C) for an exceedance described in paragraph (1)(D), the Administrator shall issue such required notice pursuant to this paragraph.";

(4) in paragraph (3)(B)—

(A) by striking "subparagraph (A) and" and inserting "subparagraph (A)"; and

(B) by striking "subparagraph (C) or (D) of paragraph (2)" and inserting "subparagraph (C) or (E) of paragraph (2), and notices issued by the Administrator with respect to public water systems serving Indian Tribes under subparagraph (D) of such paragraph";

(5) in paragraph (4)(B)—

(A) in clause (ii), by striking "the terms" and inserting "the terms 'action level'"; and

(B) in clause (iii), by striking "and (IV)" and inserting "(IV) the action level for the contaminant, and (V)"; and

(6) by adding at the end the following:

"(5) EXCEEDANCE OF SAFE LEAD LEVEL.—

"(A) STRATEGIC PLAN.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall, in collaboration with owners and operators of public water systems and States, establish a strategic plan for how the Administrator, a State with primary enforcement responsibility, and owners and operators of public water systems shall conduct targeted outreach, education, technical assistance, and risk communication to populations affected by lead in a public water system, including dissemination of information described in subparagraph (C).

"(B) EPA INITIATION OF NOTICE.—

"(i) FORWARDING OF DATA BY EMPLOYEE OF EPA.—If the Environmental Protection Agency develops or receives, from a source other than the State or the public water system, data, which meets the requirements of section 1412(b)(3)(A)(ii), indicating that the drinking water of a person served by a public water system contains a level of lead that exceeds a lead action level promulgated under section 1412, the Administrator shall require an appropriate employee of the Agency to forward such data to the owner or operator of the public water system and to the State in which the exceedance occurred within a time period established by the Administrator.

"(ii) DISSEMINATION OF INFORMATION BY OWNER OR OPERATOR.—If an owner or operator of a public water system receives a notice under clause (i), the owner or operator, within a time period established by the Administrator, shall disseminate to affected persons the information described in subparagraph (C).

"(iii) CONSULTATION.—

“(I) DEADLINE.—With respect to an exceedance at the 90th percentile of a lead action level in a regulation promulgated under section 1412, if the owner or operator of the public water system does not disseminate, in the time period established by the Administrator, the information described in subparagraph (C), as required under clause (ii), not later than 24 hours after becoming aware of such failure to disseminate, the Administrator shall consult, within a period not to exceed 24 hours, with the applicable Governor to develop a plan, in accordance with the strategic plan, to disseminate such information to affected persons within 24 hours of the end of such consultation period.

“(II) DELEGATION.—The Administrator may only delegate the duty to consult under this clause to an employee of the Environmental Protection Agency who is working in the Office of Water, at the headquarters of the Agency, at the time of such delegation.

“(iv) DISSEMINATION BY ADMINISTRATOR.—The Administrator shall, as soon as reasonably possible, disseminate to affected persons the information described subparagraph (C) if—

“(I) the Administrator and the applicable Governor do not agree on a plan described in clause (iii)(I) during the consultation period under such clause; or

“(II) the applicable Governor does not disseminate the information within 24 hours of the end of such consultation period.

“(C) INFORMATION REQUIRED.—Information required to be disseminated under this paragraph shall include a clear explanation of the exceedance of a lead action level, its potential adverse effects on human health, the steps that the owner or operator of the public water system is taking to correct the exceedance, and the necessity of seeking alternative water supplies until the exceedance is corrected.

“(6) PRIVACY.—Any notice under this subsection to the public or an affected person shall protect the privacy of individual customer information.”.

SEC. 3. PROHIBITION ON USE OF LEAD PIPES, SOLDER, AND FLUX.

Section 1417 of the Safe Drinking Water Act (42 U.S.C. 300g-6) is amended—

(1) by amending subsection (a)(2)(A) to read as follows:

“(A) IN GENERAL.—

“(i) IDENTIFICATION AND NOTICE.—Each owner or operator of a public water system shall identify and provide notice to persons who may be affected by—

“(I) lead contamination of their drinking water where such contamination results from—

“(aa) the lead content in the construction materials of the public water distribution system; or

“(bb) corrosivity of the water supply sufficient to cause leaching of lead; or

“(II) an exceedance at the 90th percentile of a lead action level in a regulation promulgated under section 1412.

“(ii) MANNER AND FORM.—Notice under this paragraph shall be provided in such manner and form as may be reasonably required by the Administrator. Notwithstanding clause (i)(II), notice under this paragraph shall be provided notwithstanding the absence of a violation of any national drinking water standard.”;

(2) in subsection (b)(2)—

(A) by striking “The requirements” and inserting the following:

“(A) IN GENERAL.—The requirements”; and

(B) by adding at the end the following: “Enforcement of such requirements shall be carried out by a State with primary enforcement responsibility or the Administrator, as appropriate.

