United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, TUESDAY, SEPTEMBER 16, 2014 No. 132

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 16, 2014.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr. 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.

CONSTITUTION DAY

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

Mrs. BLACK. Mr. Speaker, standing in this hallowed chamber of democracy where laws are debated, amended, and passed, one must stand in awe of our courageous forefathers who created this institution. In fact, 227 years ago when our Constitution was created and signed by 39 brave men, it created the first government of its kind, a government of the people, for the people, and by the people.

These men, well aware of the consequences of all-powerful European monarchies, created a democratic system of three coequal branches of government each with its own unique role. The brilliance that these men instilled in this document is still alive and well to this day as we watch each branch of the government perform its role, keeping checks and balances on the others to make sure that the will of the people is obeyed.

Mr. Speaker, this Constitution Day, let us give thanks to these wise and brave men who birthed our constitutional republic and our Nation.

JOURNEYING THROUGH THE 23RD DISTRICT OF TEXAS, THE TOWN OF SANDERSON, TEXAS

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

Mr. GALLEGO. Mr. Speaker, this morning, I would like to highlight one of the really interesting towns of west Texas as we continue to journey through the 23rd District, which encompasses nearly 24 percent of the land area of Texas, some 800 miles from one end of the district to the other.

With a population of over 800 people, Sanderson, Texas, is known as the Cactus Capital of Texas. It was originally named Strawbridge or Strobridge, and Sanderson was founded as a switching point for the Southern Pacific Railroad.

In 1882, a roundhouse was built there, and the name of the town was changed to Sanderson, after Thomas P. Sanderson, who was the engineer in charge of construction. In the following year, in 1883, a post office opened in Sanderson.

In Texas lore, there is a very famous person by the name of Roy Bean who was known as the Law West of the Pecos. Judge Roy Bean, wanting to capitalize on the new town with a lot of promise, opened a saloon in Sanderson in the early 1880s, but he couldn't compete with Charlie Wilson's Cottage Bar Saloon.

After Bean opened his saloon, Wilson allegedly spiked the whiskey with coal oil. Judge Bean soon had to move eastward to Vinegarroon and Langtry, and Sanderson was dubbed as being ''too mean for Bean.'' Those were the years of railroad workers and cowboys which filled the area.

At the turn of the century, in 1905, the once unruly Sanderson became the county seat of the newly-created Terrell County, and it remains the county seat even to this day.

Shortly after becoming the county seat, Sanderson started looking more and more like a town on the move, but, as time passed, Sanderson left behind its Wild West origins and became a crossroad—the midpoint, if you will—between San Antonio and El Paso.

The courthouse was built in 1906. Near the courthouse some years later, in 1931, an art deco-style high school was built, and Sanderson's population continued to grow to about 3,000 people during the first half of the 20th century.

Sheep and goats became the main goods as part of the livestock industry, and they are still main commodities of the area today. For example, in 1970, over 1 million pounds—over 1 million pounds—of wool and mohair were shipped out of Sanderson.

In 1965, Sanderson was devastated by a flash flood. The usually dry Sanderson Creek overflowed and claimed 24 lives. After the tragic event, 11 flood control dams were built around Sanderson by the Army Corps of Engineers to make sure that that would never happen again.

Sanderson was built around the railroad, and its fate has largely been determined by the railroad. A series of decisions altered, decisively, Sanderson's growth. During the 1970s, the new construction of Interstate 10,

I–10, bypassed Highway 90, and it bypassed Sanderson. It left Sanderson out of its path.

In addition, Union Pacific later moved its crew from Sanderson to Alpine. These had a detrimental effect on the community; but today, Sanderson remains a small but proud community which fights to maintain its rich history and its tradition of railroads, cowboys, and west Texas culture.

Sanderson High School, known as the Sanderson Eagles, produce a lot of incredibly talented kids who go to universities from Rice to my own alma mater, Sul Ross State University in Alpine. In fact, many of the kids that I went to Sul Ross with were from Sanderson, Texas, and many of their teachers have degrees from Sul Ross.

In more recent times, Sanderson has put out a number of people. My immediate predecessor in the legislature, Judge Dudley Harrison, was from Sanderson, and ''Chago'' Flores, who is the first Latino elected county judge in the history of Terrell County, is serving even now.

If visiting that area, I want you to know that you will have access to an extensive variety of memorabilia at the Terrell County Memorial Museum, and I want you to know that Sanderson is still the Cactus Capital of Texas and the East Gate to the Big Bend Wilderness Area.

I invite you to stop by Sanderson if you are ever visiting the 23rd District of Texas.

HONORING COACH JACK CRABTREE OF SALINE HIGH SCHOOL IN SALINE, MICHIGAN

The SPEAKER pro tempore (Mrs. BLACK). The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes.

Mr. WALBERG. Madam Speaker, I rise today to honor a man who has dedicated over 40 years of his life to mentoring and educating thousands of young men and women in Saline, Michigan.

Coach Jack Crabtree has long been admired for his fighting spirit, dedication, loyalty, and integrity. Throughout the last four decades at Saline High School, Coach Crabtree has left lasting impressions on his students, his players, and his staff.

In the classroom, he taught students the importance of civic engagement through his American government, history, and economics classes. In fact, my staff has been blessed by the impact of one of his former students.

As head of the physical education department, Coach Crabtree emphasized the value of working hard until the whistle blows, but he certainly is most well-known in the community for dedicating a large part of his life to football and, under his leadership, created the storied football tradition which exists today at Saline High School.

In 1988, Coach Crabtree's success on the field was affirmed when he was inducted into the Michigan High School Football Coaches Hall of Fame; however, Jack Crabtree has been more than just ''the football coach'' to the community of Saline, Michigan.

He always knew the most important play on the football field was the next one, and he passed along his focus and persevering spirit to young people in Saline throughout his four decades as a teacher, coach, and mentor.

His dedication to hard work, discipline, and integrity has shaped and motivated thousands of his students and players to achieve great things in their personal and professional careers.

Jack Crabtree embodied his personal credo that, in the long run, a man's dedication is the only true measure of his greatness.

I am grateful to Coach Crabtree for his continued commitment to the community of Saline, and I ask my colleagues to join me in recognizing his many years of service.

CONDEMNING ANTI-SEMITISM AROUND THE GLOBE

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

Mr. MURPHY of Florida. Madam Speaker, I rise today to speak out against the alarming surge of anti-Semitic demonstrations across the globe. Sparked by the latest confrontation between our greatest ally, Israel, and Hamas terrorists, synagogues and Holocaust memorials have been vandalized, Jewish stores have been attacked, Israeli products have been boycotted, and the Israeli and American flags have been desecrated and emblazoned with swastikas. These cowardly acts are in direct contrast to our democratic values of freedom, liberty, and equal justice under the law.

With a frightening number of such despicable acts being reported across Europe and Latin America, our Nation must continue to speak out in condemnation of these demonstrations.

We must also be a global leader in stopping the surge of anti-Semitism, making it clear to other nations that such intolerance and hatred have no place in our global community.

By allowing anti-Semitism to flourish, nations risk fostering an environment in which violence and escalating tensions can grow and impact not only Jews but all religious, ethnic, and other minority groups.

That is why I am proud to be working with my good friends, Mr. DIAZ-BALART and Mr. DEUTCH of Florida and Mr. KINGSTON of Georgia, in leading a bipartisan coalition of over two dozen Members of Congress and calling on the United States to continue its efforts in combating anti-Semitism, especially in the wake of this troubling rise in such demonstrations.

I also want to commend our local Jewish community relations council for their leadership on this crucial issue which remains at the forefront of our community.

Partnering with several other local and national organizations, all well-respected for their work on combating anti-Semitism, they will be hosting a forum in the district I am so proud to represent regarding this growing crisis. I applaud their continued work standing up against bigotry and raising awareness, both at home and abroad, of the threat of rising anti-Semitism.

Madam Speaker, we must continue to work together to stem the rise of anti-Semitism wherever it occurs and help foster an environment more conducive to long-term peace throughout our global community.

PROTECTING THE CLEAN WATER PARTNERSHIP

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to discuss the Clean Water Act, which was passed in 1972 and was designed as a State and Federal partnership.

The law's success can be attributed to the recognition that States have the primary responsibility of regulating and protecting waters within their individual boundaries. For the past four decades, this framework has served to improve pollution control and continues to be supported by Democrats and Republicans alike.

Unfortunately, a recent proposal by the Environmental Protection Agency, commonly known as the Waters of the United States, would undermine this partnership and intrude upon State and local prerogatives related to land use and planning, environmental stewardship, and economic growth.

This past week, the House passed with bipartisan support H.R. 5078, the Waters of the United States Regulatory Overreach Protection Act. Now, this legislation prohibits the Federal Government from moving forward with this misguided proposal and protects our farmers, our landowners, and local municipalities by upholding the Federal-State partnership that has yielded success in protecting our environment and enhancing water quality.

THE CONTINUING RESOLUTION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Ms. BONAMICI) for 5 minutes.

Ms. BONAMICI. Madam Speaker, as we prepare to debate and vote on the continuing resolution to fund the government through December, I rise to urge that the House stay in session until we can also take up several issues that are not resolved in the legislation we will be voting on, things our constituents are struggling with every day: unemployment, adequate support for our seniors, college affordability, and climate change.

□ 1015

These issues deserve our attention, and the toll they take on Americans is

very real, both in Oregon and in districts across the country.

For the millions of men and women who are still struggling to find a job, emergency unemployment insurance was their lifeline. After numerous pleas to call for a vote went unanswered, millions of Americans are now unable to fill up their gas tank or pay their rent. For some on the precipice of homelessness, this is the tipping point. These people can't move on without the support provided by unemployment insurance. So let's send a signal that we haven't abandoned them and take up a bill to extend these critical benefits.

And let's not forget how many people could get back to work if we would set aside our differences and pass a long-term transportation bill and a comprehensive overhaul of our Tax Code. Enough of these policies that incentivize businesses to go overseas; we need policies that keep them bringing jobs back home.

We should also think of our seniors. The Older Americans Act changed the way our seniors age in this country. It contains social and nutritional programs that help them live full, independent lives, but the act expired more than 3 years ago. Meanwhile, the number of Americans turning 60 continues to grow.

I introduced a bill to reauthorize and update the Older Americans Act so seniors can age with dignity and not in poverty. However, the House has yet to consider this important bill to renew critical safety net programs like Meals on Wheels, home health care, and protection from elder abuse. My bill is closely aligned with a bipartisan compromise introduced in the Senate, and it deserves consideration.

And let's not forget the millions of students who are returning to college campuses across the country this fall. The cost of college is leaving too many of them with massive debt and decades-long repayment plans. That is a drag on our economy. We need legislation that allows students to refinance their current loans—just like people can refinance a mortgage to get lower rates—and, ultimately, we must address the rising cost of college. Higher education needs to be accessible for everyone. We should not create barriers by maintaining a system in which higher education involves exorbitant student loan debt.

Finally, the threat of climate change continues to loom. This too is a concern across the country and around the world, but it is particularly alarming to my coastal and agricultural portions of my district. Greenhouse gas emissions are at record highs, leading to a warming planet, melting glaciers, and rising sea levels. Farmers, fishers, and others who rely on our natural resources are already feeling the stress.

We must have a serious discussion about how we can curb increasing carbon emissions. Let's make this an opportunity to develop new and innovative technologies that can reduce carbon emissions while growing and advancing our economy through the creation of clean energy jobs. Let's do it for our children and our grandchildren. Let's not wait.

Yes, this continuing resolution will continue to fund the government for a short time. It will prevent another disastrous government shutdown. But it is a short-term fix that leaves numerous immediate problems unaddressed. We must do better for our constituents. They will bear the ramifications of our inaction.

I urge my colleagues to set aside our differences. Let's work together to find the solutions our constituents deserve.

HONORING JUDGE McMAKEN

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

Mr. BYRNE. Madam Speaker, I rise today to remember the life of my dear friend Judge Michael McMaken, a longtime district judge from Mobile County and a true servant leader.

Judge McMaken was born in Oklahoma in 1947. The son of an Army officer, he grew up on various Army posts around the world. He attended college at Purdue University in Indiana and later received his master of business administration and his law degree from my alma mater, the law school at the University of Alabama.

A true outdoorsman who enjoyed hunting, fishing, scuba diving, and almost any sport, Judge McMaken always wanted to live on Alabama's gulf coast. He got that chance when he moved to Mobile to serve as an assistant district attorney for then Mobile district attorney and now presiding circuit judge Charlie Graddick.

While working in the DA's office, he taught criminal justice at the University of South Alabama. He eventually went on to private practice until being encouraged by many people, including me, to run for district judge in 1986. After winning his first election, Judge McMaken would go on to serve as a district judge in Mobile County for 25 years.

He was instrumental in the creation of the Mobile County Drug Court, which helps give those struggling with drug addiction opportunities to beat their addiction and better themselves. That drug program became a model for other counties in Alabama and across the southeastern part of the United States.

Outside of the courtroom, Judge McMaken was a forceful advocate for civic responsibility. He was a founding member and first president of the board of directors for the Mobile Child Advocacy Center, which helps children who have been preyed upon by people who would do them harm. He also served as a president of the board of directors of Goodwill, Easter Seals, and AltaPointe Health Systems. He was actively involved with the Boy Scouts program in Alabama and a member of the Governor's Drug Advisory Council.

Judge McMaken retired from the bench in 2012 but remained very active in our community. In the late 1980s, around the same time he and his wife were expecting their first child, Judge McMaken was diagnosed with leukemia. He fought this dreadful disease for over 25 years, never relenting in his crusade for justice or his public service. He never let the disease beat him down. Sadly, on September 7, Judge McMaken finally succumbed to the disease.

Mike is survived by his loving wife, Kathy, and two wonderful children, Michelle and Bren, in addition to a number of cousins and many, many close friends.

Madam Speaker, I believe Mobile County Circuit Judge Ben Brooks said it best. He said, ''The older I get, the more I know how rare it is to meet someone like Mike.'' I couldn't agree more. What matters most is not what you take with you when you leave this world but, rather, what you leave behind. Judge McMaken left behind a legacy of compassion, justice, community service, and civic responsibility.

The city of Mobile, Mobile County, and the entire State of Alabama will be forever grateful for the life and the service of Judge McMaken and for his remarkable career throughout our community. We extend our greatest condolences to his family and friends.

HOUSE DEMOCRATIC AGENDA

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

Mr. HOYER. Madam Speaker, sadly, the majority is pressing forward later this week with two partisan messaging bills cloaked in the rhetoric of creating jobs and expanding opportunity, bills that actually do neither.

We will today and tomorrow, for the most part, I think, proceed in a bipartisan fashion, where we will have views on both sides of the aisle that agree and that disagree with the actions we will take on the continuing resolution and the amendment that will be considered to give authority to the President of the United States to train and equip those who are confronting ISIL. However, after we consider that, we will proceed again on the partisan messaging bills of which I spoke. This, unfortunately, has been the pattern throughout the 112th and the 113th, this Congress.

The American people are rightfully disgusted—in some cases, despairing—and certainly tired of the partisan games that lead only to gridlock that have made this Congress the most unproductive Congress in which I have served. This is my 17th Congress.

The American people are tired of watching the Republican majority walk away from their responsibilities to govern in a bipartisan way. They are tired of Republicans walking away from our middle class when they have refused to raise the minimum wage,

which has a majority of votes on this floor for passage.

The minimum wage today, if it were in 2014 dollars and 1968 levels, would be $10.77. That means those at the lowest ranks of earners in America have seen their buying power degraded by over 40 percent since 1968, and yet we won't even bring it to the floor. When I say ''we,'' the Republican majority won't even bring it to the floor for a vote, and it has a majority of votes in my opinion.

They won't bring a bill to the floor that ensures equal pay for equal work. Every woman in this House and every man in this House except for the leadership are paid exactly the same thing irrespective of their gender. Americans believe that is the right thing to do. We can't get a bill to the floor.

We need to make higher education more affordable. Student loans have the ability to be refinanced just as mortgages can be refinanced. We can't get such a bill to the floor.

They are tired of Republicans' obsession with undoing the patient protections and cost savings of health care reform. We spent 4 years pretending that we were going to repeal it as opposed to fixing that which could be made better on behalf of the American people.

They are tired of watching Republicans walk away from every opportunity to get our fiscal House in order, as they did with the Biden talks; the Boehner-Obama negotiations; the supercommittee, composed of an equal number of Republicans and Democrats; walked away from averting the sequester; shut down the government; and several missed opportunities to pursue fiscal sustainability.

The American people are, as I said, distressed, dismayed, and, indeed, angry at the Congress, all of us, because they see their board of directors of the greatest country on the face of the Earth not working.

They are tired of Republicans' failure to move forward with bipartisan, comprehensive immigration reform. That, again, has the votes on this floor to pass, but they don't bring it to the floor.

The Republican Congress has made it clear that their message to America is: You are on your own.

You are not earning enough minimum wage? You are on your own.

You lost your unemployment insurance? You are on your own.

Sandy comes and visits the Atlantic Katrina visited. And what did we do on Sandy? We said, You are on your own. A majority of Republicans—an overwhelming majority of Republicans—voted against helping those who were struck by Sandy.

Export-Import Bank. You are in a business that is trying to export goods. You are getting a little help. You are being competitive with the rest of the world. What does this Congress say? You are on your own. Yes, we are going to extend it for a short period of time, but there are a majority of votes on this floor to extend it for a number of years, which will give confidence to the economy and to exporters and lenders that it will be in place. But what did we say? You are on your own.

You want to buy a home? Well, the chairman of the Financial Services Committee wants to eliminate Fannie and Freddie and say, Yes, you are on your own.

You need terrorism risk insurance to build and get a loan for commercial construction? It is not on the floor. You are on your own.

The American people are upset with us—and rightfully so. I am upset with us. This Republican Congress has made it clear that it is about political messaging and nothing else. That is what they said to women when they voted against the Violence Against Women Act, an act which had passed overwhelmingly in a bipartisan fashion when it was adopted and when it was reauthorized, but this Congress could not get a majority of the Republicans to vote for it. It passed after 8 months of delay because Democrats voted overwhelmingly for it—what they said to small business owners when they voted against that Sandy relief, and it is what they told unemployed workers when they voted not to extend emergency unemployment.

While House Republicans are using September to continue sending messages to the American people, House Democrats are talking about lifting up the middle class, giving a jump-start to the middle class. This month will be one of sharp contrast and, yes, next month and, yes, November.

□ 1030

There are choices to be made, a sharp contrast. The overwhelming majority of the American people are for every one of the issues that I have just mentioned. Poll after poll after poll shows them to be so.

There will be a contrast between obstruction and progress—between Republicans who have said their number one priority is winning an election and Democrats who want to win the battle for economic equality and economic opportunity for the American people.

The American people deserve a Congress that is on their side. House Democrats are committed to doing what is necessary to jump-start our middle class, create good jobs, and open doors of opportunity for all Americans.

Jump-starting the middle class means helping more of our businesses make it in America and create jobs that pay well. We, by the way, passed yesterday ''Make It In America'' legislation—good legislation, bipartisan legislation. It was done on a voice vote. The reason it was done on a voice vote is because there was some concern that a large number of Republicans might vote against it. That would have been a bad vote for them, so we passed it on a voice vote.

It means equal pay for equal work and greater access to affordable child care. It means access to higher education, spanning job training and opportunity. It means enabling more Americans to own a home, save for retirement, and know with certainty their children will be better off than we are and that they were.

That, Madam Speaker, is what the American people expect us to do. It is so sad that we haven't been doing it. It is so sad that we cannot have the House work its will, which is, of course, what the Republicans said in their pledge to America. That is what the young guns told us they were going to do. We have had more closed rules than any Congress in which I have served. That means that ideas can't be put forward.

Madam Speaker, the American public will have a choice between a stark contrast of who is on their side. Let's hope the next Congress is a Congress of which the American people can be proud.

DEFEND OUR NATIONAL SECURITY FROM ISIL

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

Mrs. WAGNER. Madam Speaker, I rise today to talk about one of the greatest threats to the United States of America and our allies. An evil that is so barbaric and ruthless that it can't be ignored but only dismantled and destroyed. Madam Speaker, I am talking about the Islamic State of Iraq and Levant, also known as ISIL.

Many of you, many of all of us, have watched in horror as two American journalists—James Foley and Steven Sotloff—and a British citizen, David Haines, were gruesomely murdered by ISIL. As a mother and as an American, my thoughts and prayers go out to their families and to all the victims of this vile terrorist group.

Madam Speaker, ISIL is the most ruthless and well-financed terrorist group in the world. Their goal is simple: kill the innocent and ultimately terrorize the United States of America and our allies. We have an obligation, one that has been long overdue, to stop this barbaric terrorist organization before they strike us at home.

Madam Speaker, we must not let that happen. We must stand together, stand together as a Nation, a people, in a unified bipartisan fashion, to stop ISIL once and for all. Make no mistake about it, we are at war with radical Islam.

ISIL must not have a safe haven in Syria, or anywhere else, with the time and the space to operate and carry out attacks against our allies and our homeland. They must be destroyed.

Our Commander in Chief has asked for the ''tools'' to defeat ISIL. Madam Speaker, I will support the President in our effort to complete the mission and to defeat the enemy. But I do remain

concerned that the President does not have the long-term vision and the will to complete the mission.

As Americans, we should all want the President to succeed. The cost of failure is far too great. However, the cost of not acting is even greater. The President's rhetoric must match his action and his resolve.

Madam Speaker, Congress will answer the call of the American people and give the President the tools that he has asked for while providing rigorous oversight and requiring accountability for the duration of this military campaign. We must complete the mission.

I, for one, stand ready to work with anyone to defend our national security and protect our very way of life.

THE AFFORDABLE CARE ACT

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

Mr. DEUTCH. Madam Speaker, the Affordable Care Act is working in Florida for a very simple reason: no one wants to be uninsured. People want affordable health insurance.

Florida enrolled more people in health insurance coverage than any other State using healthcare.gov. This only illustrates just how high a demand there is for affordable coverage in our State.

During the first open enrollment period, some 983,000 Floridians signed up. More than 90 percent were eligible for some type of financial assistance under the law, which drove premiums down to an average of $79 a month in Florida.

In the span of a few months, our State's uninsured rate dropped from 25 percent to under 20 percent. I am confident that when open enrollment begins this fall, even more Floridians will take advantage of the opportunity to get covered.

Unfortunately, Madam Speaker, there are 1.06 million Floridians who won't have that opportunity. They don't make enough money to qualify for help buying private insurance in the marketplace, and they have been denied the Medicaid coverage that they are eligible for by Governor Rick Scott and by our GOP State legislature.

Health care reform was designed to help more Americans afford private health insurance and provide basic coverage for low-income people through Medicaid. To do so, the law extended eligibility for Medicaid to people earning up to 138 percent of the Federal poverty level.

Talking in terms of the Federal poverty level seems abstract, but for the millions of Americans working hard for such little income the hardships that they face are very real. Earning 138 percent of the poverty level means barely making ends meet. For a full-time minimum wage worker it means scraping by on less than $16,000 a year; for a family of four it means bringing in less than $32,000 a year, struggling to afford food and other basic necessities. Unfortunately, in Florida, it also means going uninsured. That is unacceptable in 2014 when there is a Federal law on the books that says that they don't have to be.

As a member of the House Medicaid Expansion Caucus here in Congress, unfortunately, I find myself in a position where I have to ask Governor Scott and my former colleagues on the floor of the legislature just a few questions: Are two young parents working fast-food jobs in Miami less deserving of primary care visits than a couple working at the same burger chain in Colorado? Are the chronic headaches of a home cleaner in West Palm Beach somehow less serious than those doing the same work in West Virginia? Is a loved one struggling with substance abuse in Orlando any less worthy of treatment than someone in New York or in Maine? Are these 1,060,000 Floridians somehow undeserving of the coverage our Federal health care law has made them eligible for?

These are some of the most hard-working people in our State. They are proud moms and dads. They are cashiers and housekeepers, security guards and fast-food workers, office clerks, and landscapers. They are veterans of Iraq and Afghanistan. They are adults who have gone back to college to further their careers.

Our desire to give Florida families the same shot at leading healthy, productive lives as Americans in any other State should be enough to convince Governor Rick Scott to call the legislature back into session tomorrow to get it done.

But just in case our responsibility to protect families and promote public health isn't enough, economists have also found that no other State has more to lose by rejecting Medicaid expansion—by rejecting Medicaid expansion—than Florida.