“(B) NOTIFICATION BY ADMINISTRATOR.—In the case of an exceedance described in subsection (a)(2)(A)(i)(II), if the public water system or the State in which the public water system is located does not notify the persons who may be affected by such exceedance in accordance with subsection (a)(2), the Administrator shall notify such persons of such exceedance in accordance with subsection (a)(2), including notification of the relevant concentrations of lead. Such notice shall protect the privacy of individual customer information.”; and

(3) by adding at the end the following:

“(f) PUBLIC EDUCATION.—

“(1) IN GENERAL.—The Administrator shall make information available to the public regarding lead in drinking water, including information regarding—

“(A) risks associated with lead in drinking water;

“(B) the likelihood that drinking water in a residence may contain lead;

“(C) steps States, public water systems, and consumers can take to reduce the risks of lead; and

“(D) the availability of additional resources that consumers can use to minimize lead exposure, including information on how to sample for lead in drinking water.

“(2) VULNERABLE POPULATIONS.—In making information available to the public under this subsection, the Administrator shall carry out targeted outreach strategies that focus on educating groups within the general population that may be at greater risk than the general population of adverse health effects from exposure to lead in drinking water.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from New York (Mr. TONKO) 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 wish we weren't here today. I wish this bill was not necessary, but it is. Our hearts go out to the folks of Flint, Michigan. The system let them down at every level. That is, frankly, unacceptable.

All folks want is the peace of mind that their government is looking out for their best interest and that their water is safe. This bill is the first step.

Imagine if you went to draw a cup of cold water from your kitchen faucet and suddenly had to think about whether it is safe to drink or not. Now put yourself into the shoes of a parent whose son or daughter has already taken a drink from that faucet. Or, you made coffee or infant formula. What health risk has your child already been exposed to? What do we do now? How can we expect a family to live life day-to-day without safe drinking water? And, after all those initial concerns,

you begin asking yourself: How is this situation possible in the 21st century in the United States of America?

We have been seeking answers to that question from EPA, from the State of Michigan, and from others. In the meantime, we know that part of the answer—certainly, not the whole story—is that there was a terrible breakdown in communication at every level of government.

It is sickening and it breaks your heart that thousands of kids indeed could be at risk, being poisoned from faucets that they thought were safe.

Government officials knew there was serious cause for concern and failed to inform the people of Flint. Many of those officials did not even seem to be effectively communicating and sharing data among themselves.

The EPA regional office was not telling headquarters about everything, the State was not telling EPA everything, and we don't know yet what the city of Flint was telling the State or EPA. That has got to be fixed—and it has got to be fixed now.

□ 1230

The Safe Drinking Water Act Improved Compliance Awareness Act ensures that the public learns of excessive lead levels in their drinking water by setting forth how and when States, EPA, and public water utilities communicate their findings.

The bill also strengthens public notification rules when lead levels are exceeded. Individual consumers will be told when their own house tests positive for lead problems. And if the community or States fail to notify the public, EPA will step in and do so. They are required to do that.

The bill also requires EPA to create a strategic plan for handling and improving information flow among water utilities, the States, EPA, and affected drinking water consumers before there is an enforceable lead exceedance in drinking water. Let me repeat that: before lead levels get too high.

Finally, this bipartisan bill requires consumer notification when water being transported in a lead pipe is so corrosive that, in fact, it could leach into public drinking water.

I want to thank all Members of the House for their support, especially my Michigan colleagues, every one of which, from both parties, signed as an original cosponsor of this legislation.

I want to particularly thank Mr. KILDEE, a friend, who led this effort.

I thank my colleagues on the Energy and Commerce Committee, particularly FRANK PALLONE, JOHN SHIMKUS, and PAUL TONKO, for their advice, collaboration, and support.

I also want to thank two McCarthys, KEVIN MCCARTHY, for scheduling this at almost a moment's notice, and my lead counsel on this legislation, Dave McCarthy, who helped write and improve the bill as it was originally introduced.

What is said on this floor today will not do anything to ease the mind of a

parent in Flint. The entire situation breaks your heart, but we have a responsibility, working together as Republicans and Democrats, to fix the problem. This bill is an important step. I reserve the balance of my time.

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

I rise today in support of H.R. 4470, the Safe Drinking Water Act Improved Compliance Awareness Act, introduced last week by our colleague Representative KILDEE, with the support of other members of the Michigan delegation.

This bill would strengthen requirements to have the EPA notify the public when concentrations of lead exceed Federal standards. That is notifying the public.

While I support this legislation and urge my colleagues to support it, far more than this is needed to address the many failings that led to the tragic circumstances that are still being experienced by the residents of Flint, Michigan, a situation that has drawn the Nation's attention and drawn compassion for children and their families. This should never have occurred in any city in our Nation.

As with any such tragic failure, there is an attempt to assess blame. Well, accountability is important. Those who failed in their responsibility should be held accountable.

But no one here has yet taken responsibility for our part, Congress' part, in this event. Collectively, this Congress as well as many previous Congresses have failed to maintain Federal support for the maintenance and improvements of our water infrastructure.

We have been underfunding these systems for decades. The poor condition of the water treatment and distribution system in Flint set the stage for this tragedy.

We are doing this in an attempt to save money. Well, in fact, we are wasting many millions of dollars more by allowing essential infrastructure to deteriorate to the extent where a constant stream of emergency responses and repairs are required to keep these systems working.

Finally, we need to do something for the people of Flint. The State of Michigan and President Obama's administration have both begun to mobilize resources to deal with the immediate need for safe drinking water, and they are working to eliminate lead from the water distribution system. But we still don't know if essential corrosion control can be reestablished.

And bottled water does not solve Flint's problems. The residents of Flint need a fully functioning public water system that delivers safe, clean water to their homes, to their schools, and to their businesses. We need to work with the State of Michigan to make that happen.

We need to care for the people who were exposed to lead, especially our children, who are most vulnerable to lead exposure. They need treatment

and sustained assistance to deal with the health problems they may experience as a result of this manmade disaster.

The conditions that enabled this crisis to happen are not unique to Flint. And while this bill is a first step to help communities that may face these problems in the future, it cannot be our last step. We must embrace our responsibility to support Federal investment in drinking water systems.

The public health and future prosperity of the people of Flint and thousands of other communities across our great Nation are continuing to suffer from the concerns and are counting on our progressive actions. I look forward to continuing this discussion.

I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG), a cosponsor of the bill.

Mr. WALBERG. Mr. Speaker, I want to start by thanking my friends, DAN KILDEE and Chairman UPTON, for their work on this bipartisan legislation and ensuring a swift congressional response to the ongoing water crisis in Flint, Michigan.

What have we learned, and what will we do both now and into the future, Mr. Speaker, is the question.

What happened in Flint is not a natural disaster. It is a human disaster and a failure of government at every level.

In my questioning at last week's Oversight and Government Reform Committee hearing, it became very clear that individuals with the EPA knew about the high lead levels in the drinking water for months but failed to communicate this information to the people of Flint, even under repeated Freedom of Information Act requests.

The bill we are considering today takes important steps to strengthen Federal requirements on the EPA to notify the public when concentrations of lead in drinking water are above Federal requirements.

I am glad the entire Michigan delegation is backing this bill; and I am committed to continuing to work together to get answers and help the families in Flint who need clean water and, for that matter, Mr. Speaker, learning from this for the families in the entire United States to make sure that this doesn't happen to them as well.

Mr. Speaker, in America, in the 21st century, children should not have to worry about safe and clean drinking water. The Flint water crisis never should have happened, and we must take action to ensure it never happens again.

Making things right must be a cooperative effort at every level, and this bill takes important steps to ensure proper coordination going forward.

I offer all of my support, all of my assistance, all of my help and my votes to make sure this happens.

Mr. TONKO. Mr. Speaker, I yield 5 minutes to the gentleman from Michi-

gan (Mr. KILDEE), who has carried the concern and the emotion of this situation as the Representative in the House of Flint, Michigan. His energetic efforts, his determination, his obvious passion for getting this done, getting some relief, the relief essential for Flint done, is tremendously moving.

Mr. KILDEE. I thank Mr. TONKO for his comments and his support and leadership on this issue.

And I would like him to please extend my thanks to Ranking Member PALLONE for his effort and his support. I know he is dealing with a difficult time himself right now, and we extend our best wishes to him.

I want to thank all of my Michigan colleagues for joining as original cosponsors of this legislation; and I particularly thank Chairman UPTON for his help, his guidance, his assistance and, really, collaboration on getting a piece of legislation put together that we think is very helpful in preventing another situation such as what has occurred in my hometown from ever happening again in the United States.

I again thank Mr. UPTON for his assistance and leadership on this.

Flint is my home. The people I represent are the people I grew up with in Flint, Michigan. It is a great community. It has been through some struggles, for sure, in the last few decades, but we have never dealt with anything quite like this, something so fundamental as safe drinking water that we take for granted.