Just this month, a McClatchy analysis of The Urban Institute data concluded that Florida's decision to deny Medicaid to 1,060,000 people will cost our State an astronomical $66.1 billion by 2022. Florida's hospitals are expected to lose $22.6 billion over that same period and will continue to bear the burden of providing expensive emergency room care to uninsured patients for nothing in return.

The billions and billions of dollars at stake for Florida through Medicaid expansion would do far more than expand basic coverage to 1.06 million low-income people. These dollars would also generate new growth and opportunity throughout Florida's economy.

That is because when hospitals are actually paid for their services their balance sheets improve, they have more room to invest and to expand. When they build a new surgery wing, they put to work more engineers and construction contractors and they hire new staff and they create good, well-paying jobs in our State.

According to the Council of Economic Advisers at the White House, the economic growth injected into Florida's economy would deliver about 63,000 new jobs between now and 2017. Missing out on that kind of opportunity will be devastating for our State. Failing to cover those 1,060,000 Floridians would not deliver real savings to taxpayers in the long run.

It is time for Governor Scott and the Florida legislature to focus less on politics and more on helping Floridians, parents, students, veterans, and workers get the coverage they desire and that they are entitled to.

IRS ACCOUNTABILITY

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

Mr. CARTER. Madam Speaker, today, I rise in support of five commonsense bills that hold the government accountable to the people it was created to serve.

It is amazing that we have an agency called the Internal Revenue Service to which we have surrendered almost unlimited power for the purposes of collecting revenues of this country. Arguably, American citizens will tell you that the IRS has control over their lives, their liberty, and their property, and, some would argue, without due process of law.

You don't tell your taxman: I am not going to answer that question, I am going to take the Fifth, because immediately he will seize your property.

Yet we witnessed on television—as we found out—that the IRS was being looked into for being incompetent and corrupt and maybe the most incompetent and corrupt Federal agency in the country, and that they were actually out investigating groups who were voicing their absolute constitutional right to express their opinion in the political arena and the right to gather and meet, which is guaranteed by the Constitution.

But, no, the first thing we get from the person in charge is: I am going to take the Fifth Amendment. As many can see, we have been battling in the committee process in Congress over and over with the IRS. They have abused our tax system to target conservative political organizations, and this abuse has to be stopped and they have to be held responsible. Of course, when we actually have someone that we see is responsible, the quick solution for the IRS is transfer them someplace else.

Well, I am proud the House has taken action to curb the power of the IRS by streamlining the removal of Federal bureaucrats who engage in misconduct or destroy Federal records. In front of a Federal District Court, you just try shredding records that a court has ordered you to bring before them and see what that Federal judge will do to you.

We are also voting to prohibit the IRS officials from using personal email

to conduct official business, putting fairness back into the appeals process, and ensuring taxpayers know the status of IRS investigations. This is not much to ask. Just tell us what is going on.

These bills are important steps toward a level of accountability the Obama administration has been unwilling to take. This is good legislation. It sets our bureaucrats straight.

□ 1045

WE CANNOT PERMANENTLY BE AT WAR IN THE MIDDLE EAST AND TAKE CARE OF OUR OWN PEOPLE

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

Mr. DUNCAN of Tennessee. Madam Speaker, many years ago, I voted for the first gulf war after attending classified briefings about the great threats we faced from Saddam Hussein's elite troops; then I watched them surrender to CNN camera crews and empty tanks. I realized then that the threat had been greatly exaggerated.

A few years later, we rushed to war in Iraq against weapons of mass destruction that were not there. The threat at the time of the second gulf war was greatly exaggerated, and I am glad that I voted against going to war that time.

After the horrible beheadings of two American citizens, I felt we should respond, and I have publicly supported limited air strikes. I hope we can at some point, if we are not doing so already, send in a special operations team, or teams, to get those who have committed these beheadings just as we got Osama bin Laden; however, I do not support sending thousands of young Americans as combat troops on the ground into Middle Eastern civil and religious wars.

The primary responsibility for fighting over there should be up to the countries in that region, and I do not believe we should have some fake coalition where most of the fighting and most of the funding comes from the U.S. military as in the Iraq and Afghanistan wars.

While ISIS—or ISIL, as it has also been referred to—is a threat, we have faced far greater threats at other times in our history.

Some of our leaders clamor for war to prove how tough they are. Some want to be little Churchills. Many may believe, if they don't support the strongest possible action, they are afraid they will be blamed if something bad happens; however, both our President and the Secretary of Homeland Security have said our intelligence and military officials have no evidence of any credible threat against the U.S. at this point.

In addition, we have spent $716 billion on homeland security since 9/11, just at the Federal level, not counting the billions spent by State and local governments and private companies. Just one company, FedEx, told me a couple of years after 9/11 that they had spent $200 million on security that they would not have spent had 9/11 not happened.

On top of that, we spend much more on defense than the next top 10 nations combined and almost more than all nations combined since the poor nations spend very little on defense. If we devoted our entire Federal budget to the Middle East, we could not stop all the fighting or solve all the problems of that region. If we spent our entire Federal budget on homeland security, we could not make our country 100 percent perfectly safe.

Some radical Islamic fanatic may do something bad in the U.S. but we are already spending all we can and doing all we can if we are going to meet the needs of our own people. The first obligation of the U.S. Congress should be to the American people, and the people of the Middle East are going to have to solve most of their own problems on their own.

We do not have the money or the authority to try to run the whole world, and we certainly shouldn't panic or overreact to this threat from ISIS. Just a few weeks ago, their numbers were supposedly between 5,000 and 10,000. Now, we suddenly have them up to 20,000 to 31,000, but we have over 1 million in our military, and, supposedly, other nations are going to help against ISIS.

The leaders of ISIS have proven themselves to be cowards by beheading unarmed, defenseless men in front of cameras in undisclosed locations. We fought against al Qaeda in Iraq and Afghanistan and then with al Qaeda in Libya. A year ago, our hawks wanted to take out Assad in Syria. Now, we want to have him with us against ISIS.

I agree with what Judge Andrew Napolitano wrote a few days ago:

> What should Congress do? It should declare once and for all that we will stay out of this ancient Muslim civil war of Shia versus Sunni. We have been on both sides of it. Each side is barbarous. In the 1980s, we helped the Sunnis. Now, we are helping the Shias.
>
> Last year, Mr. Obama offered to help the Islamic state by degrading its adversaries; now, he wants to degrade the Islamic state. We have slaughtered innocents and squandered fortunes in an effort to achieve temporary military victories that neither enhance our freedom nor fortify our safety.
>
> We will only have peace when we come home, when we cease military intervention in an area of the world not suited for democracy and in which we are essentially despised.

I agree with Judge Napolitano.

Finally, Madam Speaker, I say again that we cannot take care of our own people and our country if we are permanently at war in the Middle East.

WILDFIRE SEASON IN THE WEST

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

Mr. LAMALFA. Madam Speaker, last night, in the town of Weed, California, which is in my own First Congressional District, over 100 of my constituents' homes were destroyed or damaged by fire, along with an elementary school and a timber mill, one of the area's largest employers. Thousands of my constituents are under evacuation orders, and the fire is not yet contained.

Aside from this tragedy, hundreds of thousands of acres of northern California forests have burned so far this year. In fact, the combined impact of the fires is already larger than last year's Rim Fire near Yosemite.

Unfortunately, while the Rim Fire received nonstop coverage, most of America is probably unaware of this year's calamities. The unfortunate truth is that rural California and much of the West experience massive wildfires like these every year. Over the past decade, wildfires have only grown in size and severity.

Madam Speaker, it doesn't have to be this way. We know why our forests are burning. It is because of decades of mismanagement caused by Federal bureaucracies and excessive regulations and red tape. They have an attitude at the Forest Service in many cases of just let it burn.

We suffer from road closures, inaccessibility to our forests, poor management, and, certainly, the ability to stop fires once they are started because of these policies.

The simple fact is our forests are not just mismanaged or even poorly managed. They are entirely unmanaged. As a result, they are overgrown, unhealthy, and ready to burst into flames at any time. I am supporting several measures to address the crisis in our forests, and last night's events create even more urgency for Congress and this administration to act.

Chairman HASTINGS' bill, H.R. 1526, which was passed in this House and I am a cosponsor of, would restore common sense to forest management, requiring the Forest Service to actively manage public forests to reduce fuel loads and improve forest health.

It is high time that the Senate act on this measure or, at the very least, produce its own forestry measure in the Senate so we can negotiate a final product. This would be part of the now 384 House bills that are languishing over in the Senate that need action.

Chairman SIMPSON's bill, H.R. 3992, another measure I am supporting and cosponsoring, will end the diversion of forest management funding to firefighting by treating fires like other disasters, allowing flexible wildfire disaster funding.

The Forest Service's increasing use of forest management funds for wildfire suppression means that we are no longer in the business of managing forests and, instead, just putting them out—or trying to—when they burn. This measure deserves a hearing in

committee and action on the floor before this session ends.

Madam Speaker, without action on these bills, our forests will continue to burn. Our constituents will continue to see their homes and livelihoods destroyed, and rural communities across the West will continue to suffer.

In the House this year, we hear about this being a do-nothing Congress and how it has been the least productive. The House of Representatives has been doing its job.

When we have 384-plus bills sitting over in the Senate languishing, waiting for action, then it is a misnomer that action is not going on in this House; indeed, it is a do-nothing Senate.

The people of the West in the line of these fires are suffering and demand action of their government. When they are not getting it, they are the victims.

Madam Speaker, before the end of this year, we need to take serious action on the management of our forests by allowing timber to be cut and processed in order to achieve forest health. We have an overload. We have an inventory in our forests.

There is much more that can be sustainable, on the number of trees per acre, on what is safe and healthy for the trees as they compete for limited water supply underground, therefore, stressing the trees, causing them to be susceptible and more in danger of insects that weaken and kill the trees; it is, thereby, a self-perpetuating prophesy of forests that are weak and then burn.

Madam Speaker, my constituents in Siskiyou County and last night in Weed, California, have suffered from this mismanagement—the nonmanagement—the incompetence and even what some people feel is criminal treatment they are getting from their Federal Government because of inactivity.

Madam Speaker, it is high time we pass these measures and do what we need to do to make our forests healthy and safe, as well as help the economy for those people. Certainly, in Congress and our government, we use a lot of wood and paper products. Why should they not come from California or from our Western States?

REMEMBERING JOAN D'ALESSANDRO

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. GARRETT) for 5 minutes.

Mr. GARRETT. Madam Speaker, I rise today to honor the memory of Joan D'Alessandro and to recognize her mother, Rosemarie, for her tireless dedication to victims' rights and child safety.

In 1973, Joan D'Alessandro was sexually molested and murdered by her neighbor, Joseph McGowan, after she simply went to his house to deliver Girl Scout cookies. Joan's body was found 3 days later, on Easter Sunday, in New York States' Harriman State Park. Joseph McGowan was later convicted of first degree murder and sentenced to life in prison.

Joan was 7 years old when she was murdered. This month, she would have celebrated her 49th birthday. In the four decades since her death, her mother, Rosemarie, has used the tragedy of her daughter's death as a motivation to ensure the protection of other children.

She has mounted several successful campaigns to keep her daughter's killer behind bars, and she has worked tirelessly to strengthen laws against child predators.

In the 1990s, Rosemarie launched a grassroots movement to pass what is called Joan's Law. This legislation imposes a life without parole sentence on anyone convicted of molesting and murdering a child under 14. Governor Christine Todd Whitman signed the bill into law in 1997. President Clinton signed a Federal version of this law in 1998.

Even with these successes, Rosemarie continues to do even more. Earlier this year, she unveiled a butterfly sculpture and garden in Hillsdale, New Jersey. This sculpture is a tribute to Joan's life. It also serves as a reminder to each and every one of us to be diligent about keeping our own children safe.

Madam Speaker, I ask my colleagues to join me in coming together to remember Joan's birthday; moreover, I ask you to join me in thanking Rosemarie for all she has done to protect countless other children.

We will never fully understand the grief that she has suffered all these years, but we hope that she finds comfort in knowing that we are inspired by her determination to make the world a safer place.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 58 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

In these waning days of deliberation before Members leave to focus on the upcoming election, bless them with focus on the pressing matters of these days. May they be filled with wisdom and a spirit of goodwill and cooperation that good solutions to unfinished business might be arrived at together.

Finally, bless our world with peace and all those seeking an end to violence.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Virginia (Mr. WOLF) come forward and lead the House in the Pledge of Allegiance.

Mr. WOLF led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

SEPTEMBER IS NATIONAL RICE MONTH

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

Mr. CRAWFORD. Mr. Speaker, I rise today to highlight one of my favorite months of the year, initiated in 1991 by Congress. September is known as National Rice Month.

With its healthy attributes, it should be no surprise that the typical American will consume, on average, 25 pounds of rice this year.

Mr. Speaker, I represent the largest rice-producing district in all of America, and I also am cochairman of the Congressional Rice Caucus. I have seen firsthand for several years the hard work that producers in the First District of Arkansas put into making a crop year after year that feeds not only us here at home, but also feeds countless others across the world.

So, as we stop and consider all the products here at home we have come to enjoy that include rice, let us also remember that our rice producers will export over 2 million metric tons of rice to markets all over the world this year. Our rice producers are feeding us here at home, Mr. Speaker, and they are also feeding the world.

UKRAINE PRESIDENT'S UPCOMING ADDRESS TO JOINT SESSION OF CONGRESS

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, this week the men and women through their Representatives in Congress will welcome an ally and a friend. When Ukraine's new President, Petro Poroshenko, addresses a joint session of Congress on Thursday, he will do so at a pivotal moment in his country's history.

Ukraine is facing an existential threat from Russian aggression. President Putin's incitement of violence in eastern Ukraine and arming of separatist rebels there must stop.

The United States has responded with tough sanctions. I will push for even tougher sanctions if President Putin continues to disregard Ukrainian sovereignty.

The people of Ukraine are fighting for democracy. The United States stands behind them in their efforts.

Let this week's address only strengthen the longstanding alliance and friendship between the United States and our friend Ukraine.

ANTI-SEMITISM AROUND THE WORLD

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I rise to submit for the RECORD a statement on my concerns about the troubling increase in anti-Semitism in the Middle East, Europe, and, I regret to say, here in the United States, particularly on college campuses in recent years.

Some have likened the freedom and safety of the Jewish people to ''the canary in the coal mine'' of a nation's religious freedom and tolerance, meaning, if the Jewish population is threatened, so too will others in time.

For the religious freedom and safety of all people, we must speak out against these disturbing trends and anti-Semitic acts around the world.

I am also calling for the U.S. Commission on Civil Rights to update the 2006 report on anti-Semitism on college campuses to review recent trends and look at what recommendations, if any, have been implemented.

CONDEMNING NFL ON DOMESTIC VIOLENCE

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I rise to express my concern and disgust at the NFL's belated and inadequate response to violence against women and children by its players.

If the league were serious, it could use its significant resources to have a positive impact and help change how society views the issue, just as teams have raised money and awareness to fight breast cancer.

But I am not convinced that the NFL commissioner, owners, coaches, and players want to change. Are they sincere or just doing damage control before continuing business—by the way, highly profitable, but tax-exempt business—as usual?

I believe the buck, not just the big bucks, stop with the commissioner. Because he has failed, I think Goodell must go—either resign or be ousted by the owners. My colleagues and I will be watching to see whether the NFL truly reforms, and we will be revisiting congressional oversight and legislation related to the NFL.

KRAUTHAMMER CORRECT AGAIN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in last week's Washington Post, columnist Charles Krauthammer analyzed the President's plan to defeat ISIL:

''Beyond the strategy's halfhearted substance is the author's halfhearted tone. Obama's reluctance and ambivalence are obvious. This is a man driven to give this speech by public opinion. It shifted radically with the televised beheading of two Americans. Every poll shows that Americans overwhelmingly want something to be done—and someone to lead the doing.''

ISIL's conquest in Iraq and Syria is a consequence of the administration's failed policies that do not achieve peace through strength. The President ignored evidence of increasing terrorist safe havens across North Africa, the Middle East, and Central Asia, as the southern border is now porous.

The United States must effectively defeat ISIL to stop attacks on American families. I hope the President shows real leadership and takes effective action to achieve victory over those who vow mass murder of American families.

In conclusion, God bless our troops, and the President should take action remembering September 11th in the global war on terrorism.

MILITARIZATION

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to urge this House to stop the free flow of excess Defense Department military weapons and equipment to local law enforcement.

Our neighborhoods need to be protected, but Americans oppose blurring the line between the police and military. When law enforcement uses military MRAPs on Main Street, that changes the relationship with the public.

Our country is not a war zone, and it should not feel like one. That is why Representative Raul Labrador and myself are introducing the Stop Militarizing Law Enforcement Act. This is a commonsense and bipartisan bill to reform the Department of Defense 1033 program to stop the free flow of this equipment from foreign battlefields directly to the streets of America.

I urge all of my colleagues to support this bill.

INTRODUCTION OF THE CLEAN AIR STRONG ECONOMIES ACT

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, EPA will soon propose a new lower ozone standard. We have made important gains in air quality, but this new proposal is so low that most of America, including all but five national parks, will be out of compliance.

This new rule will mean lost jobs and lost opportunities. It means no new permits for Mom and Pop and their American Dream. They will struggle to grow. That is why tomorrow BOB LATTA of Ohio and I are introducing the Clean Air Strong Economies Act. This commonsense bill requires EPA to protect health and consider whether a new rule can be met.

Mr. Speaker, I urge my colleagues to help us balance clean air with a strong economy and American jobs.

REPUBLICAN OBSTRUCTION

(Mr. VEASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VEASEY. Mr. Speaker, I rise today to call on House Republican leadership to stop playing games and start governing.

We are scheduled to debate 36 bills this week, but many are just repeated failed attempts that went nowhere beyond this House because they will do nothing to create jobs or strengthen the economy.

Instead of working to pass comprehensive immigration reform or raising the minimum wage or decreasing income disparity between men and women, we are instead repackaging and repassing partisan talking points and special interest handouts.

This Congress is on track to be the least—the least—productive in U.S. history.

We have seen valuable time and tax dollars wasted in trying to sue the President, over 50 failed attempts to repeal the Affordable Care Act—including the 2-week Republican government shutdown over the same issue—and attempts to legitimize flimsy conspiracy theories.

House Democrats stand ready to work with House Republican leadership when they decide to stop playing games and get back to work. We are ready to jump-start our economy, make it in America, reunite families, and bring back jobs from overseas.

ISIS BENEDICT ARNOLDS

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

Mr. POE of Texas. Mr. Speaker, evil ISIS has arrogantly beheaded yet another Westerner. This time, a British aide worker, David Haines, was executed. His assassin was an ISIS masked outlaw with a British accent.

ISIS has been heavily recruiting turncoat citizens in the United Kingdom, Canada, and the United States. These American passport holders are particularly dangerous since they can easily slip back into our country undetected and bring ISIS' reign of terror to our homeland.

That is why I have introduced the FTO Passport Revocation Act. This legislation would authorize the revocation or denial of passports and passport cards to individuals who fight with foreign terrorist organizations.

The Benedict Arnold traitors who have turned against America and joined the ranks of the terrorist army ISIS should lose their right to reenter the United States. This bill will help law enforcement locate these individuals overseas by preventing them from traveling internationally so that they can be captured and brought to justice.

Once Americans cross over to the dark side and go to war against us, they are not welcome back—unless they are in handcuffs.

And that is just the way it is.

VOTING RIGHTS IN OHIO

(Ms. FUDGE asked and was given permission to address the House for 1 minute.)

Ms. FUDGE. Mr. Speaker, 2 weeks from today, Golden Week will begin in the State of Ohio. This is a one-stop voting opportunity that will allow Ohio residents to register and cast in-person absentee ballots at the same time. But for the U.S. district court ruling against the GOP-led general assembly, Ohio voters would not have this opportunity.

According to a Lawyers' Committee for Civil Rights report, African American voters made up 78 percent of all early voting ballots in the country. There are people working in every State to make it more difficult for citizens, and particularly people of color, to exercise their right to vote. That is why it is critical for each of us to do all we can to protect it.

I support the Voting Rights Amendment Act of 2014, and I encourage my colleagues to do the same.

11TH ANNUAL NATIONAL PREPAREDNESS MONTH

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

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to mark the 11th annual National Preparedness Month and to urge all Americans to be disaster aware and take action to prepare.

According to FEMA, less than 40 percent of all Americans have an emergency plan. This startling fact is a reminder that our Nation must continue to prepare for all types of disasters.

As congressional cochair of National Preparedness Month, I hope all Members will join me in promoting the importance of preparedness. The first 72 hours after a natural disaster or terrorist attack are critical.

This September, urge your constituents and families to take action by creating an emergency kit that includes things like water, nonperishable food, phone chargers. Families should have communication plans and designate a meet-up point in case they get separated. And lastly, we should follow our first responders and Red Cross on social media. Taking these kinds of steps can save lives when disaster strikes.

Mr. Speaker, this month and every month, let's pledge to be disaster aware and take action to prepare.

□ 1215

CHILDREN'S CARDIOMYOPATHY MONTH

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

Mrs. CAPPS. Mr. Speaker, I rise today to recognize September as Children's Cardiomyopathy Awareness Month.

Cardiomyopathy is a chronic disease of the heart muscle and it increases the risk of sudden cardiac arrest. Sudden cardiac arrest claims almost 300,000 lives in the United States every year. It is the leading cause of death for schoolchildren.

That is why I introduced the Teaching Children to Save Lives Act, which would help teach our students across the country the lifesaving skills of CPR and how to use an AED.

Additionally, I recently introduced the SAFE PLAY Act to help ensure the health and safety of students who are athletes. Some of them have cardiomyopathy as well.

This is an issue facing youth and families all across the United States. That is why I urge my colleagues to join me in recognizing September as Children's Cardiomyopathy Awareness Month, participate in the first annual AED Hunt on the Hill tomorrow, and to cosponsor the SAFE PLAY Act and Teaching Children to Save Lives Act, because together we can make a difference.

PROHIBITING TSA FROM ACCEPTING NOTICE TO APPEAR FORMS

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

Mr. MARCHANT. Mr. Speaker, I have introduced legislation to prohibit TSA from accepting Notice to Appear forms as valid ID for clearing airport security.

Notice to Appear forms summon illegal immigrants to present themselves for removal hearings. They contain no real security features and can be easily forged.

After first denying it to the press, the TSA admitted to me that they were giving illegal immigrants special leeway by accepting Notice to Appear forms. This defies commonsense.

Those who violate our laws should never be held to a lower security standard than law-abiding citizens. It is a serious security risk. It is unfair to honest Americans. It must stop now.

I call on all of my colleagues to support this legislation. TSA must stop giving illegal immigrants special treatment.

CONSTITUTION WEEK

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

Mr. COHEN. Mr. Speaker, this is Constitution Week, the week that we honor our Constitution, drafted in 1787 on September 15 and signed on the 17th.

I spoke to a class about it in Memphis. I looked at the class, which is almost entirely African American, and I thought about the Constitution having in it slavery and not having in it a woman's right to vote.

Then I have been watching Ken Burns' ''The Roosevelts'' and seeing how Teddy Roosevelt would have thought about where we are today. Teddy Roosevelt and Franklin Roosevelt knew we needed a central government to work for the people. Teddy Roosevelt said the Constitution was for the people, not the people for the Constitution. He put right first and he fought the trusts and he looked after labor and he looked after the average American worker. He would have been repelled at the idea of not having a Voting Rights Act, as he had Booker T. Washington, the first African American in the White House.

He would have been concerned about what this Congress is doing today and the prospect of war and our power to declare war and not acting and not exercising our constitutional prerogatives.

The Ken Burns series is a tribute to two great men and a great family, Teddy and Franklin Roosevelt, who made America better. I wish this Congress would do the same.

FEDERAL RESERVE TRANSPARENCY ACT

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

Mr. SMITH of Missouri. Mr. Speaker, I am proud today to stand up in support of legislation that I cosponsored that the House will consider later

today, H.R. 24, the Federal Reserve Transparency Act.

As the creator of U.S. monetary policy, the Federal Reserve is one of the most influential institutions in our government. Unfortunately, it is also mentioned as one of the most secretive institutions of government. This act would require the Federal Reserve System to submit itself to a full, fair, and open audit process.

President Harry Truman, from the great Show-Me State, once said that ''secrecy and a free democratic government don't mix.'' In all of government, including the Federal Reserve, openness, transparency, and accountability are absolutely required. Hundreds of my fellow Missourians have contacted me asking to fully audit the Federal Reserve in just the first 15 months that I have been in office.

Mr. Speaker, it is time to audit the Fed.