You turn on the faucet, as Mr. UPTON said, you expect the water that comes out of that faucet to be safe for yourself, for your children, to make formula, to cook food, to drink. And because of a series of decisions that really are almost incomprehensible in their impact, people in Flint, Michigan, can't drink their water; 100,000 people can't drink the water.

The thing that makes me most upset—sad, yes, but also angry—is that this crisis, this situation, which will last for decades in its impact, was completely avoidable.

Unlike a lot of other struggles that my hometown has faced as a result of big changes in the economy—development patterns, et cetera—this was a series of decisions that we can easily identify that could easily have been prevented with just more thought and more care and, in this case, a stronger set of requirements for disclosure when lead levels are elevated in a drinking water system.

So this legislation is one step. It is not the total solution. We really have to deal—and I hope my colleagues will also join us—with putting together a response to the crisis being felt by the people in Flint right now.

This bill, unfortunately, is too late to help them, but it can help the next Flint, perhaps. This would require the EPA to provide notice if the State agency responsible for enforcement of the clean drinking water laws does not act to provide notice to the citizens affected and to the water system.

Let me just be clear on that. The State of Michigan, in the case of the Flint situation, has primacy in terms of enforcement of these laws. It is their obligation to ensure that the clean drinking water laws are enforced, to collect data, to do sampling and testing, and to provide remediation, to provide intervention, if, in fact, it is not the case.

So, yes, there has been a failure of government, but I think we have to take care not to attempt to create some sort of false sense of equivalency of responsibility.

The city of Flint, for example, which is the most local level of government and where the water system is operated, was under the control of an emergency manager, a State official appointed to overtake operation of the city of Flint. So to the extent that the city was responsible, the city was the State in this regard.

In terms of the Federal role, there was apparent confusion or disagreement as to whether the EPA had authority, absent State notification to the public of the data that they had, whether the EPA had authority to go public, to make it clear that there was a problem. This legislation addresses that.

This legislation strengthens the hand of those who work at the EPA and actually requires them—not simply allows, but requires them—to provide notice to the public and to a water system operator in the event that the State fails to do so. Had that happened, it would not have prevented the bad decisions that led to this crisis, but it would have prevented them from going on for months and months and months with no action to protect the people in Flint.

This is important legislation. We need more. We need help for the people of Flint. But this is a step in the right direction in preventing what happened in Flint from happening to another community.

Mr. UPTON. Mr. Speaker, might I inquire as to how much time I have remaining on my side.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. UPTON) has 13½ minutes remaining. The gentleman from New York (Mr. TONKO) has 11½ minutes remaining.

□ 1245

Mr. UPTON. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. BISHOP), again, an original cosponsor of the bill.

Mr. BISHOP of Michigan. Mr. Speaker, I would first like to begin by thanking the gentleman from Flint, Michigan (Mr. KILDEE) for his leadership in this matter and for raising our attention to this.

Also, I would like to thank Chairman UPTON for his leadership for the Michigan delegation in bringing us together and putting aside any partisan differences to address a need of our great State and, also, for the children and families across our country.

I have spent my entire life in the State of Michigan. I was born there and raised there. Many generations before me were the same, born and raised in Michigan. My current family, my wife and my three kids, also live in Michigan and will also, I am sure, see to it that their children live there as well.

When I learned what happened in Flint, I was absolutely heartbroken. Frankly, it frightens me to think that a failure of this magnitude could happen in the 21st century and in our State.

Can you imagine not being able to drink the water from your own tap? What if you weren't able to bathe or take a shower because of fear of what might be in the water? The anger and the frustration is palpable, and it should be.

My district borders on Congressman KILDEE's, and I can tell you firsthand the crisis not only affects and impacts the community of Flint, but the entire Great Lakes State.

For weeks I have seen local high schools, veterans groups, and concerned citizens—you name it—people from all over Michigan, rising up to address the crisis and to help the residents, the families, and children of Flint.

When it comes to local, State, and Federal leadership, we must do everything possible to help as well. Every single one of us here today has a duty to ensure families and children are safe and have access to the essentials, the most basic of which is clean drinking water from household faucets.

Sure, we can point fingers and play the blame game. But when it comes down to fixing it, we must do so fast. We need more action than words. We need solutions.

What Chairman UPTON and Congressman KILDEE have proposed is a first-step solution to ensure this won't happen again.

First and foremost, this legislation makes sure the EPA will step in and notify the public when they know concentrations of lead in drinking water are above Federal requirements. It also streamlines communication between utilities, the States, the EPA, and the affected customers.

The entire delegation of the State of Michigan and Congress agree that this is a crisis. But to be clear, this is not a Democratic or Republican issue. I would say shame on anyone who attempts to capitalize on this issue or use the families of Flint in this crisis to further their own personal agenda. This is about common sense and delivering solutions to these children and families.

I ask my colleagues on behalf of both sides of the aisle to join Michigan and help us take action.

Mr. TONKO. Mr. Speaker, I yield 5 minutes to the gentlewoman from Michigan (Mrs. LAWRENCE). She is another member of the Michigan delegation.

Representative BRENDA LAWRENCE has shown great leadership in her role

on the Oversight and Government Reform Committee and, again, has been a passionate voice to address the families of Flint.

Mrs. LAWRENCE. Mr. Speaker, I want to say that the crisis in Flint demands action. I ran for Congress after serving as a mayor because I felt strongly that our government has a responsibility.

When you ask for a vote, you are asking for the trust in our government. We betrayed the trust of our citizens when we did not provide a human need, and that is clean water.

I stand here today encouraged. I ran on the premise that we need to work together as a government. I can tell you that this crisis in Flint is not a political issue. It is a moral issue. It is why each of us in Congress sit here today on the vote of the people's trust, and that is to take care of this great country.

It is a moral issue, and it calls for all of us in Congress to act. Today I am standing here with a sense of hope being fulfilled that we have eliminated the aisle, and we are standing here together.

Mr. Speaker, I rise in strong support of H.R. 4470, the Safe Drinking Water Act Improved Compliance Awareness Act. This bill will ensure that EPA notifies communities of lead contamination if State or local agencies fail to do so. That clearly is what happened in Flint.

Local water authorities will have to provide notification to the public when lead contamination is a result of lead from pipes and other infrastructure leaching into the water supply. This notice will have to be provided to affected residents, regardless of whether any drinking water standards were violated.

If the operator does not notify the public—in this case, it was Michigan Environmental Quality—if they do not notify the public, then the EPA must do so. This is precisely what happened in Flint.

State officials repeatedly ignored the pleas of the residents and those we are calling civic heroes from outside and experts about the lead levels.

Passing this bill today will ensure that the situation in Flint—and I am joining with my Republican colleagues and Democratic—never happens again in our United States. The decision to share that type of critical information should not be based on political judgment.

H.R. 4470 will ensure that residents acquire the information they need about their drinking water systems and give EPA the ability and responsibility to step in and notify residents if a State or water system fails to act.

H.R. 4470 is just the first step, as we heard, in addressing our country's drinking water infrastructure issue. I hope that we can continue to work together in a bipartisan manner to ensure that Flint never happens again.

This is the first step in fixing our infrastructure in America because other

Members of Congress have talked about lead water crises in their communities. So this is a first step.

For me, this is a fulfilling day to stand here and support my colleagues, regardless of our political affiliation, and take care of the people of America.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. MOOLENAAR). Again, he is a cosponsor of Mr. KILDEE's bill.

Mr. MOOLENAAR. Mr. Speaker, I also want to join my Michigan colleagues as a cosponsor of this legislation and thank Representative KILDEE and Chairman UPTON for bringing this legislation forward.

Our hearts go out to the people of Flint who are enduring so much and persevering during this time. It is heartwarming to see the way people across the country have come together in support of the people of Flint.

The sad thing is that this situation could have been prevented and should have been prevented. The legislation we are discussing today here in the House of Representatives is because of failures in local, State, and Federal Government.

The fact is that the officials at the EPA knew last April—10 months ago—that the Flint Utilities Department was not using corrosion controls, putting water safety at risk.

Instead of alerting the public, the EPA stayed silent. When an EPA employee tried to speak out, he was silenced. The EPA deferred to a State agency, the MDEQ, which also failed to tell the public.

Last month the EPA administrator sent a memo creating a formal policy on the importance of assessing and responding to critical public health issues. That the administrator had to remind employees of the importance of public health speaks to the misplaced priority of the EPA and its officials.

So today we have to pass a law requiring the Agency to notify the public when water quality is unsafe and constitutes a public health threat. This legislation is a reminder to the EPA that it needs to focus on its core responsibility with safe drinking water, using its authority appropriately, rather than overreaching outside of its jurisdiction.

This is an example of one community that has been adversely affected. Flint is not alone in this challenge, and this has ramifications all across our country.

I urge my colleagues to support this bill.

Mr. TONKO. Mr. Speaker, I am waiting for another individual to offer testimony.

I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. TROTT), another cosponsor of the legislation.

Mr. TROTT. Mr. Speaker, I also want to thank Chairman UPTON and Representative KILDEE for their important, bipartisan work on this issue.