ISIS

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

Mr. MORAN. Mr. Speaker, we are about to begin a very important and difficult debate. Both sides have strong, credible arguments. But I would urge those who are opposed to what the President has suggested to offer their own alternative. Because it does seem as though, while the President has chosen a bad option, it is the best of all the alternatives, and that is the difficulty.

ISIS is expanding exponentially in terms of the size of its force, its financial and military wherewithal. If ISIS was, for example, to be able to lay siege to Baghdad, where we have a substantial presence of American personnel, what do we do then? Clearly we would have to be militarily engaged.

This is a difficult debate, but I would urge those who chose any of the credible reasons for voting against it to tell us what they would do instead.

PAUL AND MARGARET McNAMARA

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to acknowledge and honor Paul and Margaret McNamara of Champaign, Illinois, for recently being recognized as Angels in Adoption by the Congressional Coalition on Adoption Institution.

Dr. McNamara and Margaret are parents of six children, four of whom they have adopted. They made the decision to adopt because they understood that countless children across the globe are without a permanent family. After the births of their first two children, Daniel and Annie, they began looking into adopting children with special needs.

They adopted their son, Joseph, from South Korea, and then Jonathan from India. When they learned that Joseph's sibling, David, was in foster care in South Korea, they adopted him as well.

The McNamaras have been extremely active in their community, as well as their church, in providing information and support to families considering adoption.

Adoption is a selfless act of kindness, and it is truly an honor to have the McNamaras in my district. Their dedication and continued community support are unprecedented, and we should take a moment to appreciate those who adopt both at home and abroad.

PANCREATIC CANCER

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of pancreatic cancer awareness. There are no early detection methods for pancreatic cancer, and treatment options are limited.

Over 130 million Americans suffer from a chronic condition or rare disease. Like pancreatic cancer, many have no cures and limited treatment options.

The 21st Century Cures initiative is a bipartisan effort to get cures and treatments to patients more quickly. Millions of Americans who suffer from cancer, including the nearly 50,000 with pancreatic cancer, will benefit from this initiative.

I held two 21st Century Cures roundtables in my district in August to hear from patients, patient advocates, researchers, clinicians, and representatives from medical device companies. Pancreatic cancer advocates participated as well.

Together, we can raise awareness and find cures and treatments for chronic and deadly diseases like pancreatic cancer.

RECOGNIZING CORNERSTONE'S SUSAN NEIS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I want to congratulate and recognize Susan Neis and the 29 years of service to our community she has provided as executive director for Cornerstone Advocacy Service.

Susan's hard work began in 1985, when Cornerstone was just a few staff members and volunteers working together in one room out of a church in Bloomington. Under her leadership and her vision for preventing domestic abuse, Cornerstone has now grown to 80 employees who provide around-the-clock crisis counseling, emergency shelter services, and transitional housing to ten cities across Hennepin County.

I have spent time at Cornerstone myself, and I have seen firsthand the services they provide in our community for adults and children who have been traumatized by domestic violence, by sexual violence, and human trafficking.

Mr. Speaker, the impact of Cornerstone's success is a reflection of Susan's hard work, her dedication, and her passion.

I would like to thank Susan for helping save lives, for serving our community, and I congratulate her on her successful tenure at Cornerstone, and I wish her the best in her retirement.

EXPANDING EDUCATIONAL FREEDOM

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

Mr. MESSER. Mr. Speaker, I have a radical idea: let's let parents choose where to send their kids to school, let's make it easier for them to save for their children's education, let's give every kid in America access to a great school. Our current education system works for many, but it is failing too many others.

Today, I introduced a bill to change that. My bill, H.R. 5477, lets Federal education dollars follow students. It lets parents use 529 education savings accounts on pre-K to 12 education expenses. It eliminates the cap on contributions to Coverdell education savings accounts and allows those funds to be used for home schooling.

Some may say our current system is the best we can do. But deep down we all know we must do better.

Let's give all students a chance no matter where they live. Let's pass the Enhancing Educational Opportunities for All Students Act and make that dream a reality for every child.

RECOGNIZING CASE MANAGEMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today, I rise to recognize our Nation's case managers and the role that case management plays in our health care and our social services sectors.

October 12–18 marks National Case Management Week. During this time, we recognize the contributions case managers make each and every day and the role that they play in educating individuals about their health care options across the continuum of care.

While all too often overlooked, case managers are critical in improving health care outcomes for individuals across the country, promoting quality health care for patients.

As we continue to look at ways to improve health care delivery in America, let us not forget the role case managers play in cost-effective outcomes for patients.

Today, I offer my thanks and praise for our Nation's case managers. During

this upcoming National Case Management Week, let us all recognize the value that case management brings to the health care arena.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 16, 2014.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol,
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 September 16, 2014 at 11:09 a.m.:

That the Senate passed without amendment H.R. 5134.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

□ 1230

PROVIDING FOR CONSIDERATION OF H.J. RES. 124, CONTINUING APPROPRIATIONS RESOLUTION, 2015

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 722 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 722

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 124) making continuing appropriations for fiscal year 2015, and for other purposes. All points of order against consideration of the joint resolution are waived. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The joint resolution, as amended, shall be considered as read. All points of order against provisions in the joint resolution, as amended, are waived. The previous question shall be considered as ordered on the joint resolution, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; (2) the further amendment printed in part B of the report of the Committee on Rules, if offered by Representative McKeon of California or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for six hours equally divided and controlled by Representative McKeon of California and Representative Smith of Washington or their respective designees, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. Section 4(c) of House Resolution 567 is amended by adding the following new paragraph:

''(7) The provisions of paragraphs (f)(1) through (f)(12) of clause 4 of rule XI shall be considered to be written rules adopted by the Select Committee as though pursuant to such clause.''.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), my good friend, 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. COLE. 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 Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday, the Rules Committee met and reported a rule for consideration of H.J. Res. 124, the Continuing Appropriations Resolution for fiscal year 2015. The rule is a structured rule which provides for the consideration of a short-term continuing resolution keeping the government funded until December 11, 2014.

The rule provides for 1 hour of debate equally divided between the chairman and ranking member of the Committee on Appropriations.

In addition, Mr. Speaker, this rule provides for the adoption of a technical amendment by Chairman ROGERS and makes in order an amendment by Chairman MCKEON. That amendment provides the authority for the Secretary of Defense, in coordination with the Secretary of State, to train and equip appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals.

For this amendment, the rule provides 6 hours of debate equally divided between Chairman MCKEON and Ranking Member SMITH. The rule also provides for one motion to recommit.

Finally, Mr. Speaker, the rule corrects a technical error and puts in place the base rules of the House regarding media access to the hearings and meetings of the Benghazi Select Committee.

Mr. Speaker, I want to commend my friend Chairman ROGERS for bringing a bill to avoid a government shutdown to the House. As a member of the Appropriations Committee, it is frustrating that we are forced into acting on a short-term continuing resolution when we spent much of this year, both in committee and on the floor, updating congressional funding priorities for fiscal year 2015.

This House has done its work. I wish I could say the same for the other body. While the Senate has chosen not to pass even one appropriations bill on the floor, this House has passed seven.

While the Senate Appropriations Committee has passed eight of the 12 appropriations bills out of committee, the House Appropriations Committee has approved all but one. If the Senate would work with us, I believe we could pass all of our bills on time.

The CR we are considering today is a clean bill continuing the funding of government operations at last year's levels. It includes only 36 so-called anomalies all within the total level of funding.

These changes are necessary to address current immediate needs like addressing the Ebola crisis, funding programs to counter regional aggression toward Ukraine and other former Soviet Union countries, and funding to ensure appropriate treatment of veterans and continued oversight of the VA.

In addition, Mr. Speaker, this bill extends the Export-Import Bank through June 30, 2015. I know some of my friends will disagree with me; however, I believe the Export-Import Bank provides a vital service. In an era when foreign governments are directly subsidizing industries, our companies are in need of a level playing field. I believe the Export-Import Bank does that.

In my home State of Oklahoma, since 2007, financing provided by the Export-Import Bank has supported over $1.1 billion in sales by U.S. companies that would not have existed otherwise; in addition, the Export-Import Bank has returned over $2.6 billion to the United States Treasury since 2008.

Finally, and most significantly, the McKeon amendment would provide the President with the authority he has requested to train and equip appropriately vetted elements of the Syrian opposition. The amendment ensures congressional oversight by requiring detailed progress reports on a plan, a vetting process, and procedures for monitoring unauthorized end use of provided training and equipment. It would also require the President to report on how this authority fits within a larger regional strategy.

Mr. Speaker, when we look back on what brought us to this point, there are at least three significant failures that we can point to: first, former Iraqi Prime Minister al-Maliki was given the opportunity to create a multiethnic, multisectarian, inclusive State of Iraq, but, instead, he squandered it; secondly, President Obama didn't insist forcefully enough to keep a residual American presence in Iraq; and, third, Mr. Speaker, when ISIL expanded out of Syria and into Iraq, both Prime Minister al-Maliki and President Obama were slow to respond.

When Ramadi and Fallujah fell to ISIL, their indecisive leadership allowed and encouraged this terrorist organization to assert itself in the Middle East. Mr. Speaker, the salient discussion is not about the past and how we got here but about the future and what we must do now.

I agree with the President that ISIL represents a clear and present danger

that must be dealt with, confronted, and destroyed. I am willing to give the President the authority and the funds needed to accomplish this mission. This amendment gives the President what he has requested while maintaining an appropriate role for Congress, but I do disagree with the President on several important issues.

I don't believe that he has the inherent authority to use military force in Syria, and nothing in this amendment authorizes him to do so.

I believe that going to war on the authorizations that were passed in 2001 and 2002, which dealt with very different times, places, and peoples, is shaky, at best. In fact, Mr. Speaker, a vast majority of my colleagues, including myself, were not even here in Congress when those authorizations were approved.

When we return in November, I hope that we repeal the 2001 and 2002 authorizations and replace them with ones that reflect the views of this Congress not the Congress of the last decade.

Additionally, I disagree with the President's choice of tactics. Regardless of whether he intends to use them or not, I believe the President was far too quick to rule out options and tools that he, in fact, may need later. War is the most unpredictable of all human enterprises. History shows that it is vital for a commander to maintain as much flexibility as possible.

I also do not believe that the authority and resources the President has requested will be nearly enough to achieve the mission he has outlined. It is going to take far more from our country, our allies, and our friends on the ground to destroy ISIL than envisioned in this legislation.

Mr. Speaker, I don't believe the President can succeed in the effort to destroy ISIL without bipartisan, popular support, and I hope he will take this opportunity to build on that. We are not Republicans or Democrats in war, but Americans first. The Commander in Chief has asked for our support in the underlying legislation. He should get it.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my good friend, the excellent Representative of Oklahoma (Mr. COLE), for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, when James Madison declared the Congress' ''power over the purse'' in the Federalist Papers as the most ''complete and effectual weapon,'' he warned of ''dishonorable stagnation.'' I fear we have achieved that. Rather than doing the hard work of coming up with long-term fiscal solutions for our Nation, we have resorted, once again, to short-term measures.

In the 4 years since Republicans took control of the House, not a single regular appropriations bill has been signed into law; instead, we have had manufactured crises, brinksmanship, fiscal cliffs, near defaults on the national debt, massive omnibus bills, and government shutdowns.

This continuing resolution may avert a national crisis in the short term by funding the government until December 11 of this year, but it is further demonstration the House majority has failed to do their most basic job.

They have been so obsessed with suing the President, investigating the nonexistent scandal in Benghazi, and holding more than 50 votes to repeal the Affordable Care Act that they have not done the routine work of Congress, funding the government. It is clear that under the current House majority our ''power of the purse'' has turned into ''dishonorable stagnation.''

Not only has the House majority found new ways to procrastinate on finding long-term solutions, they insist on passing the most closed rules in a single Congress ever; in fact, just last week, they celebrated the 75th closed rule, which makes this their diamond jubilee. They continue to pass closed rules which stifle debate and impedes the work of this Chamber.

Through this tactic, half of the country's Representatives have been silenced by the House majority. Even though Democrats received over a million more votes than Republicans did in the 2012 election, we are shut out. Our Nation's districts have been so gerrymandered, our representative democracy has been skewed beyond recognition.

I also oppose the inclusion of section 2 in the continuing resolution. That provision, which further excuses the Select Committee on Benghazi from adopting written rules to govern its work, does not belong in a rule for a must-pass funding bill; rather, the Benghazi Select Committee, just like every other committee of the House, should be required to meet, debate, and vote in open session on its basic rules and procedures that will govern its work.

The House majority previously tried to free the Benghazi Select Committee from this responsibility when it passed H. Res. 567 and established the committee last May. Four months later, they have realized on the eve of the select committee's first hearing that H. Res. 567 was not adequate; and so they inserted at the last minute a provision that, rather ironically, now excuses the select committee from the express requirement contained in clause 4 of rule XI for committees to adopt written rules to assure that meetings open to the public may be covered by audiovisual which means ''in conformity with acceptable standards of dignity, propriety, and decorum.''

When H. Res. 567 was brought to the floor for a vote in May, 186 Democrats voted against it. Let me reiterate that what this bill was doing is excusing the Benghazi Select Committee from having written rules like every other committee of the House is required to do. Not a single Republican joined us in voting against what we normally do.

Many of us objected to the creation of the Benghazi Select Committee in the first place as an unnecessary and partisan pursuit. Seven different congressional committees issued nine separate reports that answer the key questions about what went wrong in Benghazi.

Many of us believe that, to the extent any legitimate questions remain, the standing committees of jurisdiction along with Select Committees on Intelligence are fully capable of addressing those and overseeing the implementation of the needed reforms. It is unfortunate that not everyone seems to have the same confidence in the work of their colleagues.

We also objected because H. Res. 567 skews the process by failing to equalize majority and minority representation and resources and by seeking to excuse the select committee from following the basic requirements that apply to other committees of the House.

Basically, that says that we on the minority side have been shut out again. No guarantees and no discussion at all of fairness or openness either in resources, ability to see documents, or to call for witnesses.

I offered an amendment to address many of these concerns, but the effort failed. After much debate about whether even to participate in the select committee's work, Democrat members of the House ultimately agreed to do so in the hope that Republicans would fulfill their promises of a bipartisan, fair, and transparent process.

□ 1245

Just as we were guaranteed an open process at the beginning of the term, we have been had yet once again.

Inserting a last-minute provision in the rule on this must-pass funding bill will allow a select committee to avoid negotiating over or adopting the basic rules and procedures, and it does not honor the promise of openness. It will not win the public's trust. You cannot continually shut out half the Congress.

The Benghazi Select Committee, like every other committee in the House, should be required to meet, debate, and vote in open session on the ground rules that will govern its investigation. What the CR does is fund the government, and the rule for it should not be a means for the House majority to change language governing the highly political Benghazi Select Committee.

Programs and services all over the country cannot continue to run, as we are going to be asking them to do, on a month-to-month basis. They need certainty and reliability, which they clearly aren't getting.

Instead of investing in emerging technologies or medical research, of which we used to be at the forefront, the majority lurches from stopgap to stopgap, and now that strategy has caught up with us. Running the United States Government in 3-month tranches is a true recipe for disaster.

The CR does extend funding for operations of all Federal agencies, programs, and services until December 11

of this year and provides funding at the current annual rate of just over $1 trillion. However, it does include changes to existing law that are needed to prevent catastrophic, irreversible, or detrimental changes to government programs, specifically to address current national or global crises.

Regarding Ukraine, the CR continues the current flexibility with the State Department and USAID to respond to the ongoing crisis in Ukraine. Congress and the United States must continue to support the Ukrainian people in their fight for a free and democratic country. It is with some delight that we welcome Ukrainian President Petro Poroshenko to our Chamber later this week.

The CR also increases funding to address the disability claims backlog at the Department of Veterans Affairs as well as to investigate claims about medical care. We all agree that when our troops come home they deserve the best medical care, and this increase in funding will help to ensure that we provide just that.

Finally, regarding our involvement in confronting the rising threat to the Islamic State, or ISIL, while I am disappointed in the process that led to the continuing resolution, I do agree the House must debate at least one portion of the President's plan. We as Representatives need to debate if or how we arm rebel forces in Syria as well as other tactics in the broader effort. However, I have deep concerns about the ever-louder drumbeat toward war.

The wars in Iraq and Afghanistan claimed the lives of 6,640 of our men and women in uniform and critically wounded 50,450—50,450 come home to an already stressed VA system that cannot adequately care for them. The true cost of a war is not just in dollars, but in lives taken and destroyed, and I urge my colleagues to seriously consider the path before us.

Mr. Speaker, with this continuing resolution, we have an opportunity to avoid a short-term crisis, but if we continue to postpone the fundamental work of Congress, the Nation's economy will be at risk.

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

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

Mr. Speaker, it is not surprising I am going to disagree with my friend about who has and who hasn't done their job and who has been open and who hasn't been open in terms of how they have operated on the floor.

The reality is this House majority has repeatedly brought appropriations bills to the floor and moved them across the floor. Unfortunately, our counterparts and the Democratic majority in the Senate have not been able to do that for whatever reason. It's a little hard to have an appropriations process when the United States Senate will not bring a single appropriations bill to the floor largely because the majority on that side is evidently afraid of voting on any sort of amendments to an appropriations bill.

Now, if you actually look at the record in terms of who has been open and who hasn't, I remind my friends that the Democrats' 2006 manifesto, ''A New Direction for America,'' states:

> Bills should generally come to the floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.

The fact remains that when Democrats took control of the House they did just the opposite. Throughout the 111th Congress, in the final 2 years of Representative PELOSI's time as Speaker, the House never considered a single bill under an open rule. That is the definition of a closed process.

On the contrary, under Republican control, the House has returned to consideration of appropriation bills under an open process, with 22 open rules. This year alone, the House has considered 404 amendments during the appropriations process, 189 of which were offered by our Democratic colleagues. Contrast that to the United States Senate, where that process has not happened at all.

When you compare the record of the Republican majority to the most recent Democratic majority, any fair analysis will show Republicans are running a much more open, transparent House of Representatives.

Let me also, if I may, Mr. Speaker, turn to the issue of the Benghazi Select Committee. I know that has caused considerable concern, I think, largely based on misunderstanding.

Clause 2(g)(1) of rule XI, which applies to all standing committees and the select committees, mandates that the meetings of the select committee be open to the public, including the press, unless there is a vote conducted in open session to close such a meeting. The rule today only ensures that the logistics for media covering the hearing follow the standing rules of the House. There is no change to the rules governing public access to the meetings of the select committee.

Might I, just for the RECORD, Mr. Speaker, actually read the relevant portion of the rules here—''(7) The provisions of paragraphs (f)(1) through (f)(12) of clause 4 of Rule XI shall be considered to be written rules adopted by the select committee as though pursuant to such clause''—essentially applying to the select committee our own rules. That is the only thing that is being done here. It is a technical amendment, certainly no effort to short-circuit the process or make it less transparent.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds.

I know we have had this debate before and this discussion before, blaming everything on the Senate, but the fact is we have not done our job here in the House.

There were several appropriations bills that had committee approval, but none of us ever had the chance to vote for them. They were never brought to the floor.

Mr. Speaker, I am now pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a valued member of the Committee on Rules.

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to this rule and in opposition to the amendment on Syria that will be offered later today and voted on tomorrow.

If it was a bad idea before to get involved in Syria's civil war, why is it now a good idea?

Is it only because ISIL has expanded its operations over a fluid border into Iraq?

How long will we support the Syrian Free Army?

Who are these people?

How much will it cost?

What happens if and when our weapons fall into the wrong hands?

What are the countries in the region offering in terms of substantive solutions?

What is the clearly defined mission?

How does this end?

Do we have answers to any of these questions as we prepare to vote?

We are talking about war, Mr. Speaker. When you drop bombs on people, that is war. And we can talk all we want about so-called boots on the ground, but unless some of our soldiers weren't given shoes, we already have boots on the ground. We need to be honest about that.

We have trained and equipped Iraqi soldiers for over a decade. And for what? To watch them shed their uniforms and to turn their weapons over to ISIL? Is that what we are doing here again, Mr. Speaker?

If the real purpose of U.S. military operations in Syria is to bring the killers of the two American journalists to justice, then perhaps good intelligence and a well-prepared Special Forces operation could do so, just like we hunted down Osama bin Laden.

I want to be perfectly clear on one other point. Any amendment to provide title 10 authority to train and equip Syrian opposition forces must not be seen in any way as an authorization for U.S. Armed Forces to engage in hostilities in Iraq or Syria. It must not be seen as a substitute for specific congressional action.

Authorization to carry out sustained military operations is not something that should be stuck into a conference report. There should be nothing backdoor about it. That would be an insult to our uniformed men and women, an insult to their families, an insult to this House, and an insult to the American people.

On July 25, this House voted 370–40—370–40—in favor of my resolution to require specific congressional authorization for sustained combat operations by U.S. Armed Forces in Iraq. Yet,

since August 8, the U.S. Navy and Air Force have flown more than 2,700 missions against the Islamic State in Iraq, including 156 airstrikes. These airstrikes have occurred almost daily over the past 6 weeks.

Last week, the President announced that those operations will escalate and likely expand into Syria. This morning, they expanded to targets near Baghdad. If that doesn't qualify as sustained combat, Mr. Speaker, I don't know what does.

So, if this House is serious about what it said in July, then we should demand a vote this month on congressional authorization for U.S. military operations in Iraq and Syria. Anything less would constitute yet another failure on the part of this House to carry out its constitutional duties. Anything less would make a mockery of that vote that this House took in July. But, if this leadership gets its way, we will leave Washington for nearly 2 months without such a vote, and I expect and I think we all expect that during that time U.S. combat operations in Iraq and Syria will expand and escalate.

I know this is a hard vote. I know it is politically difficult. But we were not elected to duck the hard votes. We weren't elected to avoid difficult choices. War is a big deal. We need to do our jobs.

So, Mr. Speaker, I will vote ''no'' on this rule, and I will vote ''no'' on the Syria amendment.

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

First, I want to respectfully, once again, disagree with my friend from New York on the appropriations process. The reality is we have brought bill after bill to this floor. Every Member has had the opportunity to offer any amendment on seven different bills and to vote ''yes'' or ''no'' on their final disposition. The Senate hasn't brought any. And, frankly, at some point the Senate's failure to do its job begins to impact our ability to do ours, because it is very difficult to get time on the floor and use it knowing there is not anything going on on the other side. And that is just the reality of it.

So, if my friends can talk the Senate into beginning to move, I think they would actually find the House, which is already far ahead of them, would continue to work with them and we would actually begin to pass bills. But until the Senate will bring a bill to the floor of any kind for an appropriation, very difficult for us to get our work done over here.

Now I want to address myself, if I may, to my friend and colleague on the Rules Committee, Mr. MCGOVERN. There is much in what he says that I agree with. Frankly, I think he is correct when he says that we need at some point a full authorization, a full debate, full discussion. He is absolutely right, and I want to commend him for the action he took in his amendment on Iraq in July that we voted on. I was very happy to vote it. So I think, in substance, I find very little to disagree with in what my friend has to say. I do point out a couple of things, though.

First, and I think my friend is aware of it, the Speaker has actually taken the position that we need a full authorization debate and discussion. And I am told that he conveyed that to the President and actually said he thought this institution, our country, which I know is what we care about supremely, and the President himself would be better off under such discussion. That is a viewpoint that I agree with, and I think many Members on both sides of the aisle and with both points of view on the issue also hold that opinion. So this is actually a decision that has been largely made, in a sense, by the President.

We are trying to respond in a short period of time to what the President has asked us to do, and I think that is an important point to remember in this. This is not a fight on this floor between Democrats and Republicans or even for proponents. I think it is, at another level, a difference in perception about what authority the President has, his view versus probably Congress' view on a bipartisan basis.

□ 1300

I think it is a challenge in terms of timing. It is extremely difficult for the leaders of either Chamber to look like they are undercutting the President at a time of danger and when he has come with this request. We have set 6 hours of debate aside for a reason. If you will remember, the President's original request was simply to drop this measure in the continuing resolution and have no vote and no discussion at all. It was actually our side and your side that insisted that it be pulled out and that a vote and discussion occur. When we come back—again, I share my friend's opinion—I would be prepared to do it before the election. I see no particular need in waiting, but I don't get to make that decision.

At the end of the day, we are giving the Commander in Chief what he is asking for. I think we are trying to be both responsible and helpful. We have actually curtailed considerably what the President asked for. We noted specifically that this does not authorize the use of military force in Syria. We have required reviews. I suspect we will be revisiting this issue again—I certainly would hope so—and I look forward to working with my friend to make sure that we do.