I rise today in support of the Safe Drinking Water Act Improved Compliance Awareness Act. This bill is a step in the right direction to preserve and protect the health of our citizens.

The legislation requires the EPA administrator to work with States and local water authorities to develop a strategic plan for addressing lead contaminants in drinking water. This important legislation will ensure that the complete failure to notify people of a health risk, which occurred in Flint, does not happen again.

This is an issue that many communities across our country will have to deal with as our water system infrastructure ages. We must ensure that the public is aware, our citizens are informed, and that our water authorities and agencies identify and take steps to prevent this level of failure from happening again.

Mr. Speaker, on the Federal level, it is unacceptable that the EPA, an agency with a budget of over \$8 billion, did not escalate its concerns over the presence of lead contaminants.

This is an agency that is literally paid to protect the public health and environment, and it failed. This failure may not happen again. All Americans should feel safe drinking water from their kitchen sink.

This legislation is a commonsense solution. I urge its immediate passage.

Mr. TONKO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I rise in support of this act. I thank the chairman for his hard work and the committee's hard work on this bill.

I will be exceedingly brief because certainly, as has been outlined by any number of different speakers, this is about a failure of government at a multitude of different levels, at the State, local, and Federal levels, a real failure and real consequences to the people of Flint.

It is also, I think, a reminder to all of us of the significance of bracket creep in government; wherein, if everybody is involved, nobody is involved; if everybody is accountable, nobody is accountable.

That is true of a government at a government level. It is true of a regulatory body. The importance of clearly defined missions I think is part of what your strategic plan really gets at in this act, and I admire your work on that.

I also want to just reference that this is also a reminder, a wake-up call, if you will, on the importance of watching out for unsustainable political promises.

I say that because, if you look at the general budget and the general fund within Flint, basically one-third of their revenue goes to pay for retiree benefits.

That number by the year 2020 is going to rise to essentially 40 percent,

40 percent. I bring that up because it is indeed a wake-up call to the unsustainability of our Federal promises as you look at the numbers going forward at the Federal level.

So my heart goes out to the people of Flint. I think that this is an important measure going forward, but it is also an important reminder to every one of us here at the Federal level to watch out for the unsustainable promises here in Washington.

Mr. TONKO. Mr. Speaker, might I inquire how much time remains?

The SPEAKER pro tempore (Mr. YODER). The gentleman from Michigan has 5½ minutes remaining. The gentleman from New York has 8 minutes remaining.

Mr. TONKO. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank my friend for yielding. I appreciate all the comments and the support, especially the sympathy and, really, unity with the people of my hometown of Flint.

I do want to ensure, though, that we are properly characterizing the legislation, its reasoning, and its impact.

The legislation would actually not just require EPA to provide notice, but would require the local jurisdiction, the State agency, to provide them with the opportunity to do what they should do anyway, that is, to provide notice. Absent their willingness to do so, the EPA would then be required.

It is an important distinction because, in this case, the State of Michigan has primacy in enforcement of these rules.

The EPA in the case of Flint did take action when they learned of the elevated lead levels. The action was to repeatedly reach out to the Michigan Department of Environmental Quality and insist that they enforce the lead and copper rule.

Actually, they went so far as to insist that they initiate corrosion control, which is the mechanism by which lead leaching would have been prevented.

□ 1300

Not only did the Michigan Department of Environmental Quality fail to act, they actually told the EPA almost a year ago that they actually had initiated corrosion control when they had not.

I think it would be a mistake to create some sort of equivalency between the role of the EPA and the role of the State of Michigan in this. It was the State of Michigan that had prime responsibility that failed.

The EPA, while I would have preferred that they had shouted from the mountaintop that they were having this problem getting the lead agency to enforce the rule, there was at least confusion as to whether or not they had the authority to do so. Even today, the State of Michigan continues to push back on the EPA's attempts to

test water to insist on enforcement. It is an important distinction to make.

Regarding my friend Mr. SANFORD's comments, I appreciate his reflection on the financial situation within the city of Flint. While that is a set of questions that clearly needs attention, the truth of the matter is, had the Michigan Department of Environmental Quality insisted on the use of corrosion control in the Flint water system, as the law would require, the cost would have been \$140 a day. All of this could have been prevented by the State simply requiring that \$140 a day be spent.

This legislation is important in preventing this from happening again so that an agency of a State that refuses to enforce the law at least can't do so in the dark; and if the State won't give public notice, it would require the EPA to do so. This is an important step. We have crafted this legislation to make sure that each level of government is transparent when it comes to these issues.

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

Mr. TONKO. Mr. Speaker, I yield myself the balance of my time.