I yield to the gentleman from Massachusetts (Mr. MCGOVERN), my friend.

Mr. MCGOVERN. I want to thank the gentleman, and I appreciate his words about his view that we ought to have a vote here in the Congress with regard to authorizing any kind of military operations in Iraq and Syria, and I appreciate his comments last night in the Rules Committee.

Mr. Speaker, I think what he is saying and I think what I am saying reflects the sentiment of most Democrats and Republicans. This is not a partisan issue. I think the gentleman is right in saying that the piece that we are voting on today has nothing to do with bombing Syria or with bombing in Iraq, but that continues, and that has escalated. My concern is that we may very well adjourn by the end of this week and not come back until after the elections, and that that involvement in both of those countries will have deepened, and we have not yet been promised that we will actually have that vote.

I think Members on both sides would feel a little bit more relieved if, in fact, the Speaker would give us an ironclad promise that there will be a vote on an AUMF with regard to Iraq and Syria.

Mr. COLE. In reclaiming my time, if I may, I don't presume to speak for the Speaker. I know that we have this vote largely because the Speaker wanted to make sure that we had a vote, and I know the request that he made of the President. Look, I am not condemning the President on this either. I understand all Executives try to tell you they have the authority to do everything they want. Ours do when we have a Republican, and Democrats do.

All I can say is, at the end of the day, I think we have a robust debate, and we have an opportunity to register opinion. But I want to continue to work with my friend and make sure that we have precisely the kind of debate and discussion and vote that his own amendment in July actually envisioned, because I think my friend is correct. I think this is an issue of constitutional propriety, and I think it is an issue, ultimately, of war and peace, and I think we ought to all vote on it. I would be happy if we did it before the election, but I will work with my friend to make sure that we do it as quickly as possible.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds because I can't resist it, although I am so fond of Mr. COLE, but we can't really blame it on the Senate that we have not done our work over here.

The House was able to find the time to vote 55 times to kill the health care bill, which is providing health insurance for 8 million Americans who didn't have it before. For goodness shakes, we could do that once a week, but we couldn't do the appropriations bills.

Now I am pleased to yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlewoman.

I want to thank the Speaker, and I want to thank Leader PELOSI for working together to give us an opportunity to vote on this question of developing a Free Syrian Army. Make no mistake: the decision that Congress will make on that question is of great importance because it is, in fact, a major escalation in U.S. involvement.

Mr. Speaker, there is a collective revulsion at what ISIS did in the beheadings of two young Americans, and there is a good people here in this country, where parents saw the possibility of their own sons being in that circumstance, and everything in all of us wants to react to that.

The question is: Is the prospect of creating a Free Syrian Army a good step at this time?

The administration is briefing us. All of us are doing all of the consideration we can. We are going to have a debate on that. I want to ask some questions that I think are important for us to come to a conclusion.

First, I want to compliment President Obama. He did use air power to stop the slaughter of the Yazidis. In that circumstance, he had ground forces, the Peshmerga, and a reliable ally in the Kurdish Government.

Number two, the President was wise not to bomb when they were threatening Baghdad because he saw rightly that the problem was Mr. Maliki, who had created sectarian division and who had really undercut the capacity of his army by putting cronies in instead of good leaders.

Then, third, the President has exercised great restraint about not having us be involved in the maelstrom of the Syrian civil war. That is a Sunni-Shia civil war that is out across the entire belt of Syria and Iraq.

But what do we do?

As for our allies who are in the region—Qatar, the United Arab Emirates, Saudi Arabia, Egypt—what are they going to contribute when they are the principal objects of this threat? They have over 1,000 planes among them, and they have armies. We haven't yet seen that.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 1 minute.

Mr. WELCH. Second, the vetting process: How on a practical level will that work?

We want the moderate Syrian rebels, but, in fact, we are going to be working with Egypt and with Saudi Arabia. They would nix Muslim Brotherhood participation. They want extreme folks who support the very conservative regime in Saudi Arabia. We are creating a very practical dilemma in the potential success of the so-called ''Free Syrian Army.''

Finally, is the fundamental issue here one of military leadership or is it one of political reconciliation between Sunni and Shia? Is that a problem that can be solved by our military or is it a problem, ages old—centuries old—in that region, the conflict between Sunni and Shia?

When I consider the contributions that the men and women of our Armed Forces made to Iraq, in which they threw out Saddam Hussein and gave stability and gave an opportunity for the people of that country to decide to live civilly together or in civil war forever, we gave them the chance they deserved.

Mr. COLE. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON), my good friend, a fellow member of the Appropriations Committee and a fellow subcommittee chairman.

Mr. KINGSTON. Thank you, Mr. COLE.

Mr. Speaker, I want to make three points about the continuing resolution.

Number one, as an appropriator, I would be remiss in my duty if I did not say we do not like continuing resolutions, because we on the Appropriations Committee have worked hard to pass our bills. We passed seven off the House floor, and the Senate was unable to move one single bill and, as a result, shut down the appropriations process.

The reason Members should be attuned to this is, during the appropriations process, you find out about a lot of programs that need to be discontinued, some that need to be modified, some that need to be enhanced, some that need to be limited altogether. We passed those bills on the House floor through a very vigorous amendment process, and that is a superior way to handle appropriations compared to the continuing resolution method, which just continues programs and really empowers more of the executive branch over the legislative branch.

I believe that Chairman ROGERS and Speaker BOEHNER have worked very hard to return this body to the regular order process of 12 different appropriations bills. We were well on our way to having that happen when the Harry Reid Senate shut down the process, and that is why we are here with the CR today. I am hopeful that we can go back into these bills and improve on the continuing resolution, and I do stand in support of it.

Number two, let me say this about the bill. It has appropriate and important funding to take on the Ebola virus that has broken out in West Africa. This bill provides $88 million—$30 million for the CDC—to put staffers on the ground and to address the needs there and then $58 million to the Biomedical Advanced Research and Development Authority, which is working on the possibility of 12 different vaccines for Ebola. They are not in the marketplace right now. We do not have a vaccine, and we need to do this research. That is why this amendment has been put in the continuing resolution, and it is something that all Members should be attuned to.

I want to remind the Speaker that 2,500 people have already died because of Ebola and that the number who have been infected is somewhere between 3,800 and maybe as high as 4,500, or even higher than that. Getting the number, itself, is very difficult to do.

Then, thirdly, let me say this about the use of force in the McKeon amendment that we are having, and I think Members do deserve to have a separate vote on this. It is important for the educational process. It is important for the discussion and the debate for the entire country.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COLE. I yield the gentleman an additional 1 minute.

Mr. KINGSTON. As I have looked at the 2001 and the 2002 authorizations for military force, I believe that the President is probably right. I haven't come to a 100 percent conclusion on that, but I believe that he does have that authority. I think it would be far better off for everyone to have a separate vote, and I hope that we can have that happen sooner rather than later. But, in the meantime, this vote is very significant, and Members need not fool themselves that the McKeon amendment does help move this process forward.

When we talk about airstrikes only and training only, and when we have made this decision not to have ground troops, we do not need another half-pregnant war in the Middle East. If it is important enough to fight, it is important enough to win, and we need to give the Commander in Chief all of the resources that he needs to have this victory. People often say airstrikes will get the job done, and they point to the NATO operation in Yugoslavia in 1999—1,000 aircraft, 38,000 combat missions, 2,300 missiles—but the reality is that that war only ended when the President took the next step, and that was to commit ground troops. That is how important this is.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. COLE. I yield the gentleman an additional 30 seconds.

Mr. KINGSTON. I want to be sure Members look back because that is the example where people say airstrikes alone are sufficient, when they point out the operation in Yugoslavia that was from March 24, 1999, to June 10. Even though we did not have ground troops, the Supreme Allied Commander in Europe, General Wesley Clark, said that he was convinced that the planning and preparation for ground intervention, in particular, pushed Milosevic to concede. We need to be very, very careful and mindful about this. If it is worth fighting, it is worth winning, and if it is something we are going to win, we need to give the Commander in Chief all of the tools that he needs to have a victory.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Thank you.

Mr. Speaker, the Middle Eastern tragedy in which this resolution will further entangle America is directly related to the wholly unnecessary Bush-Cheney invasion of Iraq. Having learned so little from the sacrifices of that conflict, the Congress now approves greater involvement in a Syrian civil war that has already taken almost 200,000 lives.

The administration has affirmed this very day that what it is talking about

is definitely a war, a declaration of war, while it seeks to avoid this Congress declaring that war, a Congress in which too many of the people's representatives fear making a decision today on whether to declare war.

□ 1315

Instead, we vote on an amendment here to authorize the administration to do what it is already doing in Jordan, while declining to consider a vote on what it should not do without specific congressional authorization.

Reliance on resolutions approved by this Congress on this floor over a decade ago, in 2001 and 2002, is very instructive. First, it shows the dangers of open-ended authorizations. Resolutions such as the one we have today will not only govern the actions of President Obama but future Presidents as well.

Second, once begun, this Congress, even under Democratic control, has shown little ability to contain war. Third, despite billions expended and with courageous Americans on the ground, the results over more than a decade of trying to successfully train Iraqis and Afghans is not particularly encouraging; indeed, the reality is the American taxpayers have been compelled to pay for the arms for our enemies as well as for our allies; nor do we have any explanation today as to how taking a few Syrians for training in Saudi Arabia—a country with its own brutal history of regular beheadings, financing extremists around the world, and opposing democracy most everywhere—how that will work better than our previous training on the ground with Americans.

Rejecting the resolution today does not mean that we should do nothing. When Americans are brutally murdered, the President already has the necessary authority, which he should use forcefully, to go after these barbaric murderers. There is a significant difference between confronting the savagery of ISIS and initiating a multiyear war in the region.

With the steadily growing number of U.S. military on the ground in Iraq now approaching 2,000 and recurrent demands from the same people that led us wrongly into Iraq in the first place that we add even more on the ground, the danger of escalation is very real.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 1 minute.

Mr. DOGGETT. Now, with our military leaders conceding that ISIS is a regional threat, it would kill as many Americans as it could—if it could—just as is true of some of the terrorist groups today in Africa; but, with it being a regional threat, not a threat to our homeland today, the question arises of why the countries in the region—who are more directly impacted from ISIS—why aren't they providing the bulk of the resources necessary to confront it?

They are always content to have Americans kill as many of their enemies in their centuries-old conflict as we will kill. They would let the Americans do all of the bleeding and all of the paying for this conflict. A photo-op with 40 countries does not an army make.

Ultimately, this resolution, like our previous unwise invasion, will make our families less secure, not more secure, and that should be the ultimate test of our actions.

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

I just wanted to quickly note that I actually agree with a very good deal of what my friend from Texas has to say.

I do want to correct him on one item. The amendment we are talking about is not like the authorizations of 2001 and 2002, mostly because it is very finely tailored to limit the executive branch.

It actually runs out on December 11 or earlier if we actually pass a National Defense Authorization Act and deal with the Syrian issue in that context; so it is very limited in terms of time, very limited in terms of scope. It explicitly states that it does not authorize military action in Syria.

With all due respect, I would suggest that most of my friend's disagreements are with this administration. They are largely disagreements with the President. The Speaker is doing what he can to provide an opportunity for us to debate and express that in the continuing resolution, and I will work with my friend from Texas to make sure that we have a fuller, more robust debate because I think the country deserves that, and I think my friend is right to demand it.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that makes two changes: first, it would strike a special waiver for the Benghazi Select Committee that lets them avoid the transparent and deliberative process of debating and voting on their own written rules for media access, which every other committee has to do; second, we would bring up the bill introduced by the gentleman from Washington (Mr. HECK) to reauthorize the Export-Import Bank for 7 years, bringing certainty and stability to an agency that helps to create jobs in the United States.

I yield 4 minutes to the gentleman from Washington (Mr. HECK) to discuss our proposal.

Mr. HECK of Washington. I thank the gentlewoman from New York.

Mr. Speaker, ladies and gentlemen of the House, I rise to oppose the previous question so that I might, indeed, offer H.R. 4950 to reauthorize the Export-Import Bank for 7 years instead of what the underlying continuing resolution would do, which would reauthorize it for 9 years.

I do so for two reasons: number one, the argument of certainty—here is the truth: the fact of the matter is a 9-month extension of the Export-Import Bank is not certainty. Here is the truth: we are already losing business because of the cloud of the debate that hangs over this Chamber with respect to the continuation of the Export-Import Bank, and that is documented, I might add; so we need certainty.

Everybody who comes from the private sector has made that argument on this floor. I come from the private sector. I make that argument.

The truth of the matter is this: the number one advocate for eliminating the Export-Import Bank likes the idea of a 9-month extension because it plays into his hands of getting rid of it.

Now, I take the gentleman from Oklahoma at his word. I know him to be a gentleman of honor and integrity, and I appreciate, deeply, his words in support of the Export-Import Bank, but the Export-Import Bank will be weakened with this language and will be subject to termination at the end of June 30 when it is isolated and left alone.

One of the arguments that is offered for 9 months is to give time for an effort to develop a reform proposal. I know of one such effort underway by the gentleman from Tennessee (Mr. FINCHER), and he is operating in absolute good faith. There is no question in my mind. He is working hard to get there.

There is equally no question in my mind that the effort to extend the Ex-Im, if we do it for 9 months, will be severely weakened, severely weakened. There is no assurance. There is no certainty that it will go beyond that date. We have a proposal that would do that, which has 201 signatures on it as cosponsors, I might add.

The second reason, the Export-Import Bank makes America stronger. It created 205,000 jobs last year. It reduced our Nation's deficit by $1 billion in October when that amount of money was transferred to the U.S. Treasury. It creates jobs, and it creates good-paying jobs, manufacturing jobs. It enables America to compete in an increasingly global economy.

Most people lose sight of the fact that, just since the year 1980, global trade has increased fivefold. I beseech the House: do not unilaterally disarm.

Here is the truth: 59 other countries, virtually every developed nation on the face of the planet, has an export credit authority, and most of them are larger than ours, expressed either in terms of absolute dollars or percentage of their gross domestic product.

For us to allow the Export-Import Bank to expire is to unilaterally disarm in an increasingly global trade-driven economy. For us to reauthorize the Export-Import Bank for 9 months is to tee it up for elimination, and you know this in your heart. You know this in your heart because the advocate for doing away with it thinks this is a good idea and has as much said that it tees it up for elimination.

The Export-Import Bank is good for America. It makes America stronger.

It creates jobs. It creates good-paying jobs, and it enables us to compete in a global economy.

I ask you to defeat the previous question so that we might offer a longer-term reauthorization of the Export-Import Bank.

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

I want to thank my friend from Washington for his kind words. I couldn't agree more with him about the Export-Import Bank. I think it is a very important institution that ought to be reauthorized, and I intend to work with my friend to make sure that happens when the time comes.

I don't think, as a rule, reauthorization in a continuing resolution is a good idea. I think it is much more appropriate, particularly for a matter this controversial and this serious—and, again, I agree with the substance of what my friend says—that we go through a normal committee process and that we come to the floor and have a full debate. I don't think this is the appropriate vehicle for that.

While I look forward to working with my friend on the reauthorization of the Export-Import Bank, I doubt that it is going to happen in this particular vehicle so, hopefully, in the new Congress, as we make persuasive arguments, as my friend has advanced, we will find that we get the broad bipartisan support we need to do that reauthorization.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, the majority's insistence on brinkmanship and short-term solutions threatens the Nation's economy, and regular appropriations bills have been replaced with fiscal cliffs, temporary stopgap measures, massive omnibus bills, and government shutdowns.

It is far past time that this Chamber's majority party does the good work of government and works to provide stability to the American people.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues to vote ''no'' to defeat the previous question. Vote ''no'' on the rule.

I yield back the balance of my time.

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

I do want to revisit, in closing, this issue of appropriations and openness, and I want to remind my friends on the other side of some recent history.

In 2010, when my Democratic colleagues controlled the House, they only considered two appropriations bills. At that time, by the way, they also had control of the Senate. I presume it would have been easier for them to have cooperated with a Democratic Senate than for us, but perhaps not because they only got two appropriations bills done the last year they were in the majority.

My colleagues deviated from the longstanding practice of open rules for appropriations bills by making in order only 40 amendments that year. You heard that correctly. Democrats considered two of 12 bills, with only 40 amendments made in order.

This year, Republicans have considered seven of 12 bills, considering 404 amendments, 189 of them which were offered by my Democratic colleagues. I will let the American people decide who has the better record on actually bringing appropriations bills to the floor and opening them up for full consideration by this House.

Mr. Speaker, I want to congratulate all of those who spoke today for the sincerity and the thoughtfulness of the debate. I particularly know that we probably find ourselves on common ground in wanting to make sure the government doesn't shut down, pass a continuing resolution.

It is interesting to me that that was not the subject of a great deal of contention; so I would hope that is something that brings us together. It is something that, certainly, the Speaker wants to accomplish, but the President and the majority leader want to accomplish that as well. Surely, we can find a bipartisan amendment for that.

Obviously, the great issue of the day and this week is going to be this discussion over the Syrian matter, and, again, I want to congratulate my colleagues for the seriousness with which they are approaching this.

I think we have all learned some very hard lessons in the last 13 years, and I am pleased that the amendment that would bring to the floor—an amendment, by the way, the President didn't particularly want.

I would recall for the RECORD that the President wanted this authorization for active title 10 authority for him to train Syrians to simply be dropped into the continuing resolution. It was the Speaker with the support of the Democratic leadership as well that wanted to make sure that we had a separate vote and discussion on this issue. I think that is a very good thing.

Now, I agree with my friend from Massachusetts (Mr. MCGOVERN). I would prefer a much more robust and fuller discussion, and I hope we reach that point. I think that is exactly the course that the Speaker recommended to the President.

□ 1330

He said:

I think the institution that I preside over will be better served, I think you will be better served, and I think the country will be better served if we have that debate.

I know the Speaker made every effort to get to that point. Others have a different point of view. I respect the President. Like most Chief Executives, he has had to take some very expansive views of his authority under the Constitution.

I recognize some people, frankly, are concerned about having this vote ahead of an election. Personally, I would prefer to do it ahead of an election, but I don't get to make those decisions, and I think the Speaker has done the best that he can do in reconciling all the conflicting opinions between the Senate, the House, and the executive branch and has managed to bring us at least something that is a serious debate and will be taken seriously by the country; moreover, I am particularly pleased that my chairman, Mr. SESSIONS, on the Rules Committee made sure that we will have not a cursory debate but 6 hours of debate.

If any Member wants to voice their opinion, 6 hours is an awful lot of time. I suspect they are going to have the opportunity to come down here and do that, and I hope they will.

I think what we are going to see is probably a bipartisan opposition to the amendment and bipartisan support. Frankly, in issues of war and peace, that is probably the better way for us to proceed; so I think it is a challenging situation. I think all concerned are trying to work together and do the right thing and to present clarity.

I just want to go on record once again, personally, as hoping that as soon as possible that we come back—the President asked for broad authority—that we repeal the '01 and '02 resolution, something the President has asked us to do himself before, and work together and present a more precisely defined and limited resolution that gives him the authority to act robustly in the defense of our country, to punish people who commit the barbarous acts that we have seen in recent weeks, and to do the things that are necessary with the full bipartisan support of Congress to secure the security of the United States.

Mr. Speaker, the underlying resolution upholds the primary responsibility the American people have sent us here to do, ensuring the continued funding of the government. While not my first choice, passage of a continuing resolution is better than any of the alternatives; additionally, it provides the President the additional authority he has requested to degrade and destroy ISIL.

I would urge my colleagues to support this rule and the underlying legislation.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 722 OFFERED BY MS. SLAUGHTER OF NEW YORK

Strike section 2 of the resolution and insert the following:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, 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. 4950) to reauthorize the Export-Import Bank of the United States for 7 years, and for other purposes. 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 Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4950.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote ordering on the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and suspending the rules and passing S. 2154.

The vote was taken by electronic device, and there were—yeas 224, nays 188, not voting 19, as follows:

[Roll No. 498]

YEAS—224

Aderholt
Amash
Amodei
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—188

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz

Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Bachmann
Barton
Bridenstine
Capito
Castor (FL)
Crowley
DeFazio
DesJarlais
Edwards
Gutiérrez
Harris
Holt
Hunter
Kinzinger (IL)
Maloney, Carolyn
Miller, Gary
Nunnelee
Pelosi
Rush

□ 1402

Messrs. CICILLINE, SCHNEIDER, and ISRAEL changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 192, not voting 18, as follows:

[Roll No. 499]

YEAS—221

Aderholt
Amodei
Bachus
Barber
Barletta
Barr
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—192

Amash
Barrow (GA)
Bass
Beatty
Becerra
Bentivolio
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gosar
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Sean
Massie
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—18

Bachmann
Barton
Bridenstine
Capito
Castor (FL)
Crowley
DeFazio
DesJarlais
Edwards
Harris
Holt
Hunter
Kinzinger (IL)
Maloney, Carolyn
Miller, Gary
Nunnelee
Pelosi
Rush

□ 1412

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EMERGENCY MEDICAL SERVICES FOR CHILDREN REAUTHORIZATION ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2154) to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 4, not voting 17, as follows:

[Roll No. 500]

YEAS—410

Aderholt
Amodei
Bachus
Barber
Barletta
Barr
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (TN)
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce

Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—4

Amash
Broun (GA)
Duncan (SC)
Massie

NOT VOTING—17

Bachmann
Barton
Bridenstine
Capito
Castor (FL)
Crowley
DeFazio
DesJarlais
Edwards
Harris
Holt
Kinzinger (IL)
Maloney, Carolyn
Miller, Gary
Nunnelee
Pelosi
Rush

□ 1419

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. BACHMANN. Mr. Speaker, during roll-call votes 497, 498, 499, and 500, I was away from the House floor and would have voted "aye" on all four measures.

CONTINUING APPROPRIATIONS RESOLUTION, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 722, I call up the joint resolution (H.J. Res. 124) making continuing appropriations for fiscal year 2015, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. MARCHANT). Pursuant to House Resolution 722, the amendment printed in part A of House Report 113–600 is adopted, and the joint resolution, as amended, is considered read.

The text of the joint resolution, as amended, is as follows:

H.J. RES. 124

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2015, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2014 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2014, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2014 (division A of Public Law 113–76).

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2014 (division B of Public Law 113–76).

(3) The Department of Defense Appropriations Act, 2014 (division C of Public Law 113–76).

(4) The Energy and Water Development and Related Agencies Appropriations Act, 2014 (division D of Public Law 113–76).

(5) The Financial Services and General Government Appropriations Act, 2014 (division E of Public Law 113–76).

(6) The Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76).

(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2014 (division G of Public Law 113–76).

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2014 (division H of Public Law 113–76).

(9) The Legislative Branch Appropriations Act, 2014 (division I of Public Law 113–76).

(10) The Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2014 (division J of Public Law 113–76).

(11) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(12) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014 (division L of Public Law 113–76).

(b) The rate for operations provided by subsection (a) is hereby reduced by 0.0554 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for: (1) the new production of items not funded for production in fiscal year 2014 or prior years; (2) the increase in production rates above those sustained with fiscal year 2014 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2014.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2014.

SEC. 105. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2015, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2015 without any provision for such project or activity; or (3) December 11, 2014.

SEC. 107. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this joint resolution, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2015 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

SEC. 110. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2014, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2014, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2014 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2014, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 114. (a) Each amount incorporated by reference in this joint resolution that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) The reduction in section 101(b) of this joint resolution shall not apply to—

(1) amounts designated under subsection (a) of this section; or

(2) amounts made available by section 101(a) by reference to the second paragraph under the heading ''Social Security Administration—Limitation on Administrative Expenses'' in division H of Public Law 113–76.

(c) Section 6 of Public Law 113–76 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism.

SEC. 115. During the period covered by this joint resolution, discretionary amounts appropriated for fiscal year 2015 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts are provided for ''Department of Agriculture—Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program'' at a rate for operations of $275,701,000, of which $208,682,000 shall be for the Commodity Supplemental Food Program.

SEC. 117. For ''Department of Health and Human Services—Food and Drug Administration—Salaries and Expenses'', amounts shall be made available by this joint resolution as if ''outsourcing facility fees authorized by 21 U.S.C. 379j–62,'' were included after ''21 U.S.C. 381,'' in the second paragraph under such heading in division A of Public Law 113–76.

SEC. 118. Amounts made available by section 101 for ''Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction'' may be apportioned up to the rate for operations necessary to maintain the planned launch schedules for the Joint Polar Satellite System and the Geostationary Operational Environmental Satellite system.

SEC. 119. Notwithstanding any other provision of law, except sections 106 and 107 of this joint resolution, for ''Department of Defense—Overseas Contingency Operations—Operation and Maintenance—Operation and Maintenance, Army'', up to $50,000,000, to be derived by reducing the amount otherwise made available by section 101 for such account, may be used to conduct surface and subsurface clearance of unexploded ordnance at closed training ranges used by the Armed Forces of the United States in Afghanistan: *Provided*, That such funds may only be used if the training ranges are not transferred to the Islamic Republic of Afghanistan for use by its armed forces: *Provided further*, That the authority provided by this section shall continue in effect through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense: *Provided further*, That such amount is designated as provided under section 114 for such account.

SEC. 120. The following authorities shall continue in effect through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense:

(1) Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 374 note).

(2) Section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 113 note).

(3) Section 127b of title 10, United States Code, notwithstanding subsection (c)(3)(C) of such section.

(4) Subsection (b) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b(b)), notwithstanding paragraph (4) of such subsection.

SEC. 121. (a) Funds made available by section 101 for ''Department of Energy—Energy Programs—Uranium Enrichment Decontamination and Decommissioning Fund'' may be apportioned up to the rate for operations necessary to avoid disruption of continuing projects or activities funded in this appropriation.

(b) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 3 days after each use of the authority provided in subsection (a).

SEC. 122. (a) Funds made available by section 101 for ''Department of Energy—Environmental and Other Defense Activities—Defense Environmental Cleanup'' for the Waste Isolation Pilot Plant may be obligated at a rate for operations necessary to assure timely execution of activities necessary to restore and upgrade the repository.

(b) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the spending rate authority provided in this section that exceeds customary apportionment allocations.

SEC. 123. Notwithstanding any other provision of this joint resolution, except section 106, the District of Columbia may expend local funds under the heading ''District of Columbia Funds'' for such programs and activities under title IV of H.R. 5016 (113th Congress), as passed by the House of Representatives on July 16, 2014, at the rate set forth under ''District of Columbia Funds—Summary of Expenses'' as included in the Fiscal Year 2015 Budget Request Act of 2014 (D.C. Act 20–370), as modified as of the date of the enactment of this joint resolution.

SEC. 124. Notwithstanding section 101, amounts are provided for ''Office of Special Counsel—Salaries and Expenses'' at a rate for operations of $22,939,000.

SEC. 125. The third proviso under the heading ''Small Business Administration—Business Loans Program Account'' in division E of Public Law 113–76 is amended by striking ''$17,500,000,000'' and inserting ''$18,500,000,000'': *Provided*, That amounts made available by section 101 for such proviso under such heading may be apportioned up to the rate for operations necessary to accommodate increased demand for commitments to general business loans under section 7(a) of the Small Business Act: *Provided further*, That this section shall become effective upon enactment of this joint resolution.

SEC. 126. Sections 1101(a) and 1104(a)(2)(A) of the Internet Tax Freedom Act (title XI of division C of Public Law 105–277; 47 U.S.C. 151 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for ''November 1, 2014''.

SEC. 127. Section 550(b) of Public Law 109–295 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for ''October 4, 2014''.

SEC. 128. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 129. (a) Amounts made available by section 101 for the Department of Homeland Security for ''U.S. Customs and Border Protection—Salaries and Expenses'', ''U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology'', ''U.S. Customs and Border Protection—Air and Marine Operations'', ''U.S. Customs and Border Protection—Construction and Facilities Management'', and ''U.S. Immigration and Customs Enforcement—Salaries and Expenses'' shall be obligated at a rate for operations as necessary to respectively—

(1) sustain the staffing levels of U.S. Customs and Border Protection officers and Border Patrol agents in accordance with the provisos under the heading ''U.S. Customs and Border Protection—Salaries and Expenses'' in division F of Public Law 113–76;

(2) sustain border security and immigration enforcement operations;

(3) sustain necessary Air and Marine operations; and

(4) sustain the staffing levels of U.S. Immigration and Customs Enforcement agents, equivalent to the staffing levels achieved on September 30, 2014, and comply with the fifth

proviso under the heading ''U.S. Immigration and Customs Enforcement—Salaries and Expenses'' in division F of Public Law 113–76.

(b) The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 130. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting ''on the date that is 1 year after the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015'' for ''10 years after the date of the enactment of this Act''.

SEC. 131. (a) The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) shall continue in effect through the date specified in section 106(3) of this joint resolution.

(b) For the period covered by this joint resolution, the authority provided by the provisos under the heading ''Dwight D. Eisenhower Memorial Commission—Capital Construction'' in division E of Public Law 112–74 shall not be in effect.

SEC. 132. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act (other than under section 413(h) of such Act) shall continue through the date specified in section 106(3) of this joint resolution, in the manner authorized for fiscal year 2014 (except that the amount appropriated for section 403(b) of such Act shall be $598,000,000, and the requirement to reserve funds provided for in section 403(b)(2) of such Act shall not apply with respect to this section), and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the applicable portion of the first quarter of fiscal year 2015 at the pro rata portion of the level provided for such activities through the first quarter of fiscal year 2014.

SEC. 133. Amounts allocated to Head Start grantees from amounts identified in the seventh proviso under the heading ''Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs'' in Public Law 113–76 shall not be included in the calculation of the ''base grant'' in fiscal year 2015, as such term is used in section 640(a)(7)(A) of the Head Start Act (42 U.S.C. 9835(a)(7)(A)).

SEC. 134. The first proviso under the heading ''Department of Health and Human Services—Administration for Children and Families—Low Income Home Energy Assistance'' in division H of Public Law 113–76 shall be applied to amounts made available by this joint resolution by substituting ''2015'' for ''2014''.

SEC. 135. Amounts provided by this joint resolution for ''Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance'' may be apportioned up to the rate for operations necessary to maintain program operations at the level provided in fiscal year 2014.

SEC. 136. In addition to the amount otherwise provided by this joint resolution for ''Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund'', there is appropriated $58,000,000 for an additional amount for fiscal year 2015, to remain available until September 30, 2015, for expenses necessary to support acceleration of countermeasure and product advanced research and development pursuant to section 319L of the Public Health Service Act for addressing Ebola.

SEC. 137. In addition to the amount otherwise provided by this joint resolution for ''Department of Health and Human Services—Centers for Disease Control and Prevention—Global Health'', there is appropriated $30,000,000 for an additional amount for fiscal year 2015, to remain available until September 30, 2015, for expenses necessary to support the responses of the Centers for Disease Control and Prevention (referred to in this section as the ''CDC'') to the outbreak of Ebola virus in Africa: *Provided*, That such funds shall be available for transfer by the Director of the CDC to other accounts of the CDC for such support: *Provided further*, That the Director of the CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of any transfer under the preceding proviso.

SEC. 138. Amounts made available by this joint resolution for ''Department of Education—Rehabilitation Services and Disability Research'', ''Department of Education—Departmental Management—Program Administration'', and ''Department of Health and Human Services—Administration for Community Living—Aging and Disability Services Programs'' may be obligated in the account and budget structure set forth in section 491 of the Workforce Innovation and Opportunity Act (42 U.S.C. 3515e).

SEC. 139. Of the unobligated balance of amounts provided by section 108 of Public Law 111–3, $4,549,000,000 is rescinded.

SEC. 140. Section 113 of division H of Public Law 113–76 shall be applied by substituting the date specified in section 106(3) for ''September 30, 2014''.

SEC. 141. (a) Notwithstanding section 101, amounts are made available for accounts in title I of division J of Public Law 113–76 at an aggregate rate for operations of $6,558,223,500.

(b) Not later than 30 days after the date of enactment of this joint resolution, the Secretary of Defense shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report delineating the allocation of budget authority in subsection (a) by account and project.

SEC. 142. Notwithstanding section 101, amounts are provided for ''Department of Veterans Affairs—Departmental Administration—General Operating Expenses, Veterans Benefits Administration'' at a rate for operations of $2,524,254,000.

SEC. 143. Notwithstanding section 101, amounts are provided for ''Department of Veterans Affairs—Departmental Administration—Office of Inspector General'' at a rate for operations of $126,411,000.

SEC. 144. Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting the date specified in section 106(3) of this joint resolution for ''September 30, 2014''.

SEC. 145. Amounts made available by section 101 for ''Broadcasting Board of Governors—International Broadcasting Operations'', ''Bilateral Economic Assistance—Funds Appropriated to the President—Economic Support Fund'', ''International Security Assistance—Department of State—International Narcotics Control and Law Enforcement'', ''International Security Assistance—Department of State—Nonproliferation, Anti-terrorism, Demining and Related Programs'', and ''International Security Assistance—Funds Appropriated to the President—Foreign Military Financing Program'' shall be obligated at a rate for operations as necessary to sustain assistance for Ukraine and independent states of the Former Soviet Union and Central and Eastern Europe to counter external, regional aggression and influence.

SEC. 146. Section 7081(4) of division K of Public Law 113–76 shall be applied to amounts made available by this joint resolution by substituting the date specified in section 106(3) of this joint resolution for ''September 30, 2014''.

SEC. 147. The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) shall be applied through June 30, 2015, by substituting such date for ''September 30, 2014'' in section 7 of such Act.

SEC. 148. (a) Section 44302(f) of title 49, United States Code, is amended by striking ''September 30, 2014'' and inserting ''the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015''.

(b) Section 44303(b) of title 49, United States Code, is amended by striking ''September 30, 2014'' and inserting ''the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015''.

(c) Section 44310(a) of title 49, United States Code, is amended by striking ''September 30, 2014'' and inserting ''the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015''.

This joint resolution may be cited as the ''Continuing Appropriations Resolution, 2015''.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After 1 hour of debate on the joint resolution, as amended, it shall be in order to consider the further amendment printed in part B of House Report 113–600, if offered by the gentleman from California (Mr. MCKEON) or his designee, shall be considered read, shall be separately debatable for 6 hours equally divided and controlled by the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) or their respective designees.

The gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 124.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present H.J. Res. 124, a short-term continuing resolution to keep the doors of the Federal Government open after the end of the fiscal year on September 30.

H.J. Res. 124 is a critical measure that ensures that hardworking Americans continue to have access to the government programs and the services they rely on and helps avoid the unnecessary uncertainty and economic harm caused by the threat of a government shutdown.

The bill continues government operations at the current rate of $1.012 trillion into the next fiscal year and lasts

until December 11, 2014. That level is in line with the Ryan-Murray budget agreement that this House approved last year.

My committee sought to draft a responsible, restrained bill that does not include controversial riders and does not seek to change existing Federal policies; however, it does make several very limited adjustments to prevent catastrophic or irreversible damage to critical government programs to address pressing global crises that have surfaced in recent months or to ensure good government.

These are changes I believe all of my colleagues can and should support. These include provisions, Mr. Speaker, that, one, increase funding at the Department of Veterans Affairs to help deal with the disability claims backlog and further investigations into waitlist allegations; two, to boost funding for Ebola research and response; three, to provide some funding flexibility within CBP and ICE to meet border security needs; and, four, to continue a surge in funding for State Department programs that help counter regional aggression against Ukraine and other former Soviet states. Each of these provisions is funded within the total discretionary funding level of $1.012 trillion.

The CR will also extend authority for certain laws currently in place such as the Internet Tax Freedom Act for the duration of the CR and the Export-Import Bank through June 30 of next year.

Later, the chairman of the House Armed Services Committee will offer an amendment to this bill to address the President's request for the authority to train and equip Syrian rebels to fight ISIL. This critical amendment will address an issue of great importance to our national security, and attaching it to this continuing resolution will allow its enactment within a swift timeframe.

It does not involve any new or additional funding for these activities. I hope that my colleagues in the House will support the adoption of that amendment.

Mr. Speaker, this is a good bill, but we cannot address each and every aspect of Federal agency budgets within the scope of a continuing resolution like this one. These line-by-line budget decisions must be made in full-year regular appropriations legislation.

I am very proud, Mr. Speaker, that the House made great strides toward completing this vital work, which is our constitutional duty, by approving 11 out of 12 appropriations bills in committee and seven of them on the floor of the House, all before the August recess, dealing with some 400 amendments to those seven bills on the House floor.

The House made a good faith effort to complete all of these bills, but, unfortunately, the Senate has failed to approve a single appropriations bill which is why we are at this point today in trying to pass a continuing resolution.

It is high time that the Senate leadership allows us to complete critical legislation to fund the entire Federal Government in an up-to-date, line-by-line way in regular order.

This continuing resolution will allow us the time, hopefully, to do just that; however, as we move forward, we cannot and should not continue to fall back on stopgap funding bills like this one.

These lurching short-term bills only postpone the tough budget decisions, heighten our Nation's mistrust of Congress, and cause uncertainty within our Federal agencies and the economy.

At this point, though, the best way to avoid causing serious damage to the country is to pass this continuing resolution. It is our most clear path forward. It allows us the time we need to draft bicameral pieces of legislation that reflect our real and urgent budgetary requirements and utilize our Nation's taxpayer dollars in the most responsible, representative way.

□ 1430

Before I close these remarks, Mr. Speaker, I would like to acknowledge the service and hard work of the staff of the committee on both sides of the aisle, but I especially want to acknowledge the service and hard work of the clerk of the Defense Subcommittee, Tom McLemore.

Over his years on this committee he has been an integral member of the staff, no more so than his time as Defense clerk. Sadly, this will be his last bill before he moves on to greener pastures, and we will miss him a great deal. So I want to thank Tom for his service to this committee and to the Nation.

With that said, Mr. Speaker, we have just under 2 weeks left until the end of the fiscal year on September 30, so I ask that the House pass H.J. Res. 124 today without delay. I also urge the Senate to pass this bill and submit it to the President for his signature as soon as possible.

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

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

While it was my sincere hope that we could have completed action on all 12 appropriation bills before the end of the fiscal year, I understand Chairman ROGERS' desire to quickly pass the CR and prevent another disastrous government shutdown.

This continuing resolution gives the House and Senate Appropriations Committees roughly 3 months to reach agreement on each of the discretionary bills and the important programs they fund. Of great importance in these negotiations will be the funding levels in the Labor, Health and Human Services and Education bill. Unfortunately, it has the dubious distinction of being the only one not even brought to the full committee for markup, denying Members on both sides of the aisle the opportunity to offer amendments and have a full, open debate about these critical programs.

Yesterday, Ranking Member DELAURO and all the Democratic members of that subcommittee introduced our version of the bill that we hope will help clarify our priorities for the process in the coming months.

The CR portion of this legislative package contains much-needed funding to address urgent crises, including the spread of Ebola, ensuring critical work continues to develop and manufacture treatment therapies, as well as work on a vaccine.

However, I do regret that the majority's proposed CR resorts to one of the worst legislative mechanisms to reduce scoring, an across-the-board cut. This type of provision shirks one of the most fundamental responsibilities of this committee, making difficult decisions about program levels. Worse still, it is misleading to the public and creates an illusion that program levels remain at last year's level, when they are, in fact, lower.

I also have concerns with the length of the extension of the Export-Import Bank.

The President spoke forcefully about the threat of ISIL last week. There is a clear need for an international coalition to execute an aggressive, targeted strategy aimed at degrading ISIL, and later this afternoon, the House will begin debate on the administration's request for narrow title 10 authority.

Lastly, the rules of this CR added three technical changes to the underlying text that were needed and which I support. Additional language was needed on the Ebola funding, on the LIHEAP money, and on recreation fees.

Mr. Speaker, obviously, no appropriator ever wants a CR, but none of us want to repeat last year's shutdown. It is my sincere hope that if this CR is enacted we can use the coming months wisely to craft agreement on all 12 bills by December 11. There is absolutely no reason to punt our responsibilities into the new year and the new Congress.

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

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the chairman of the Appropriations Subcommittee on Defense.

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the chair of the full committee for yielding, and I rise in support of the continuing resolution.

We must pass this continuing resolution to keep the Federal Government open and operating for taxpayers. Mr. Speaker, as you know, this legislation continues funding to pay our troops, for the Department of Defense operations, and for defense and maintenance, research and development, and procurement at fiscal year 2014 levels.

But a word of caution to my colleague. We have had a great deal of talk lately from some quarters about

eventually extending this continuing resolution to September of next year, 2015. That would be a very bad idea for the Department of Defense and many other important agencies and programs. While this approach might hold the line on spending in other agencies and programs, a yearlong continuing resolution has proven to be terribly costly for the Department of Defense.

Funding under a CR promotes budget uncertainty that makes defense planning and managing programs nearly impossible. It is damaging to our men and women in uniform, our military readiness, our defense industrial base, and our defense posture as we face challenges around the world, in the Middle East, the Pacific, Africa, Europe, and considered additional actions in Iraq and also Syria.

Three months ago, our full committee and our Defense Subcommittee produced a strong, bipartisan fiscal year 2015 Defense Appropriations bill. We hope the Senate will now join us to complete the process, allowing us to fulfill our responsibilities under the Constitution for a strong national defense.

Mr. Chairman, I commend your strong efforts and that of the staff and urge support of the resolution.

But before I conclude, may I also join with Chairman ROGERS in saluting Tom McLemore, the clerk to the Defense Subcommittee on Appropriations, for his years of hard work on behalf of all Members, Republicans and Democrats, his strong work on behalf of a strong national defense, for his work with me in my brief tenure as chairman, but for the many years of loyal support he gave to our late chairman, Congressman Bill Young of Florida.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. LEE), a member of the Labor, HHS, and Foreign Operations Subcommittees of Appropriations.

Ms. LEE of California. Mr. Speaker, let me thank our ranking member for her unwavering leadership on our committee on so many issues.

Thank you, Congresswoman LOWEY.

Let me thank also our chairman for continuing to try to help us work in a bipartisan way to bring a real Labor, HHS bill to the floor.

This continuing resolution contains, yes, critical and much-needed funding to address the Ebola crisis in Africa. It also, though, includes across-the-board cuts which will negatively impact my congressional district, all of our congressional districts, and countless households across America.

For example, this CR includes two different cuts to the Temporary Assistance for Needy Families program. It includes a $14 million reduction in the TANF contingency fund and a $15 million reduction that will eliminate TANF research funds, funds that are used, mind you, by the Department of Health and Human Services to evaluate the effectiveness of TANF programs and to develop approaches for improving employment outcomes among TANF recipients.

These cuts are unnecessary and come at a time when people are literally living on the edge. It is unacceptable that at a time when we are passing short-term funding bills that underfund public health and workforce training programs we are now providing over $80 billion in war funding. The American people expect Congress to create jobs, to strengthen our economy, and to ensure that our security funds are wisely spent. With sequester cuts looming, it is time that we focus our spending here at home.

Finally, let me just address the upcoming debate and vote on funding to arm and train Syrian rebels. This should not be an amendment to the continuing resolution. National security issues should not be an afterthought to funding the government.

Now, not a single person in this body thinks that the United States should stand idle while ISIS wreaks havoc in the Middle East, but this is a sectarian civil war where the use of force and arming and training rebels will place us in the middle of a war where most recognize there is no military solution. So, before we expand the airstrikes in Iraq and vote to provide weapons and training to rebels in Syria, Congress must have a thorough and robust debate on the long-term implications of taking such actions.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. LOWEY. I yield the gentlewoman an additional 30 seconds.

Ms. LEE of California. I have grave concerns about the specific proposal to arm and train the Free Syrian Army, which will be voted on tomorrow by this House, and I intend to address this further during the debate on the McKeon amendment.

How can we ensure that U.S. weapons and training don't end up in the wrong hands?

How in the world will we know when our objectives have been met and when ISIS has been contained or eliminated?

How will we avoid getting embroiled in the civil war?

Congress must weigh all of the options before us, not just the military ones, before we make any decision on committing the U.S. to yet another long-term war. This is the type of debate that we failed to have in the wake of 9/11 and which resulted in the passage of an overly broad authorization that continues to be used today.

So we must ask the hard questions, not only about the current proposal to arm and train Syrian rebels, but about the entire strategy.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mrs. LOWEY. I yield the gentlewoman an additional 10 seconds.

Ms. LEE of California. Finally, let me just say, we cannot become embroiled in another war. The cost and the consequences to our national security, to our brave men and women in uniform, and to our ability to continue to nation-build here at home must be laid out to the public. That is our constitutional duty and responsibility. Unfortunately, we get a pass with this continuing resolution.

Mr. ROGERS of Kentucky. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentleman from Indiana (Mr. VISCLOSKY), ranking member of the Defense Appropriations Subcommittee.

Mr. VISCLOSKY. Mr. Speaker, I thank the gentlewoman for yielding and also want to add my voice to those who are complimenting Mr. McLemore on his dedication to public service and his retirement as clerk of the Defense Subcommittee.

I would tell my colleagues that, despite the strong leadership and very best efforts of Chairman ROGERS and Ranking Member LOWEY, I am abjectly disappointed that we again find ourselves in the position of considering another continuing resolution. Continuing resolutions are no way to run a nation. We cannot expect good government if we are incapable of providing appropriations in a timely and predictable manner.

As importantly, I am greatly concerned about providing another authority for conducting military operations in the Middle East.

In letters to Congress, the President has cited the powers granted to him in Article II of the United States Constitution as the legal basis for some of the actions already taken. In recent briefings and public statements, the administration also indicates that the authorized use of military force resolutions passed in 2001 and 2002 remain the legal foundation for current operations. However, these authorities were approved by the Congress in a different time and for different conflicts and with a very different membership.

The time has come to rationalize the authorities with the needs of the current conflict and for the current legislative body to weigh in on this matter of war and peace rather than to rely on authorities intended for Saddam Hussein and Osama bin Laden.

I appreciate the President's honesty in pointing out that the efforts to combat ISIL will extend into the next administration. So why, after 3 years of civil war in Syria, are we including this authority in a continuing resolution that will be in effect for less than 3 months, providing a fleeting authority for what we all anticipate will be a protracted effort? Further, this approach fails to take into consideration the long-term financial costs of conducting this mission, which has been estimated to cost up to $500 million a year.

I also believe that there is an inherent flaw in this strategy, training and

equipping nonstate actors as the main effort in combating a threat to the region and our national security.

□ 1445

The United States invested lives and innumerable injuries, as well as a great deal of national treasure, to train and equip the Iraqi Army, only to see the result of that professional force collapse in the midst of serious conflict. Why then do we expect the next force we train to behave differently? We must also ask ourselves if we can truly vet these rebel groups beyond their known affiliations and ensure that we are not arming the next extremist threat to the region.

I would note that, recently, some of our allies and partners in the region have made commitments of equipment, training areas, and financial resources. I believe far more will ultimately be required of them, including leadership and troops of their own, to truly degrade and defeat ISIL.

The task of fighting ISIL is complicated. I am gravely concerned with the complexities we face while ensuring the safety of our forces. It is for these reasons that I am opposed to the amendment that will be offered by Chairman MCKEON.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART), a member of the Foreign Operations Subcommittee on Appropriations, a very hardworking member.

Mr. DIAZ-BALART. Thank you, Mr. Chairman.

Mr. Speaker, I rise to support this short-term continuing resolution.

This CR simply keeps the government funded at the current fiscal year rate, which is, by the way, in line with the Ryan-Murray budget agreement that was passed by Congress last year under the steadfast leadership of Chairman ROGERS, of our subcommittee chairmen and chairwomen, and of the ranking members.

The House is doing its work. The House has done its work. We have passed 11 of the 12 bills out of the full committee, and seven of those appropriations bills, under regular order and through immense debate, have actually passed the floor of the House. Yet the Senate has passed how many appropriations bills? Mr. Speaker, not even one. That is why we are here, once again, with this continuing resolution. Our record very clearly shows that, unlike the Senate, the House is committed to actually doing the hard work—to going line by line to fund the vital programs and looking at opportunities to eliminate waste and to reduce spending.

Again, we have done our work. Now we need a willing partner, Mr. Speaker, on the other side, in the Senate, to do their part so then we can go to conference and negotiate the differences, but that is not in our hands. That is in the hands of the American people.

We are now at the end of this fiscal year, as the chairman said—just a couple of weeks away. The key is to pass this continuing resolution to keep the government running. I look forward to working with my colleagues in the weeks ahead and continuing to go line by line, agency by agency, looking for waste, making sure that we are doing what has to be done. I also know that the House will do its job.

Mr. Speaker, I commend the chairman and the members of the Appropriations Committee. Let's get this done.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Virginia (Mr. MORAN), the ranking minority member of the Interior Appropriations Subcommittee and a senior member of the Defense Subcommittee.