In closing, let me again offer my appreciation to Chairman UPTON and our ranking member, Representative PALLONE, for their leadership on this and for working in a spirit of bipartisanship to bring this measure to the floor and in working with the Michigan delegation and, in particular, Representative KILDEE, who has been directly impacted on behalf of Flint, Michigan, which he represents.

I would also make certain that we remember that under the Safe Drinking Water Act, as Representative KILDEE indicated, States have primacy, an important issue for Members who frequently talked about empowering our State and local governments. It is a State's responsibility when they accept that role of primacy to run these systems and comply with Federal standards.

Before we point fingers at the EPA, let's remember that Congress has cut its budget year after year. We want them to do more with less. We have passed the point of achieving efficiency, we have cut valuable staffing, and we have cut valuable programs.

We can point to failures by all levels of government in this situation, but the public doesn't want to hear us blame anyone. They want and deserve real solutions and financial assistance to address the crisis at hand.

We need to help the people of Flint and better protect our public health going forward.

Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself the balance of my time.

I encourage all of my colleagues to support this legislation.

Mr. TONKO said this bill is not about a blame game. We are trying to fix a problem so it doesn't happen again anywhere.

I just might note that the House was out 2 weeks. We had Martin Luther King week, then we had the snowstorm, and we couldn't come back.

Our committee held a number of briefings. I expanded it to include certainly all of the members—Republican and Democrat—on the Energy and Commerce Committee, but I also extended that out to all of the members of the Michigan delegation, both our Senators, as well as the Oversight and Government Reform Committee majority and minority staff.

Mr. KILDEE mentioned about Mr. PALLONE not being here. His father died earlier this week, so he is where he should be. But he cares deeply about this legislation as well.

I know when I sat down with my friend Mr. KILDEE last week to talk about the intent of this legislation and where he was, we were able to, I think, make some important, constructive changes that strengthen the bill. It was a no-brainer for us to get every Member on both sides of the aisle from Michigan to be an original cosponsor, and I congratulate him for that initiative.

But I must say, too, this is a first step. I know in the future our committee is going to be looking at how we can better expand flexibility, I think, of States as it relates to their safe drinking water fund, and the State revolving fund as well. We are looking to hear from the States what we might be able to do on the Federal response. Again, the primacy is at the State and local level, particularly when a State, like we have seen here, actually has been given an emergency declaration, as our Governor sought.

I encourage all of my colleagues to support this bill, and I commend Mr. KILDEE.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the Safe Drinking Water Act Improved Compliance Awareness Act and am proud to be a cosponsor of this bill, which will strengthen public notification requirements in the event of lead contamination.

The situation in Flint is unacceptable—it is a violation of the right to clean water and a breakdown of the basic responsibility of government to its citizens. And it was completely preventable—we know the damaging impacts of lead and we know how to protect people from lead poisoning. We need an aggressive response, both for the people in Flint and for every community that faces lead exposure.

Today's bill is just a first step to address this problem by ensuring that when contamination occurs, communities will be informed of what is happening and what will be done to fix it. We should follow this action with support for the Flint community and robust funding for lead poisoning prevention and clean water programs. I look forward to our continued work to protect children and communities from the dangers of lead.

Mr. PALLONE. Mr. Speaker, I rise in support of the Safe Drinking Water Act Improved Compliance Awareness Act, as amended. This bill will allow more transparency and increase education and outreach efforts to communities about their drinking water systems.

Communities are entitled to information about their drinking water, and we should make every effort to ensure that Americans receive clear, concise and timely information about the safety of that water. This bill addresses a concern raised during the Flint water crisis about the significant delay in informing Flint residents about the dangerous levels of lead in their water. I greatly appreciate the work of Mr. KILDEE and the Michigan Delegation in coming together and quickly putting forward this legislation. It is a good place to begin our efforts to help Flint and I support its passage.

Yet, this is a small, first step and does not address the imminent and long-term problems facing our nation's water systems. I know my friend from Michigan, Mr. KILDEE, agrees with me on this and has put forward legislation focusing on immediate and long-term investments for Flint to address both its health and infrastructure needs. We must do more for Flint and more to ensure that our nation as a whole receives safe, clean drinking water at the tap.

As I have stated time and again, our drinking water systems are deteriorating. Transparency is important, but we need to follow this effort with a reauthorization of the Safe Drinking Water Act that increases the investment in our drinking water systems.

We must invest in our drinking water infrastructure to repair, maintain, and replace aging pipes. We also must equip communities with the resources to ensure the delivery of safe drinking water, safeguard systems from vulnerabilities such as climate change, and encourage good financial and environmental management of water systems. There is no doubt that this will be a large task, but we cannot shy away from it. The longer we delay, the more costly the investment.