Mr. MORAN. I thank my very good friend, the ranking member of our committee.

I want to join with Chairman ROGERS and Chairman FRELINGHUYSEN in the shout-out to Tom McLemore. I trust, as Chairman ROGERS said, that he is going on to greener pastures. He deserves to.

Mr. Speaker, the Congress is an imperfect body. Our constituents remind us of that on an almost daily basis. We certainly know that this is an imperfect process within which we have to operate, and the bill before us is an imperfect bill from our perspective and, I suspect, from the majority's perspective, but that is the world we live in. We have to choose the best option oftentimes among a host of difficult options, so this is the best option—to vote ''yes'' on this continuing resolution. It is the most responsible thing to do. To vote ''no'' would say that we are willing to let the government be shut down, unfunded. So we don't have a responsible option but to vote ''yes'' on this continuing resolution.

I appreciate the work that Chairman ROGERS, Ranking Member LOWEY, and the chairs of the committees and of the subcommittees have put in to making it as good as we could under the circumstances.

We also have an imperfect option with regard to the Ex-Im Bank. It ought to be extended for an additional 5 more years. It generates a lot of money for the United States, and we offer fewer subsidies than our allies do to multinational corporations, but to not extend it at least until June 30 is irresponsible. Again, it is the best option we have before us.

Similarly, Mr. Speaker, with regard to the McKeon amendment, which would provide $500 million to train and equip Syrian soldiers to fight ISIS, I don't think we have a better option. I find it difficult to disagree with my colleagues, particularly with colleagues who I am so fond of, such as the gentleman from Indiana, but if we are going to vote ''no,'' we ought to have an alternative.

What would we do under the circumstances? I don't know what better alternative there is.

Are we going to ignore what ISIS is doing in Iraq? Are we going to ignore the fact that the death toll over the last year has been almost 10,000 people—9,826—excluding deaths from the Syrian civil war? 17,000 have been executed in Tikrit, and 650 were executed in Mosul just because they were non-Arabs or non-Sunni Muslims. It was ethnic cleansing on an historic scale. Now 20 journalists are missing in Syria. Many of them are held by the Islamic State. The U.N. estimates that more than a million people have been displaced by violence in Iraq in this year alone.

It is serious given what they have done and particularly given the fact that ISIS is growing exponentially. I remember we got a figure of about 12,000, and then, last week, it was about 20,000. This week, it is estimated that there are over 30,000. They are recruited from all over the world—15,000 foreign fighters, 2,000 of whom are westerners who hold passports where there is a visa waiver and they might be able to get into the United States. Some of them are Americans. They are making millions of dollars a day in revenue from oil and kidnapping and so on. Their assets are estimated at about $2 billion. This is the wealthiest, most lethal, extremist terrorist group that has yet to present itself on the planet.

Can we turn around and do nothing?

The reality is, since the United States has the largest, most capable military—larger and more capable than all of the other militaries in the world combined—the responsibility falls on our shoulders to lead. What we are doing is leading by training, by seeing to it that, while there will be boots on the ground, there won't be primarily Americans in those boots. It will be people who know the territory, who know the language, who know the culture, and who have been vetted. We will provide intelligence and air support. This is the best of a long list of bad options.

Mr. Speaker, I think we need to vote ''aye'' and allow the President to proceed on this policy.

Mr. ROGERS of Kentucky. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Virginia, who made an excellent presentation.

May I inquire of the time remaining?

The SPEAKER pro tempore. The gentleman from Kentucky has 18½ minutes remaining. The gentlewoman from New York has 15¼ minutes remaining.

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

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. CUELLAR), a member of the Homeland Security and Foreign Operations Subcommittees.

Mr. CUELLAR. I thank Ranking Member LOWEY for yielding.

Mr. Speaker, I rise in support of passing this legislation before us.

First, I want to thank Chairman ROGERS, and I certainly want to thank

the ranking member, Mrs. LOWEY, for working together to produce this continuing resolution. This continuing resolution will maintain vital funding for the Federal agencies that provide services to taxpayers.

Congress has two major responsibilities, which are to pass a budget and to pay our bills on time. This bill would ensure that, while the House and the Senate will pass these appropriations bills probably in the form of an omnibus bill at the end of the year, we need to pass this CR. Additionally, this CR will contain much-needed funds to respond to the Ebola outbreak, to the reauthorization authority for the Export-Import Bank, and to provide the administration funding flexibility to deal with unaccompanied minors at the border.

Tomorrow, we will also have an amendment to help fight the ISIS threat, and we must stand together with our President to fight that threat. I know it is a complicated situation, but doing nothing is certainly not an option. Last year, our failure to uphold the basic responsibilities of Congress resulted in a government shutdown, and we must not let that happen again. We do need the CR, but we must get back to regular order—pass full appropriations bills, go to conference, and get our job done. I think, if we are able to do that, we will be able to make sure that we do the hard job that we were sent up here to do. We were not sent up here to make the easy decisions. These are difficult decisions, but this is the responsibility of Congress.

Again, I do want to thank the chairman, and I do want to thank the ranking member. I stand in support of the CR and of the amendment that will be coming in tomorrow to fight the threat that we see with ISIS.

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

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR), ranking member of the Energy and Water Appropriations Subcommittee.

Ms. KAPTUR. I thank our very capable ranking member, Mrs. LOWEY of New York, for yielding me this time.

Mr. Speaker, I echo the disappointment already expressed that, once again, the end of the fiscal year has come, and rather than this House completing its work on the 12 appropriations bills, we are scrambling to pass now another continuing resolution.

This is a classic definition of ''dysfunction''—kicking the can down the road, shirking our responsibility to address the priorities of our Nation through precise 2015 departmental funding levels and with decisiveness. We get the reverse of that—uncertainty, a 3 month kick the can. It hurts job growth. It hurts economic recovery. We must reverse this regression and inertia. Congress must make the difficult choices that allow our Republic to function with certainty and dispatch again.

On the Energy and Water Subcommittee, we took great strides to set such a path forward. While I did not agree with some parts of the bill, our subcommittee did its job to fund critical job creation in water resource projects, to support science activities necessary for American competitiveness and economic growth, to fund work on critical national defense priorities, nuclear nonproliferation, and our cleanup efforts. Unfortunately, this continuing resolution stalls that work. Contracts cannot be let, and it keeps us mired in the past.

While our bill addresses a limited number of immediate needs, including flexibility for the Department of Energy to continue ongoing cleanup at the Portsmouth Gaseous Diffusion Plant, America surely needs a firmer path forward, and I plead with the leadership of this institution to do that. It is my sincere hope that this short-term continuing resolution provides the necessary time to pass full-year appropriations so that Congress measures up to what the American people expect of us, and that is to do our job. 2015 funding levels should match the requirements of reality, not political stunts 6 weeks before an election.

□ 1500

Mr. ROGERS of Kentucky. Mr. Speaker, may I inquire of my colleague if she has further requests for time?

Mrs. LOWEY. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

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

I think, as has been said here numerous times by people on both sides of the aisle, we regret that we are having to bring a continuing resolution to the floor to continue the government over the end of the fiscal year. But that is because we attempted on the House side, on both sides of the aisle, to pass all 12 of these individual appropriations bills. And we were on our way to passing all of them until the Senate decided they weren't going to take any of them up, and they haven't. So it left us no choice but to ask for a continuing resolution to keep the government's lights on until December 11, by which time, hopefully, we will be able to cobble together an omnibus appropriations bill for all of the government for all of next year.

So that is where we are. We really have no choice. I don't think either side wants to shut down the government. Certainly on this side, we do not. So the necessity is that we pass this bill.

Now, the amendment coming up, on giving the President the authority to establish training bases and equip fighters in Syria, is all important, an amendment that I certainly support and welcome into the appropriations bill.

So, Mr. Speaker, I want to thank my colleague from New York (Mrs. LOWEY) for her hard work on these bills all year long, and all of the staff and all of the members of the committee on both sides of the aisle. We are a committee that abhors continuing resolutions, yet we are faced with no choice but to try to pass one.

So I urge my colleagues to support the continuing resolution, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MEADOWS). All time for debate on the joint resolution has expired.

AMENDMENT PRINTED IN PART B OF HOUSE REPORT 113–600 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the joint resolution (before the short title), insert the following:

SEC. __. (a) The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance, including training, equipment, supplies, and sustainment, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals for the following purposes:

(1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant (ISIL), and securing territory controlled by the Syrian opposition.

(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria.

(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.

(b) Not later than 15 days prior to providing assistance authorized under subsection (a) to vetted recipients for the first time—

(1) the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of—

(A) the plan for providing such assistance;

(B) the requirements and process used to determine appropriately vetted recipients; and

(C) the mechanisms and procedures that will be used to monitor and report to the appropriate congressional committees and leadership of the House of Representatives and Senate on unauthorized end-use of provided training and equipment and other violations of relevant law by recipients; and

(2) the President shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of how such assistance fits within a larger regional strategy.

(c) The plan required in subsection (b)(1) shall include a description of—

(1) the goals and objectives of assistance authorized under subsection (a);

(2) the concept of operations, timelines, and types of training, equipment, and supplies to be provided;

(3) the roles and contributions of partner nations;

(4) the number of United States Armed Forces personnel involved;

(5) any additional military support and sustainment activities; and

(6) any other relevant details.

(d) Not later than 90 days after the Secretary of Defense submits the report required in subsection (b)(1), and every 90 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall provide the appropriate congressional committees and leadership of the House of Representatives and the Senate with a progress report. Such progress report shall include a description of—

(1) any updates to or changes in the plan, strategy, vetting requirements and process, and end-use monitoring mechanisms and procedures, as required in subsection (b)(1);

(2) statistics on green-on-blue attacks and how such attacks are being mitigated;

(3) the groups receiving assistance authorized under subsection (a);

(4) the recruitment, throughput, and retention rates of recipients and equipment;

(5) any misuse or loss of provided training and equipment and how such misuse or loss is being mitigated; and

(6) an assessment of the effectiveness of the assistance authorized under subsection (a) as measured against subsections (b) and (c).

(e) For purposes of this section, the following definitions shall apply:

(1) The term ''appropriately vetted'' means, with respect to elements of the Syrian opposition and other Syrian groups and individuals, at a minimum, assessments of such elements, groups, and individuals for associations with terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran. Such groups include, but are not limited to, the Islamic State of Iraq and the Levant (ISIL), Jabhat al Nusrah, Ahrar al Sham, other al-Qaeda related groups, and Hezbollah.

(2) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(f) The Department of Defense may submit a reprogramming or transfer request to the congressional defense committees for funds made available by section 101(a)(3) of this joint resolution and designated in section 114 of this joint resolution to carry out activities authorized under this section notwithstanding sections 102 and 104 of this joint resolution.

(g) The Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments to carry out activities as authorized by this section which shall be credited to appropriations made available by this joint resolution for the appropriate operation and maintenance accounts, except that any funds so accepted by the Secretary shall not be available for obligation until a reprogramming action is submitted to the congressional defense committees: *Provided*, That amounts made available by this subsection are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amounts shall be available only if the President so designates such amounts and transmits such designations to the Congress.

(h) The authority provided in this section shall continue in effect through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense.

(i) Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(j) Nothing in this section supersedes or alters the continuing obligations of the President to report to Congress pursuant to section 4 of the War Powers Resolution (50 U.S.C. 1543) regarding the use of United States Armed Forces abroad.

The SPEAKER pro tempore. Pursuant to House Resolution 722, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 3 hours.

The Chair recognizes the gentleman from California.

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

I rise to offer an amendment to House Joint Resolution 124 to provide authority to train and equip appropriately vetted elements of the Syrian opposition in order to defend the Syrian people from attacks by ISIL and to protect the United States and our friends and allies.

ISIL is a clear and present threat to our allies across the Middle East and to the United States. In this time of crisis, the President has asked for this authority because none of the existing Department of Defense train-and equip-programs fit the circumstances. Specifically, the President has requested the authority to train and equip nongovernmental entities fighting in the non-U.S.-led operation in Syria.

There is no doubt that any strategy to defeat ISIL must contain a Syria component. I believe that there are options to defeat ISIL in Syria short of a major U.S.-led combat operation. But the window of opportunity is closing. That is why I am supporting the President's request and have agreed to draft an amendment to the continuing resolution based on a modified version of the administration's initial proposal.

My amendment would allow the Secretary of Defense to provide assistance, including training, equipment, supplies, and the sustainment of the vetted opposition. The provision is intended to authorize activities necessary to facilitate such training and equipping activities, including the appropriate modification of existing facilities and the establishment of expeditionary facilities suitable for such training and accommodation, as well as payment of stipends to trainees.

The President's request did not specify the amount of funding that would be required for this effort and contained few oversight requirements. Therefore, my amendment would strengthen congressional oversight by requiring detailed reports, including progress reports on the plan, the vetting process, and the procedures for monitoring the end use of the training and equipment. It would also require the President to report on how this authority fits within a larger regional strategy.

This amendment does not authorize additional funds. However, it would allow the Department of Defense to submit reprogramming requests to Congress should the President require funds to execute this authority. It also permits the Secretary of Defense to accept foreign contributions.

Lastly, the amendment would state that nothing in this bill be construed to constitute a specific statutory authorization for the introduction of the United States Armed Forces into hostilities. There may be a time when we need to have an AUMF debate, but this is not it. The President has not asked for such an authority.

My amendment is narrowly focused on training and equipping Syrian opposition fighters to counter ISIL. This language was drafted in collaboration with the chairs of the national security committees and shared with the minority. Additionally, the language for this authority has been reviewed by the Department of Defense and the National Security Council.

Lastly, let me emphasize that this train-and-equip authority is a necessary part—but only one part—of what should be a larger strategy. It must be part of a larger effort in Syria, in Iraq, and across the region.

Let's also remember that it will be our men and women in uniform who will be conducting this training. We continue to ask more and more of our military, yet their funding continues to be cut. This is not sustainable and must be addressed.

Again, ISIL is a clear and present threat to the United States and our interests. My amendment is a necessary step to support what should be a larger strategy by the President to defeat ISIL.

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

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

I too rise in support of this amendment. As the chairman laid out, there is no question that ISIL is a clear threat to our interests, and they are a threat in two clear ways. Number one, a large number of foreign fighters are going over to Syria and Iraq to support them. Some of those foreign fighters—estimates are somewhere in the 100 range—have come from the U.S., and thousands have come from Western Europe. Many of those have returned to that home country, and they present a clear threat. As long as ISIS or ISIL is there to threaten us, the fighters that fight with them will become a threat to the rest of us.

But in a broader sense, if ISIL is able to control territory in Iraq and in Syria and have a safe and secure haven, they will, without question, plot and plan attacks against the West. They have already said that is their plan, and that is exactly what happened when al Qaeda had safe haven in Afghanistan. So denying ISIL safe haven is clearly in the United States' interests.

I think a humanitarian aspect of this is also worth stating. As was noted by some earlier speakers on the CR debate, you cannot imagine a more violent and dangerous and just hedonistic group of people. The number of folks that they have brutally murdered in Iraq and Syria solely because they refused to pledge allegiance to ISIS and their twisted view of their religion is staggering. This is a group that must be stopped.

Now, the sad fact is, the United States military cannot stop them on our own. This has to be primarily a local fight. The folks in the region have to take up this battle.

And I believe that they have started to in Iraq, but we need to open a front in Syria. Because the problem is, if ISIS can hold themselves out as an organization that is fighting against Western imperialism, that brings supporters to them. If, on the other hand, they are, as they clearly are, just a group of murderous thugs that are killing more Muslims than anybody has killed in a very long time, then we can build support from the local population, from the Sunni population, to oppose them.

Now, we have already seen some success on this in Iraq. And I think the President was absolutely right to take his time in Iraq and wait for a coalition to work with. If the U.S. had simply come in over the top right off the bat and had started bombing ISIS, we would have been perceived as choosing the Shia side in the Shia-Sunni civil war. And in so doing, we would have strengthened ISIS. By insisting that Prime Minister Maliki be replaced, by insisting that Iraq begin to at least start some sort of power sharing arrangement with the Sunnis, we were able to build a stronger coalition by also building support from the Kurds, a Sunni group. We could then be in support of them fighting ISIS and pushing them out.

Now, the great flaw in this theory is, the border between Iraq and Syria is nonexistent, as far as ISIS is concerned, and they can go back and forth across it.

□ 1515

If we don't have any way to get at them in Syria, it gives them an enormous advantage in continuing to press the fight in Iraq and potentially elsewhere, but the challenge is: How do we open that front? Because we face the same dilemma in Syria that we faced in Iraq.

The dominant issue that started everything in Syria was opposition to the Assad regime, a regime very much worth opposing. As the President and many on the floor here have said, Assad must go. He is an illegitimate leader.

If we were simply to come in and appear to be playing the role of Assad's air force in Syria, again, that would strengthen ISIS. That would drive Sunnis and the anti-regime elements in Syria into their arms.

Mr. Speaker, we need a partner in Syria that we can support that is an alternative to Assad and is an alternative to ISIS. The problem is that right now we don't really have one.

We have a small group of people that we have been supporting in a variety of different ways, but we need that group to grow. We need to have a partner to support if we are ever going to hope to contain ISIS in Syria in Iraq. The only way to do that is to start.

I have heard a number of complaints. People say, ''But, gosh, are there really any moderates out there? Are there enough to make a difference? What if they switch sides?''

There are all kinds of problems, but the bottom line is if you believe that we have to open a front in Syria to stop ISIS—and I don't see how you can believe otherwise—to give them Syria and say, ''We are not going to challenge you there,'' I think makes it impossible to even significantly degrade them and, certainly, to ever defeat them; so we need to open a front.

How do you do that, Mr. Speaker? Well, you can't open a front unless you start the process, and that is what Mr. MCKEON's amendment does. It starts the process. It gives the ability to train and equip a force that will be opposed to Assad and opposed to ISIS.

Now, I don't think we should have any illusions, and I know Americans—I would prefer this as well—we would say, Look, we are going to win this war, and we are going to win it in 100 days, and here is what we—this is going to be a long process. This is not something that is going to happen quickly.

It is simply the nature of the conflict in that part of the world that it is going to take time to find the people, train them, and equip them, but, if we do not try, Mr. Speaker, then ISIS is going to sit in Syria unchallenged, continuing to brutally murder civilians of all stripes and continuing to spread their unique ideology of hatred and violence. We have to start somewhere, and I think this amendment gives us the opportunity to start somewhere.

I also want to note that I like the fact that the amendment is only effective until the end of the CR and says that this should be contained in the National Defense Authorization Act. This is an authorizing action, and it should be done in an authorizing bill.

Now, we have got to get started, and we don't have time. Regrettably, the Senate has not acted, so we don't have the NDAA yet, but we will in the next month or two. I think we can then put this language into the NDAA and make it more long term in terms of the authorization; so I appreciate that.

I also feel, as the chairman does, that Congress should do a broader AUMF on the fight against ISIS, on what we are doing in Iraq and Syria. We have launched, I think, well in the hundreds, now, of bombing missions against ISIS. This is something where Congress should act.

Mr. Speaker, the only area of disagreement I have is I keep hearing colleagues say, ''Well, the President ought to ask for it. We are the legislative branch.'' I hear all the time, ''Gosh, the President is overstepping our authorities, always telling us what to do, and he is ignoring the law.''

Why does he have to ask? If this is what we want to do—we are the United States Congress. The legislative branch ought to act.

I think the President is right in saying he is going to do what he believes he has the right to do under article II to protect this country, but Congress should act; so we should act. We shouldn't wait for him to ask. We should put together an AUMF to more broadly authorize this, and that is something that should be appropriately done as well.

In the short term, we need to start a front against ISIS in Syria, and the only way to do that is to build a legitimate local force that can begin that fight. Train and equip is the first step, I believe, and then this process that regrettably will not be quick.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. MCKEON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Kentucky (Mr. ROGERS), my friend and colleague, the chairman of the Committee on Appropriations.

Mr. ROGERS of Kentucky. Mr. Speaker, I thank and congratulate the chairman and Mr. SMITH for their work on this issue.

I rise in support of this amendment. It has become urgent, Mr. Speaker, that we make serious strides against ISIL, and we must act quickly to curb their influence and to fight back against terrorism of the most brutal sort.

Chairman MCKEON's amendment which provides the authority to train and equip Syrian rebels to fight ISIL is the right approach, and I support its inclusion on this continuing resolution.

Over the past week, the House has done due diligence to ensure that this amendment language is appropriate, supporting limited yet adequate efforts to degrade and destroy ISIL.

While providing our Commander in Chief with the tools he has requested for the near term, language is also included to prevent an open-ended blank check for these efforts.

This will help ensure that Congress maintains funding authority and oversight over taxpayer dollars and the use of our military forces. Mr. Speaker, I want to associate myself with the remarks of Mr. SMITH who just spoke who gave a very eloquent and full explanation of where we are, and I support his statement.

I encourage my colleagues to support this critical amendment and then the underlying resolution today or tomorrow.

Mr. SMITH of Washington. I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, I thank my friend from Washington State, and

I want to associate myself with his remarks, as well as the remarks of the chairman of our Armed Services Committee and the chairman of our Appropriations Committee.

All three leaders have played a consequential role over the last many years in establishing the United States military as the largest, most capable, and best-funded military in the world, in fact, larger than all the other militaries combined; so it is no wonder that the rest of the world turns to us for leadership.

That is not the major reason they turn to us for leadership, Mr. Speaker. They turn to us because they understand our profound belief and respect for human rights, democratic governance, and inclusive society.

Now, ISIS violates everything we believe in. They are opposed to respect for human rights. They are opposed to democratic governance and, certainly, to an inclusive society. That is not the reason why we support this amendment—because there are other people like that—but, in the judgment of our military, ISIS is expanding at a rate that cannot be ignored, and that has to be stopped.

ISIS is expanding in numbers exponentially. They are worth $2 billion. They are, now, the best-funded, most lethal terrorist organization that we have ever seen in modern history; so we cannot turn our backs on this. We know that we have substantial assets and, particularly, personnel in Baghdad. They will be targeting Baghdad as soon as they are capable of it.

We have to protect the capital of Iraq. We need to contribute to stability in that region because it is not going to stay static. It is only going to get worse, or it is going to get better.

The proposal before us is not to put American boots on the ground, but to use American intelligence, to use American trainers, to use American equipment, and to prepare Syrians, particularly, to do the job that needs to be done in their region of the world.

They know the geography, they know the language, and they understand the cultures. We are going to prepare them to be the best equipped and best trained to carry out a mission that they must share with us.

ISIS, if it is not confronted, will grow. It will become a greater threat. That is what we hear from our military. It seems to me, Mr. Speaker, that our military has earned respect for their judgment. They know how to provide the kind of security that so many Americans are able to take for granted.

If they say this is the right thing to do at this point in time, it seems to me the Congress needs to show support for them; so I stand in support of the McKeon amendment.

Mr. MCKEON. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROYCE), my friend and colleague, the chairman of the Committee on Foreign Affairs.

Mr. ROYCE. Mr. Speaker, I rise in strong support of this amendment. Today, we face, as we know, a great and growing threat from ISIL. Never has a terrorist organization controlled so much territory, a safe haven, as well, to plan future attacks.

Never has one had access to vital natural resources. Never has a terrorist organization possessed the ready cash, the heavy weaponry, and the personnel that ISIL possesses.

We are late in responding. At least 2 years ago, the President had a proposal on his desk to arm those under threat inside Syria. It was backed by his Secretary of State, backed by his Defense Secretary, and backed by General Petraeus, then head of the CIA.

If the President had accepted this recommendation coming from his entire national security team years ago, we might be in a different position right now, but we are where we are.

The question is Syria continues to spiral out of control, Assad has hung to power, and ISIL has risen from a terrorist group to a terrorist army. That is where we were.

Caught in the middle has been the civil society types, those who are trying to defend—in Aleppo—defend themselves from the barrel bombs coming down from above from Assad while at the same time trying to defend themselves from ISIL attacks on the ground. They have been left to fend on their own.

These are the individuals—I will remind you for those who remember the tapes, who remember the programming at the time—chanting ''peaceful, peaceful'' as they were protesting the Assad regime.

Assad's soldiers opened up with automatic weapons fire on them in the streets of Damascus. After Assad began this slaughter, they took up arms to defend themselves.

The question is: Will we give them the wherewithal to fight back against the ISIL attacks that are, right now, on the borders of Aleppo?

In July, the Foreign Affairs Committee heard unprecedented testimony from a Syrian Army defector named ''Caesar.'' He showed our committee pictures of the atrocities—tens of thousands of people tortured, men, women, and children—by Assad. Assad has killed over 200,000 people now. The fact is that Assad is a protector of no one except himself. That is the bottom line.

Where ISIL operates, they have gone on a horrifying rampage, killing and beheading. Some of you have heard about the crucifixions there. In the meantime, Assad is no fool.

His regime has pursued a strategy to avoid confrontation with ISIL, focusing his efforts on wiping out these rebels in Aleppo that we are talking about supporting who are fighting ISIL; indeed, the Assad regime continues to purchase crude oil from ISIL, giving them ready cash, an average of $2 million daily for that terrorist group. His strategy is to present the world with a choice between the regime and the ISIL extremists.

Friends, we do not have to play his game. What we can do—what this amendment would do—is give the Syrian opposition what they desperately need, training and equipment. We are looking to aid these individuals who have risked their lives to combat the Assad region and to combat the ISIL terrorists that they are fighting today, but, Mr. Speaker, these fighters aren't starting from scratch.

They have been in the fight for several years. Out of sheer commitment and determination, they have hung on, but, with greater U.S. training and supplies, they will be bolstered. As an ultimate boost, this force would be supported by U.S. and coalition airpower, and that puts real spine into a fighting force which will be needed to confront and defeat ISIL. Our military has provided this type of training around the world for decades.

Mr. Speaker, let's do it here. Let's go on offense against ISIL. I ask for support for this amendment.

The SPEAKER pro tempore. The Chair would remind all Members to direct their remarks to the Chair.

Mr. SMITH of Washington. I yield 4 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, ISIL poses a threat of extraordinary significance to the United States. In its size, its wealth, and its barbarity, it is, in fact, a threat to all of civilization.

This week, we will be voting to fund one piece of the ongoing effort to rid the world of the cancer that is ISIL, and that is the training and equipping of the opposition in Syria. Whether to support the rebels is an important decision, but it pales in comparison to the larger question facing Congress and the Nation, and that is: Should we authorize the President to use our Armed Forces in Syria and Iraq?

Unfortunately, Mr. Speaker, it appears that we will not be considering that larger question before we leave town in advance of the election. This is, I believe, a mistake of constitutional dimension. The administration has acknowledged that the military campaign we are about to embark upon amounts to war and will likely last years.

If Congress' power to declare war is to mean anything, it must compel us to act under circumstances such as these. If we sit on our hands, we set a precedent for future administrations that they may wage war without Congress' approval, and the declaration clause is no more than excess verbiage in our Constitution from a bygone era.

□ 1530

The President has broad authority as Commander in Chief to defend the Nation, but that authority is not without limit. As one former constitutional law professor and then Senator named Barack Obama said in 2007:

The President does not have power under the Constitution to unilaterally authorize a

military attack in a situation that does not involve stopping an actual or imminent threat to the Nation.

The administration has acknowledged that ISIL does not yet pose an imminent threat; nonetheless, it has asserted that it has the authority to act based on the 2001 authorization to use military force against al Qaeda passed in the days immediately following September 11. This reasoning is tenuous as best. That authorization addressed to a different enemy, at a different time, and at a different place does not provide the legal foundation for a war on ISIL, an organization that itself is at war with al Qaeda.

Today I have introduced a tailored and narrow authorization for the use of force in Iraq and Syria. My resolution specifies the enemy and explicitly does not authorize the large-scale deployment of ground troops to fight in either country. The resolution includes an 18-month sunset clause so that Congress can insist on its oversight role. It also immediately repeals the 2002 resolution to use force in Iraq and provides the same 18-month sunset for the 2001 authorization to use force, to harmonize the legal authority we provide to wage war against any foe and to ensure that no future President can claim to use it as a basis for unilateral action.

In matters of war, Congress is not some suitor that needs to be asked by the President to dance. Requested or not, Congress must exercise its responsibility to decide whether to send the Nation's sons and daughters to war. We should not go to war, let alone adjourn, without a vote.

Mr. MCKEON. Mr. Speaker, I yield myself such time as I may consume just to respond to my good friend from California, we have adjoining districts and we agree on many things, we disagree on a few things, but I would like to say that I agree with you. This is something that the Congress should address.

For 20 years—I have been here 22 years—whenever a President has asked for this, we have addressed it. We have not addressed it without having the request from the President.

This is something we had quite a debate a few weeks ago about what previous Presidents have done or not done and what authorities they have and what they don't have, and some of it just has not yet been decided by the Supreme Court. The President says he has the authority. He says he needs this additional authority to help in Syria. That is the question we are addressing here today. I think that we are bound to have this discussion. I know the Speaker wants to have it. Mr. SMITH said he wants to have it. I want to have it.

I think one thing that we should really probably consider in all of this, this is not going to be a 1-month or a 2-month or probably even a 1-year or 2-year commitment that we are making here. ISIL is very serious about this, and we are going to be in this fight, as we have seen in the past, for a long time. And it is a new commitment. So I am thinking that, as close as we are to the election, there are going to be a lot of new Members here that are going to be living with this discussion, this debate, this vote, potentially for a long time. And I think those are the people that probably should make that decision in January or as close as they feel comfortable to having that debate.

Mr. Speaker, at this time I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN), my friend and colleague, the chairman of the Defense Appropriations Subcommittee.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in support of the McKeon amendment, but with serious reservations, reservations that have nothing to do with the substance of the amendment.

I applaud Chairman MCKEON for his very diligent work to craft an amendment that responds to our Commander in Chief's proposal to address the very real, serious threat we face in a thoughtful and responsible manner while preserving Congress' constitutional authority and oversight in these matters.

Let me be clear, the Islamic State of Iraq and Syria poses a clear and present danger to the United States, our homeland, our friends and partners in the Middle East and around the world.

The President has proposed that he be granted the authority to train and equip Syrian opposition groups in hopes that they will use their training and turn their weapons on ISIS, a truly savage and cruel cult of extremists.

We all watched the President's television address last week. That address left this Member and many constituents with more questions than answers.

The strategy the President announced is not so much a strategy as a continuation of a counterterrorism policy that relies on others to be on the front line to protect United States national security interests when their motivations, interests, and capabilities may or may not align with our interests.

I have to state here and now that I am concerned that the President's plan is, first of all, very late; secondly, may be based on unrealistic assumptions.

We have been told that there is a comprehensive strategy and a multinational coalition of the willing to fight the terrorists who have gained massive amounts of ground in both Syria and Iraq. To date, neither the Congress nor the American people have been told all of the details on that strategy or how it will be implemented.

The President has repeatedly proclaimed that there will be no American boots on the ground, but our constituents should not be misled. There are American boots on the ground currently in Iraq, and there is a strong likelihood there may be boots on the ground in Syria and, in the skies above, planes, and those who fight will remain in harm's way.

The White House is relying on so-called moderate rebel groups to fight ISIS, groups that do not and will not exist in any great numbers and whose primary target is the Syrian dictator, President Assad. How do you reconcile those competing goals?

Indeed, there are many complicated questions in a complicated region of the world with ever-shifting alliances and loyalties, but this is where the terrorists who want to do us harm have taken hold.

Despite reservations and questions, we must take action. The threat is real, and ISIS must be confronted now. I support the McKeon amendment because it will provide the experts and the Department of Defense the authority they need to put together a clearly defined, realistic strategy and address unanswered questions for both this Congress and our constituents.

That, however, does not and must not mean that Congress will cede its constitutional obligations. We must exercise our responsibilities and not give the President a blank fiscal check.

I commend Chairman MCKEON for recognizing that Congress must be informed and a full partner with the administration. This amendment does not provide the administration with the blank check they originally sought.

In this measure, we provide authority for a limited train-and-equip program with strong congressional oversight. This amendment does not allow any funds, be they appropriated funds or foreign-partner funds, without prior notification and approval to congressional defense committees in accordance with standard reprogramming procedures.

This amendment does not—I repeat, does not—provide an authorization for the use of military force. Indeed, the amendment includes language that makes it explicitly clear that this train-and-equip authority is not an authorization for the use of military force.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCKEON. I yield the chairman an additional minute.

Mr. FRELINGHUYSEN. Mr. Speaker, I support this amendment. ISIS needs to be confronted, and sooner rather than later. However, in the weeks and months to come, this House must use its oversight powers under the Constitution to monitor this strategy and demand changes when and if it falters.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, I listened with considerable interest to the exposition just given by our colleague. I find myself in agreement with much of what was said, particularly the concerns, the unknowns, and the fact that this amendment is going to wind up in

a CR, and we are going to be voting on the CR and the amendment, whether we like the amendment or not, or we shut down government. That causes me great concern.

My real concern is beyond just this amendment, limited as it is. And I thank the chairman for making this as limited—it ends sometime in December, I think December 11; that is good. The fact that the reporting is there; that is good. The fact that we are knowingly going to find ourselves right smack in the middle of a civil war that has gone on for 3 years and the previous 3 we couldn't figure out which side we wanted to be on and who we wanted to work with, apparently we now know who we want to work with, or at least we will find out who we want to work with. A lot of unknowns here, a lot of concerns.

The big concern is this, and that is that the administration presently does not intend to have the Congress of the United States carry out its constitutional responsibility to declare a war or not. They have figured out a way to avoid having the Congress deal with the most fundamental of issues.

They claim that the 2001–2002 authorization to use force in Afghanistan and in Iraq is sufficient to carry on what may be an unending war in Iraq and, quite possibly, in Syria. The War Powers Act has been pushed aside. We don't need to worry about that, says the administration. We don't have to vote because they have these other two authorizations to use force still in effect.

This is not right. This is a new war, a continuation of the problem that has existed in this area for more than 1400 years. So now it is in for a dime; we are going to be in for many, many dollars and many, many people.

My plea to the Congress, my plea to all my colleagues is this is not the step. This is but one small, little movement towards a much larger. And will we have the courage to carry out our constitutional responsibility and take up the larger issue of what to do with airstrikes and beyond?

For me, we ought to be voting on that larger issue. I believe the administration is dead wrong in saying they don't need to come back to Congress for a larger issue of an authorization to use force.

Mr. MCKEON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. THORNBERRY), my friend and colleague, the vice chairman of the Committee on Armed Services.

Mr. THORNBERRY. Mr. Speaker, I rise in support of the chairman's amendment.

I am very much in sympathy with the comments that have been expressed here on the floor that we should have a larger debate about the Authorization for Use of Military Force. That is not, however, what is before us with the chairman's amendment. And I understand some people would like for it to be.

But what we have before us here is a specific request that the President has made for train-and-equip authority for certain Syrians to help provide ground forces against ISIL.

I think, just for perspective, it is important to remember that the United States has been involved in training and equipping security forces in over 40 countries. We haven't gotten into a war in all of those. This is something we know how to do, and we do it competently all around the world.

But I completely agree with those who say this is a very complex, volatile situation, and there are considerable doubts about whether the President's approach is going to be successful. There are especially doubts about whether his policy will be carried out with a seriousness of purpose and a perseverance that is required against such a formidable opponent. I confess, I share those doubts.

But, at the same time, two facts seem clear to me. One is that ISIL is a significant threat. It is not the junior varsity. It is the best-equipped, best-trained, best-financed terror organization and has several thousand people with Western passports that are a part of it.

Secondly, is that a threat like this will not be eliminated from the air. And so what that means is you are going to have to have some sort of forces from the ground. Now, some of them need to be the Kurds; some of them need to be the Iraqis. But you need to have some sort of competent ground force in Syria as well or else it becomes a safe haven. So that is where this train-and-equip authority to help develop that competent ground force inside from Syria is important. But it is only—and I think everybody acknowledges this—it is only one small part of what needs to be a much broader strategy.

□ 1545

Mr. Speaker, despite all the doubts and concerns, having a competent ground force inside Syria with whom we can talk, with whom we can work, whatever the course of events there, has got to be a useful thing.

But for the moment, between now and December 11 or so, giving the President this authority that he has asked for so he can take advantage of some offers from other countries, so he can begin the preparations for this training, seems to me to make sense. We give him this authority with all the checks and oversights that have been described and are very important. We give him this authority, and, Mr. Speaker, it is up to the President to make it work.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL).

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, let me thank you so very much for giving me this opportunity to address the House.

I think today and tomorrow may be recorded in history as one of the most serious decisions that this Congress has had to make. Personally, I don't know enough to see where the President needs authority to do what we are about to allow him to do because of a threat to the United States of America.

I have talked with everyone that is willing to listen to me in my congressional district and they have given me a whole lot of things that they are concerned about. But I haven't come close, as much as they love this President of the United States, in convincing them that training people overseas that we don't know to fight ISIS is in their best national interest.

The point that I asked to come to the floor is that it is so easy to try to bring justice to a situation if it doesn't cause you anything or any inconvenience. Already we have lost trillions of dollars and over 6,000 lives in this area, and I don't think we have yet to declare war.

What I am suggesting on drafting legislation is that if it does reach the time that this honorable body is prepared to discuss all of the issues and determine whether or not any enemy is a threat to the United States and that we are going to go to war with them, that we should attach to that two provisions that would force every American to evaluate whether or not they believe that they are prepared to make sacrifices.

One of them, of course, is a war tax. These last wars, the only people who have suffered were those people who had boots on the ground or those people who know people or those people who went to the funerals. Certainly those that have gained profit because we needed their services overseas, they haven't made any sacrifices.

When it comes down to discretionary spending, what I consider a threat to the United States of America is our failure to provide money for research, for development, for education, for jobs, for infrastructure. But if we attach the two things to any bill where we are prepared to debate and determine whether our great Nation is being threatened, then I don't think it is asking too much of Americans to be able to say, yes, we are willing to pay taxes for it, and, yes, we are ready to have mandatory recruitment of young men and women who are prepared to say that if our Nation is in trouble we all should be doing something.

But all these people that are willing to fight with other people's kids I think is not the standard that this august body should have.

Mr. MCKEON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. WITTMAN), my friend and colleague, the chairman of the Armed Services Subcommittee on Readiness.

Mr. WITTMAN. Mr. Speaker, I rise in support of today's amendment to authorize the training and equipping of appropriately vetted elements of Syrian opposition to combat the Islamic

State of Iraq and Syria, better known as ISIS.

I have been to the border of Turkey and Syria and met with opposition leaders and refugees, which now total more than 2 million people, and I have seen the ramifications of standing on the sidelines of this conflict, such as increased risk to our national security and interests, regional instability, and immense human suffering.

ISIS poses a serious and grave threat to the United States and it must be destroyed. This action alone will not topple ISIS, but it is a foundational element of any broad effort to root out this barbaric terrorist army and prevent its followers from taking further hold in the Middle East and one day, as they have threatened to do, bring their brutality here to our homeland.

Ongoing efforts by the brave men and women of our U.S. military, in coordination with regional partners, have blunted ISIS's territorial gains in Iraq and have granted some reprieve to persecuted Christians and other ethnic minorities.

But fully destroying ISIS will require striking at its center of gravity, which includes eliminating safe havens and bases of operation in Syria. Supporting those in Syria who are also committed to this fight is a necessary step.

I believe today's amendment does establish strict parameters and rigorous oversight to ensure that training and equipping Syrian opposition forces does not aid the Assad regime or undermine the mission to destroy ISIS.

Recent events have reminded us all that barbarity, evil, and uncertainty still exists in the world. ISIS is the latest front in civilization's struggle against radical extremists, and now is the time to act.

I want to make sure, too, that we bring to bear the weight and might of our strong Nation in cooperation with our partners to destroy ISIS and the threat it poses, understanding that we must continue to request and receive more specifics on how these efforts will be prosecuted.

This resolution, I must remind folks, does not authorize the use of military force, only the training and equipping of these forces. It is the first step of many steps in which Congress must be involved in addressing this threat. That is our constitutional responsibility. Today's effort is that first step. But we must not forget that we have to continue to remain involved as a Congress in the future efforts this Nation takes against this extremist threat and others around the world.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

The subject of boots on the ground came up, and I think this is a really important point for why this debate has been so divisive. So many people are concerned about this action.

I think what we all want to do is we want to confront the threat that is ISIS, which has been well described. The violence that this group has perpetrated on people in their region and foreigners is unimaginable. Make no mistake about it: if they are allowed to spread, that violence will spread as well.

But there is concern about the U.S. getting again engaged in that part of the world because of Iraq and Afghanistan. A number of my colleagues have raised the issue of: Well, gosh, we put 150,000 U.S. troops into Iraq, we left, and 2 years later it had all fallen apart. We are in Afghanistan, there is still a raging violence of a war going on there. Here we go again, basically. Have we not learned our lessons?

I believe the boots on the ground comment shows in an odd way that we have learned our lesson. We are not going to do a full-scale military commitment to Iraq. Now, I think a lot of people are against ISIS. I think a lot of people mistake that we are not going to do that, not so much because it wouldn't work, but because we just don't want to do that. We don't want to spend the money and risk the lives.

That is not really the case. The reason we are not going to do a full-scale U.S. military commitment is because a lesson that we have learned in the last 12 years is the limitations of the ability of the U.S. military to bend cultures in this part of the world to their will. It doesn't work. That is why we are not going to send in the U.S. military.

Because then you set up a situation where you have a fight between, in the minds of the people in that part of the world, the evil West and Islam. If you set up that dynamic, we cannot win.

Now, that means that we can't do the full-scale military commitment. But what we can do is we can enable partners. I know there is considerable concern about the fact that we spent a lot of money, supposedly enabling partners in Iraq, and when ISIS came rolling across the border of Syria they simply melted away.

Now, two things:

Number one, I would submit to you that they melted away because of what the Maliki government had done to alienate the entire Sunni population. It wasn't that they couldn't fight; it is that they chose not to because they did not want to fight on behalf of what was essentially a sectarian corrupt Shia government. The Sunnis would not fight on behalf of them.

But also I want to point out, we have successfully trained militaries around the world. If you look at the Horn of Africa and the threat that we faced in Somalia, we have trained Ethiopia and Kenya and Uganda.

They have been incredibly effective fighting forces. Across the Red Sea in Yemen, we have trained the Yemenis as they confront al Qaeda in the Arabian Peninsula. Not as clearly effective as we have had in the Horn of Africa, but, nonetheless, they have contained the threat.

I was, on a much smaller scale, in the Philippines a number of years back where we trained the Filipino authorities to try to contain various terrorist threats down there.

It has been effective. Just because it wasn't effective in Iraq doesn't mean that it can't be effective to train an indigenous force to effectively fight the fight that we want them to fight. But it can't be just the U.S. military.

Now, the final point on the boots on the ground issue that I think is a bit misleading: we are all searching for that clear-cut way to say: We will do this but we won't do that; we won't go too far, we won't take that step that makes us too big a U.S. military engagement.

The problem is there is no black-and-white line here. There is no way to define that. There is no way to say: Well, okay, if we step across this line then there is no going back. In fact, I have heard the concern raised we are sending in advisers, and, gosh, everybody knows that when you send in advisers the next thing you know you have got 500,000 troops and 70,000 U.S. soldiers dead. That is what happened in Vietnam. That is not what happens every time you send in advisers from the cases that I cited a moment ago. It doesn't have to be that way.

The boots on the ground issue is, I think, effectively simple and straightforward. We have already had boots on the ground, but we are not going to make this a U.S. military-led fight because it cannot be. It would not be successful if it was. This is going to be an effort to train and equip and advise, to build a force that can confront ISIS. Because right now in Syria, it is a choice between Assad and ISIS for too many people. A good number of those people would love to have another option.

Don't read into the fact that some people are joining ISIS the belief that somehow they are absolutely aligned with them. They oppose Assad; ISIS is, in many cases, the only game in town. We need to give them another option: a Sunni-led indigenous force that we train and equip to help begin the process of getting to the point where they can be a legitimate force. It will not be a short process. It just won't. It is going to take time. But ISIS needs to be confronted. This is the first necessary step in doing that. We can't do it without local partners taking the lead. This is a way to get those local partners the capability to get there.

I reserve the balance of my time.

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

Mr. Speaker, there are many who support this amendment. There are many who feel like it is not enough.

I would like to just relay a couple of instances.

I just returned from the Middle East. I met with leaders of Israel, Jordan, Egypt, Morocco. And one of the things that I think needs to be addressed, and the people—the people—need to understand this: who ISIL is. In about 600 AD, people moved—Arab people—

moved into the area that they called Levant. They controlled that area—it took them about 50 years to conquer it—and they controlled it from about 650 AD to about 1500 AD, when they were defeated by the Ottoman Empire.

□ 1600

That area comprised what we now know as part of Egypt, Israel, Lebanon, Jordan, Iraq, Iran. It was a huge area. ISIL wants to go back to that same area. They want to control that same area. They want to set up a caliphate so that they can then export terrorism around the world, and they are going to be brutal about it. They have great designs. They are willing to do anything it takes to win.

I don't know why it seems like, when the President talks, the first thing he says is, ''No boots on the ground.'' As was just mentioned by the ranking member, there are boots on the ground. We have a force of over a thousand right now in Iraq. As he explained, their army kind of wilted for the reasons that he gave.

I talked to General Petraeus the other day, and he said their army will fight, but there are certain things that they need that only we can provide, and that is what we can provide without entering into the combat, without putting in divisions, without putting in what I guess is the reference to boots on the ground, which is a certain number—and I don't know what that number is—but we are not going to do that. That is not what we are talking about.

Saying we are not going to have boots on the ground is just kind of not being totally truthful with the American people. There are and will continue to be boots on the ground. They will provide training. They will provide leadership. They will provide ISR.

They will provide the intelligence and the things necessary for the Iraqis to be successful in pushing ISIL out of the ground that they have conquered and taken. They will be able to take it back.

What we are talking about is the ability to go in and train Syrian forces so they will be able to take back territory that they have lost in Syria and, by doing so, that will deprive ISIL of having a safe haven so, as they are pushed out of Iraq, they won't be able to go into Syria.

We need to envelop them and end their mission right there. Don't let them get into Lebanon and Jordan and these other countries. Don't let them squeeze out into those countries. We need to stop them now. The leaders in that area told me how big this threat was. They said, ''Don't think the oceans are going to protect you now. They will not.''

We all know that one of the big threats over there is foreign fighters entering into this fight. A lot of them have passports and will be able to enter back into Europe and come to this country and do a lot of serious things that we don't want to see happen. We would rather fight them there than here. That is the purpose of this amendment and the thing that we are talking about right now.

ISIL is a dangerous threat right now, and we need to address them right now. They are going very rapidly. They are very well-funded and well-led. They are fighting as an army, not as a little ragtag terrorist group. We need to address them that way.

With that, I yield 2 minutes to the gentleman from Arizona (Mr. FRANKS), my good friend and a member of the Armed Services Committee.

Mr. FRANKS of Arizona. I thank the gentleman for yielding, and I rise in support of his amendment.

Mr. Speaker, last January, ISIS retook Fallujah. Eight months later, President Barack Obama told Americans, ''We don't have a strategy yet.''

It was 7 years ago, Mr. Speaker, that George Bush warned:

> To begin withdrawing before our commanders tell us we are ready would mean surrendering the future of Iraq.

Mr. Speaker, he could not have been more right.

If you delete all the things Mr. Obama so very unwisely said he would not do, most of what remains of his plan is in keeping with the Bush doctrine.

Mr. Speaker, I sincerely believe President Obama owes George Bush an apology, along with the men and women who freed Iraq and then watched their blood-bought gains evaporate while this administration stood by as women and children were beheaded, crucified, raped, and sold into slavery.

We must make no mistake about it, Mr. Speaker. It was the vacillation and the tepid and inept leadership of President Obama that brought us where we are today, and, now, even though this administration is still inexplicably unwilling to admit it, we do, indeed, face a jihadist enemy that is more dangerous than ever, and it is now more vital than ever that this Congress, the President of the United States, and the American people commit ourselves to doing whatever is necessary to destroy this enemy before its insidious hand reaches into the heartland of America.

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

Mr. MCKEON. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Colorado (Mr. LAMBORN), my friend and colleague and a member of the Committee on Armed Services.

Mr. LAMBORN. Mr. Speaker, I rise today in strong support of the McKeon amendment to authorize the training and equipping of appropriately vetted members of the Syrian opposition.

I believe that Chairman MCKEON has crafted language which strikes the appropriate balance between giving the President the authority he is requesting while also ensuring that Congress maintains oversight of our efforts to combat ISIL.

However, let me be clear. We are only here today because of President Obama's weak and failed leadership. My criticism of the President is not about party politics or about his style of leadership but is based, simply, on his failed foreign policy.

Syria is a case study in Obama's failed policy. He drew an arbitrary red line and spectacularly failed to enforce it. We also lost the opportunity to support moderate dissidents in Syria when it would have done the most good.