This should be a wakeup call that we cannot continue to stand by watching as Flint—and far too many other American communities—are exposed to unsafe drinking water. We must take action now.

Again, I commend Mr. KILDEE and the cosponsors for their efforts on this legislation. I thank the Gentleman and his staff for working with me and my staff to ensure this bill will truly increase transparency for communities.

I urge my colleagues to support this bill and look forward to additional opportunities to work in a bipartisan fashion in the remaining months of this Congress on the pressing issue of safe, reliable drinking water for all Americans.

Mr. CONYERS. Mr. Speaker, I rise today in support of H.R. 4470, the Safe Drinking Water Act Improved Compliance Awareness Act. This bill is a good first step to helping ensure the Environmental Protection Agency (EPA) never again allows an intransigent state government endanger the public welfare.

Let there be no mistake. The blame for what happened in Flint lies directly at the feet of Governor Snyder who ignored Flint's democratic rights, his appointed Emergency Managers who wanted to save a buck, and the Michigan Department of Environmental Quality (MDEQ) that was too timid to protect the public from haphazard changes to the Flint water system.

But the EPA needs to take some blame for not dismissing out of hands the efforts of the Governor, his Emergency Managers, and MDEQ to delay addressing the crisis in Flint.

The EPA let the endless echo of "EPA overreach" prevent them from doing their job—which is telling anti-regulatory special interests that the public's health comes first.

This bill is a start to fixing that problem, but we have a long way to go. My colleagues across the aisle need to stop fighting EPA on behalf of special interests, and start fighting alongside EPA in the public interest.

Because if they don't, there will be more Flints, there will be more mothers who can't sleep because their children are sick, and there will be more "bi-partisan" bills expressing hindsight support for EPA action.

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. 4470, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. UPTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 3442, DEBT MANAGEMENT AND FISCAL RESPONSIBILITY ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 3293, SCIENTIFIC RESEARCH IN THE NATIONAL INTEREST ACT

Mr. SESSIONS. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 609 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 609

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3442) to provide further means of accountability of the United States debt and promote fiscal responsibility. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments

are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3293) to provide for greater accountability in Federal funding for scientific research, to promote the progress of science in the United States that serves that national interest. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, I rise today in support of a rule and the underlying bills, both of which will enhance accountability and create better processes for our Federal Government.

Necessary legislation is what we are talking about today. Legislation that will help the Federal Government not only in its processes, but that will allow the American people to have con-

fidence in what their government does not only on their behalf, but for a better future for the American citizens, including our children and grandchildren.

We are here today because these are important issues, and we are addressing them. That is what Speaker RYAN wants this body to be doing. Speaker RYAN wants us to bring our best ideas to the floor, to make sure the American people understand what they are, to fully debate them, and to have all the open processes that are necessary to make sure that we are bringing to the American people the best ideas of their elected representatives. That is why we are here today.

I also want to point out that the Rules Committee, of which I am chairman, asked Members to submit their ideas and amendments regarding these bills, and 14 amendments were made in order. That means that the Rules Committee met, we looked, and we had discussions with Members about the ideas that they have. Fourteen were made in order last night by the Rules Committee, and I am proud of that.

As a result, our resolution provides that H.R. 3442, the Debt Management and Fiscal Responsibility Act of 2015, which was altered and supported by the gentleman from Coppel, Texas, Congressman KENNY MARCHANT, and H.R. 3293, the Scientific Research in the National Interest Act, which was brought to the committee by the young chairman of the Science, Space, and Technology Committee, LAMAR SMITH from San Antonio, Texas, will both be considered today under a structured rule.

Mr. Speaker, I would normally run through my opening dialogue that I would have about what is in these bills, why they are important, and what they would do. But because of time considerations today, one of our newest Members of Congress wants to speak. He has got a meeting in a few minutes. I would like to ask him if he would at this time take part in my opening statement.

I yield to the gentleman from Windsor, Colorado (Mr. BUCK).

□ 1315

Mr. BUCK. Mr. Speaker, for years, our Nation has limped along from debt crisis to debt crisis. Every time, we say to ourselves "just a little more spending today, and we will fix this mess tomorrow," but tomorrow never seems to come, and the ocean of red ink gets deeper and deeper with each passing day. Thanks to this "spend now" and "save never" mentality, the national debt has soared to \$19 trillion, and there is no end in sight. The Federal Government has been overspending for so long that we are financially bankrupt. If we continue to pass this debt on to our children and grandchildren, we are also morally bankrupt. We need a solution to our constant budget busting.

H.R. 3442 will help our Nation address this fiscal crisis. By requiring the administration to testify before Congress,