Next door, in Iraq, President Obama raced for the exit for political reasons instead of recognizing that the threat from Islamic extremists could quickly return without some sort of counterweight. He didn't end the war in Iraq; he merely abandoned it.

The bottom line is that ISIL was a regional threat that has metastasized into a threat to our allies in the region, including Israel, and to us here at home.

Unfortunately, the President's failed foreign policy is not isolated to ISIL. The President's reset with Russia was worthless. Obama's ''leading from behind'' intervention in Libya has created another haven for terrorists there.

Our allies in Europe are threatened by Russia, and our allies in Asia are threatened by China. Iran does not seem to be slowing its efforts to destroy Israel. None of these are easy problems, but President Obama has failed to provide clear and strong American leadership in each case, and, in each case, America and the world are worse off as a result.

Let's provide training to moderates who will fight ISIL and hope the President's slowness of action hasn't made it too late.

Mr. GARAMENDI. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, today is a very important day. Today, the House is debating on a continuing resolution and also an amendment to that resolution which would authorize under title 10 the expenditure of $500 million to train moderate Syrian opposition forces.

This is not an authorization for the use of military force. It is just simply for the limited purpose which I just stated, but I feel compelled to go a little bit further as to why it is necessary that we be in favor of that amendment to the CR as well as the CR itself.

If we do nothing against the ISIL threat, if we choose to be isolationists and take a wait-and-see attitude, the chances are great that the situation will get worse. When it gets worse, that means ISIL gets more powerful. They have been on the run lately, and they have gotten more powerful now.

I know people on the other side of the aisle will say that it is the President's fault that ISIL got this strong, but ISIL would not have gotten this strong had it not been for the instability that we created ourselves when we went into Iraq and went to war for an illegitimate purpose, and so we disrupted the stability in that region, and we are still recovering from it now.

What do we do now? I would much rather have a President that is thoughtful, deliberate, careful, and moderate in terms of the use of military force than to have a trigger-happy, shoot first, ask questions later type of President. We have seen what that got us.

Our President has taken a very reasonable, modest approach. We have not put massive amounts of armaments in Syria that could now be used against us. He was smart enough not to do that; but, now, we have the situation where, due to a number of forces outside of our control, ISIL has gotten bigger, has gotten more menacing, has gotten stronger, and it is a distant threat to our homeland, but it is a threat.

What do you do when the wolf is barking out, saying, ''I'm coming to get you,'' what do you do?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARAMENDI. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. JOHNSON of Georgia. What do you do when the wolf is in front of the door? Do you move back from the door and then kneel down and pray and hope that everything is okay? Or do you take some action?

In this kind of situation, the wolf is not at the door yet, but the wolf is coming. The wolf has told you that he is coming. There is a lot of logic into taking preemptive measures to make sure that the wolf does not come to the door.

I would rather have the fight there than have it here. The limited fight that we are going to do is the use of our air power, once we train what is called moderate Syrians—opposition.

I don't know how that is going to turn out, but I do know that we have no choice but to do something. We must build up the ground forces over there with our partner nations to enter the fight on the ground. We support them.

I support this resolution offered by the chairman of the HASC Committee.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BYRNE), my friend and colleague and a member of the Committee on Armed Services.

Mr. BYRNE. Mr. Speaker, I want to thank the chairman for yielding and for his continued leadership on this issue of grave importance to our Nation.

I support the chairman's amendment because I believe we must do everything we can to defeat this vile enemy known as ISIL. Time is of the essence here. With each passing day, ISIL continues to get stronger.

The President has finally asked for a very limited authorization, not of force, but for training and supplying. Based upon the information that I have received, I believe that arming and training Syrian rebels is an important first step.

Just a few weeks ago, I joined Chairman MCKEON and a few other colleagues on a trip to the Middle East. While there, we met with numerous foreign leaders and defense officials. One thing became very clear: there is regional interest and support for defeating ISIL, but they are waiting on our leadership.

I believe arming and training the Syrian rebels to be a necessary step, but I do not believe it alone will be sufficient. Just this morning, the Chairman of the Joint Chiefs of Staff, General Martin Dempsey, expressed more action will likely be needed.

Our enemy should not just be degraded or contained. Our enemy must be defeated.

□ 1615

In order to accomplish that objective, more action will be needed, including overt help from Sunni Muslims in the region and air attacks from the United States.

It is also important to note the safeguards Chairman MCKEON has written into this amendment. This amendment requires that each fighter be thoroughly vetted by the Department of Defense and that regular progress reports be provided to Congress.

I firmly believe that a new Authorization for the Use of Military Force is needed to specifically address ISIL and new action in Syria. The current AUMFs from 2001 and 2002 are simply not applicable to this conflict, and I hope the President will recognize the article I, section 8 powers of this Congress, which are exclusive, and ask us for a new AUMF. That is why this resolution explicitly states that it does not give President Obama authority to send new U.S. forces into combat in Syria.

I urge my colleagues to support this amendment.

Mr. GARAMENDI. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my dear friend from California.

Mr. Speaker, I rise today in support of this amendment. The President has laid out a bold and decisive strategy to lead a multilateral operation designed to degrade and ultimately defeat ISIL.

This is a threat the United States, sooner or later, must address. I prefer sooner. ISIL's acts of genocide are undermining the stability of Iraq, threatening our partners in the Kurdistan region, and reversing gains made by moderate forces in Syria.

I believe Congress has a constructive and collaborative role to play here in the effort to eliminate the ISIL threat. I appreciate that the measure before us takes a step in that direction while addressing many concerns that have been raised about the effort to train and equip the moderate Syrian opposition.

First, the amendment provides for careful congressional oversight. The Department of Defense must report to Congress on the vetting process for trainees 15 days prior to providing any such assistance. The President must report to Congress on how this operation fits within our overall regional strategy, and the Department of Defense must submit a report every 90 days updating Congress on the status of this operation. These are prudent measures and consistent with the constitutional role of congressional oversight.

Second, this amendment does not provide a blank check for military operations. No additional funds are provided by this measure, and the Department of Defense must submit any reprogramming requests to this Congress.

Third, this is not an open-ended commitment. The limited activities authorized by this amendment will remain in effect until the earlier of the date of the expiration of the CR or the enactment of the 2015 National Defense Authorization Act.

Almost 1 year ago, in response to the President's consultation with Congress on the deepening crisis in Syria, I introduced a resolution authorizing the President to carry out airstrikes against the Assad regime. In that case, Congress chose to demur. Today I hope we act not only on this resolution, but ultimately on a new Authorization for Use of Military Force allowing the President to carry out airstrikes against ISIL. The 2001 AUMF has gone stale, and it is time for a new, focused AUMF targeting ISIL.

I believe the President would find bipartisan support here in Congress for airstrikes in Iraq and Syria. This tactic, thus far, has effectively bolstered our partners on the ground, protected American assets, and facilitated the humanitarian missions.

But instead of taking up this charge and debating issues of war and peace, we are about to break for another recess. While I support the measure before us today, I hope Congress will do more to assert its constitutional role and responsibility and act as a stakeholder in the fight against this terrorist threat.

Mr. MCKEON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. GIBSON), my friend and colleague, a member of the Committee on Armed Services.

Mr. GIBSON. Mr. Speaker, I thank the chairman for his strong leadership of our committee.

I rise in opposition to the amendment. Certainly, the Islamic State is an evil organization and a threat to our country. There is no question on that. I saw that firsthand leading paratroopers in Iraq, al Qaeda in Iraq executing, at close range, Iraqis who were working with us just to provide for a better day for their people. This evil organization has to be defeated. The question is: How?

Well, first of all, we always reserve the right to act in self-defense. If we learn of specific intelligence that the enemy is preparing, planning an attack

on us, we always reserve that right. We will take action to protect our people. But, as the President reported when he spoke to the American people last week, the intelligence community, we do not have that specific intelligence at this moment that they are going to be able to strike our country. So then the question occurs again: What is the smartest way to deal with this threat?

I maintain, based on my experience, escalating in Syria right now is not the best approach. We should instead implement a three-point plan.

Number one, empowering the Iraqi Armed Forces and the Kurdish forces to defeat the Islamic State. We have seen in recent days, with our help, they have been begun to reverse some advances of the Islamic State, and they have a capacity.

As was mentioned earlier, the big issue that they have is they weren't willing to fight and die for that Prime Minister. They didn't have the will to stand up because they didn't believe. Now we have had a new election. They are rallying around, attendant to their constitution, a new government, and they do need our support, and we should be standing there with them.

Why is it so important that we do it that way?

Well, our enemy, the Islamic State, is trying to frame this struggle as one, in their words, between the believers and the nonbelievers. There is certainly an element here, but it goes much broader than that.

In the main, what is really at stake is what is happening to the mainstream Muslims in Iraq and Syria. Why this is so important is, when we help the Iraqi Army and the Kurdish forces to defeat militarily the Islamic State, that also lessens the ability of the Islamic State to recruit and to fundraise internationally. Long-term, that is what is key to success here.

So, number one, empower the Iraqi Armed Forces and the Kurdish forces.

Number two, we have not set the conditions for actions in Syria. There is no credible partner there. There is no political partner there, and that is really the issue.

What we should be doing is working to compel—working with our friends and our neighbors in the region, other nations across the world, to compel the Government of Syria to get to some brokered agreement with the rebel forces, including what we would call the Free Syrian Army. From that foundation, we will be in a stronger place to complete the final destruction of the Islamic State.

Here is the issue, the big idea that the administration is advancing right now. The big idea is that we need a ground element to support airstrikes.

Now, given my military experience, I understand that and I actually agree with that point. But here is the point: What they are advancing today, what we have learned, is that, at the earliest, we would see a ground force in 6 to 8 months.

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The time of the gentleman has expired.

Mr. GIBSON. Mr. Speaker, evidently I am not going to get any more time. I ask the gentleman from California (Mr. GARAMENDI) for 1 minute.

Mr. GARAMENDI. Mr. Speaker, I yield an additional 1 minute to the gentleman from New York.

Mr. GIBSON. So the issue is that here it is, the administration saying that they need a ground partner to conduct these air attacks, but we are not even going to have a ground partner for 6 to 8 months, and they are talking about launching airstrikes within a month. This is a problem.

The other problem is these forces on the ground have not shown themselves to be militarily competent nor politically trustworthy. We should work politically in Syria. That is the second point.

The third point is we ought to secure our borders, commonsense point. But look, they have expressed the desire to attack our country, and we need to protect ourselves from that.

So empower the Iraqi Armed Forces and the Kurds, work politically to get a partner in Syria, and secure our borders. And reject this amendment, with all due respect.

Mr. GARAMENDI. Mr. Speaker, I yield 3 minutes to my colleague from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, taking military action is the gravest responsibility of our government, and I take my role in helping to decide our Nation's policies very seriously.

I support the current plan to engage and ultimately destroy ISIL, but it won't be successful unless we can enlist an alliance of nations within the region that are fully and demonstrably committed to true democratic inclusion and are willing to fight for their own freedom. Mr. Speaker, I don't see how we can ally ourselves with nations that turned a blind eye to having their citizens send money to the very terrorists we are about to engage.

This effort will take time and should include training potential allied military units in nonbattlefield locations and providing appropriate arms to competent and reliable allied military units. Meanwhile, the President must demonstrate America's commitment to the region by using very limited American airpower in conjunction with local military units to help prevent additional ISIL territorial gains.

I do not support the involvement of American ground troops beyond their training mission or the excessive use of American airpower. Both of these are not needed and would likely be counterproductive in the end.

While I support this amendment and I thank the chairman for proposing this amendment, I want to urge my colleagues to consider the long-term effects of authorizing force to our soldiers, to the innocent civilians, and to the sustained stability in the Middle East.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. DIAZ-BALART), my friend and colleague.

Mr. DIAZ-BALART. Mr. Speaker, I rise to speak in favor of the McKeon amendment to train and equip vetted Syrian opposition groups.

ISIL is a terrorist group, organization, that threatens our allies, savagely murders Americans and others. It threatens our national security interests, and it must be destroyed. It must be destroyed, including in Syria.

Now, however, Mr. Speaker, I have serious reservations about the President's plan. It is no lie that there is a trust gap with this President. Unfortunately, the President has consistently ignored what was clear to just about everyone else. The President must start listening to the advice and the guidance of our senior military commanders. Against the advice of his generals, the President prematurely withdrew from Iraq so he could claim a political victory. Unfortunately, the enemy continued to fight. There is a trust gap.

More recently, according to press reports, the President has already dismissed some of the preferred recommendations of his generals in favor of a more limited role for our Armed Forces. Mr. Speaker, there is a trust gap. We know that airstrikes and training and equipping and vetting the Syrian opposition groups are necessary, but as we have heard, it is not sufficient.

Will the President do what is sufficient, what is necessary? There is a trust gap.

What President are we supposed to believe and trust, the one who, in August, said that those Syrian opposition forces were, frankly, not a real thing, or the one who now says that they are the ones who are going to defeat ISIS? There is a trust gap.

Unfortunately, the President has refused to lead until the opinion polls kind of pushed him to it. So that is why I am so grateful, Mr. Chairman, for the language that you have to have robust oversight and increased transparency and that the administration must keep Congress up to speed on planning and logistics.

Mr. Speaker, I hope that we can stop repeating the mistakes of the past. It is time for the President to treat this threat like what it is—a national security threat to the United States—and that he listens to his generals.

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

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. SHUSTER), my friend and colleague, the chairman of the Committee on Transportation and Infrastructure, and a member of the Committee on Armed Services.

Mr. SHUSTER. Mr. Speaker, I rise today in support of the McKeon amendment to train and equip vetted Syrian

opposition groups and to confront the threat posed to our Nation by ISIL.

ISIL are thugs, murderers. They are monsters, and they must be stopped. Their trail of destruction and slaughter of innocent men, women, and children must be stopped.

ISIL has laid out their goals and their strategy, and that is to reestablish a caliphate and death to anyone who stands in their way, or, to use their motto, ''convert or die.'' They must be destroyed.

Now is the time for the United States to make clear our goals and our strategy, that we will not stand by idly. We will not watch and wait for the slaughtering of more innocent civilians.

I am pleased that the President has finally committed to some action. It should have happened months ago, if not a year ago.

□ 1630

The President has been timid for far too long. It is time to act. By coming together as a unified body to take this important step, we will tell the world that America stands together in opposition to global terrorism and to the monsters of ISIL.

This amendment to train and equip vetted Syrian opposition groups sends a clear signal to our European allies that we are committed to eradicating ISIL and that we hope they will join us in this effort. It sends a message to moderate Arabs and Muslims in the region and around the world that we stand with them against terrorism.

This amendment strengthens the Commander in Chief's request for ensuring that Congress has oversight and greater transparency, which is our constitutional duty. We must do all we can on every front to ensure these killers do not gain one more inch of ground in their pursuit of a terrorist state. With this amendment, we send a firm message that America is not going to allow this cancer to spread.

Congress must act now. For that reason, I strongly support this amendment, and I urge my colleagues to join me in voting ''yes'' to send a clear, strong, overwhelming message that a bipartisan Congress stands with the President to defeat ISIL and all evil everywhere.

Mr. GARAMENDI. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Speaker, we have to applaud the President and the Vice President for using all means at their disposal to track down the killers of the journalists, but it can be and should be done in the same way we tracked down Osama bin Laden—using our intelligence, using our selective capabilities, and making sure that these murderers and these killers have no safe refuge.

Having said that, launching airstrikes on another country by any standard, by any definition, is an act of war. Now, whether you think it is a good idea or not, it requires this Congress to step up and assume its responsibility and make that declaration. Have we not had enough of imperial Presidencies doing whatever they like anywhere in the world? When are we going to step up and assume our responsibility?

Now, with regard to this amendment, make no mistake about it: we have been on the side of every side in this conflict going back to al Qaeda. That was the Mujahedeen. We armed them because they were the enemy of our enemy. Then we supported Saddam Hussein. Oh, no. Wait a minute. Let's overthrow him, and let's put the Shiites in power. Then we said no, no, no. Wait a minute. They are not being nice to the Sunnis; so let's give arms and money to the Sunnis. And we refer to this Free Syrian Army as moderates?

Read the paper. I can't talk about what we saw and heard in our briefings, but that is the Muslim Brotherhood. Did you hear the latest news? It just came out over the wire. I would bet you guys haven't heard it. The founder of the Free Syrian Army, the one we are going to give $5 billion to, Riad al-Asaad—he just said we are not going to use that money to fight ISIS. No, no, no. We are fighting Assad. Oh, wait a minute. We were going to attack Assad last year, and now we want to fight people who are going to keep Assad in power? What are we doing?

The definition of ''insanity'' is doing the same thing over and over and over and over again and expecting different results. In this case, make no mistake about it, we have given arms to every element in this conflict, with the notion that somehow the enemy of our enemy is our friend. At the end of the day, we have no friends in this conflict. Either directly or inadvertently, they end up using the arms and the weapons that we have supplied against—yes, you guessed who—us.

It is time to wake up. It is time to put an end to it. It is time for this Congress to step up. It is so much responsibility that the Constitution could not be more clear on who declares war. It is the Congress of the United States, not the President of the United States.

My fellow colleagues, please, I beg you—I plead with you—to step up. Assume our obligations here. If there is a declaration to be made, let's make it. Most importantly, right now, let us reject this amendment and stop pouring money into this conflict that goes back thousands of years and can only be resolved by the people in that region and a part of that conflict.

Mr. MCKEON. Mr. Speaker, at the President's request and in the amendment that we are debating—we got a little bit far afield there—there is no request for money. The President says he doesn't need any additional moneys to carry this out. All he needs is the authority to go into Saudi Arabia and take their offer of training the Syrians to be able to go home and defend their homeland.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. JONES), my friend and colleague and a member of the Committee on Armed Services.

Mr. JONES. Mr. Speaker, I want to thank the chairman for his leadership on this amendment even though I cannot support it. All I can say is, here we go again, committing our resources—both troops and money—to a conflict that can easily become a war without end.

ISIS is more an immediate threat to the Middle East than to our Nation. Where is the greater Middle East commitment to combat this threat? Why are they not providing the greater commitment of resources to defend their own countries? Is it not ridiculous that the United States borrows money to buy friendship, to buy arms, and to train those who could today be our friends but tomorrow be our enemies?

A former commandant of the Marine Corps recently asked me this question, and I now ask the House of Representatives: Are we simply arming and training another Taliban? That is from a former commandant of the Marine Corps.

We all agree this is a difficult and challenging issue, but a strategy with no end state is a failed strategy, and I am concerned that the commitment we make today will become an ongoing commitment for which we truly do not grasp its consequences until it is too late. That is what my concern is and the concern of the American people.

I think about the $1.7 trillion we spent in Afghanistan and Iraq. I think about the 4,000 Americans who gave their lives, the 30,000 wounded, the 100,000 Iraqis who were killed—and here we go again. I don't care if the President is a Democrat or a Republican. This is a failed policy, and it will be proven to be a failed policy.

I close with this, Mr. Speaker. I listened to Mr. RANGEL very carefully. This is a quote from Pat Buchanan: Is it not an act of senility to borrow from the world to defend the world?

It is absolute senility.

Mr. GARAMENDI. Mr. Speaker, I yield 5 minutes to my friend from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, we ought to focus on what is the appropriate foreign policy and what is the appropriate role in Congress.

I rise in support of this amendment.

In fact, the amendment is quite similar to the Free Syria Act, which was introduced by several of us, under the leadership of ELIOT ENGEL, a year and a half ago. That approach of vetting appropriate Syrian forces and of providing training was a good but difficult policy then. It is a good and even more difficult policy now.

We have to vet those we train, and it should only be certain elements of the Free Syrian Army in that we should only cooperate with those who are not only going to stand up for the Sunni majority but protect the Christian and Alawite minorities, and we have to arm

only those who are strong enough and careful enough not to lose the weapons we give them to more extremist forces.

This arming of the Syrian rebels is part of an overall plan that will include American military action. There is general agreement of no boots on the ground or at least of no boots on the front lines, but let us speak honestly to the American people. The American people are asking for a guaranteed, successful plan that would provide the immediate and total destruction of ISIS, with very few or no American casualties. Such a plan cannot be created. Instead, the policy that this amendment is part of will contain and weaken and punish ISIS and keep limited American casualties, and hopefully avoid them altogether.

We must remember that the enemies of ISIS are nearly as evil and are probably more dangerous than ISIS itself. Those enemies include Assad, who has killed well over 100,000 of his own people and gassed many of them until he faced world pressure; Iran and Hezbollah, which have killed many hundreds, if not thousands, of Americans; and the Iraqi Shiite militias, including Mr. Maliki, who created the situation on the ground in Iraq which led to the creation of ISIS.

What is the role of Congress?

We look at article I and article II of the Constitution, with different roles for the President of the United States and Congress in military policy. Thomas Jefferson determined it was necessary to get the approval from Congress before he deployed marines to the shores of Tripoli—our first non-declared war, our first intervention in the Middle East. That wisdom is reflected in the War Powers Act, adopted in 1973. That act, I think, is a fair, constitutional, and reasonable clarification of the interaction of article I and article II—the war powers of the Congress and the Commander in Chief power of the President.

Now, under some questioning, the President and his administration have finally come up with their theory as to why Congress has already authorized the military action he anticipates. And that is, this Congress, in 2001, authorized every effort to go after al Qaeda. The forces of ISIS are a group that joined al Qaeda after 2001 and left al Qaeda a year ago or so. Does this mean you can leave al Qaeda, or are you always part of al Qaeda? Do we have several al Qaedas? How many angels can dance on the head of a pin?

The President's authority to engage in this war is questionable. The fact that he is stretching the 2001 War Powers Act resolution is not commendable, but this Congress has also failed to play its role. We wrote a resolution in 2001. Instead of revising it, we leave it there, and then some of us are upset that the President stretches it or applies it to circumstances not then anticipated. We should be revising and repealing the War Powers Resolutions of 2001 and 2002, and we as a Congress should indicate what we think is the appropriate foreign and military policy. Instead, we focus only on the narrowest part of the President's policy. In doing so, we join with several administrations in being part of the multidecade decline of the role of Congress.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARAMENDI. I yield the gentleman an additional 1 minute.

Mr. SHERMAN. By our failure to repeal and replace the War Powers Act resolution, which no longer fits current circumstances, we are complicit with many administrations in the multidecade decline of the role of this Congress in shaping American foreign policy.

I look forward to restoring the balance provided by our Founders, to following the policies followed in the Jefferson administration, in following the War Powers Act, and in crafting a resolution applicable to today's circumstances rather than abdicating our responsibility and sitting back as the President stretches words that were never intended to apply to the situation we face in Iraq today.

□ 1645

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Utah (Mr. STEWART), my friend and colleague.

Mr. STEWART. I thank the chairman for yielding the time.

Mr. Speaker, I had the privilege of serving for 14 years as a pilot in the Air Force, flying both combat rescue helicopters and the B–1, an aircraft which, by the way, has dropped a disproportionate amount of the ordnance on Afghanistan and Iraq.

I have spent weeks traveling through the area, meeting with various leaders. I have listened to this debate, and I have tried to weigh all sides while we look for a solution to a very difficult problem in an impossibly difficult part of the world, and, even now, it is with reluctance that I am willing to stand and take a stance in support of this amendment, but I have simply reached the conclusion that we have no other choice.

In meeting with President el-Sisi or Prime Minister Netanyahu or King Abdullah or Foreign Ministers and military leaders, what we heard was nearly universal: Where is the United States? Can we count on you to stand by your allies and your friends?

This fight, this battle against ISIS that our President so reluctantly calls a war is a generational battle. I believe it is the defining battle of our lifetime. We cannot afford to waffle. We have been doing that for far too long now.

Yes, this is a terrible situation. There are no good options. All we have are messy and conflicted options, each of which has their own dangers, but this much is true: there is one very worse option, and that is to do nothing.

We may not trust some of the Syrian rebels. I distrust ISIS even more. We may not like some of the leaders we have to align with. Some of them may prove to be unreliable, but nothing and no one represents more of a threat.

To those who are unwilling to support this amendment, I would ask you: How can you justify doing nothing? That is the only option that we have been given. Do nothing, or do this.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCKEON. I yield the gentleman an additional 1 minute.

Mr. STEWART. I thank the chairman.

Mr. Speaker, we owe it to our friends and our allies in the region to step up and lead. After months, even years of inaction, the President is finally doing that.

I wish that we were doing more. I wish that we were doing more, but this is the only option that we have been given, and we must at least do this.

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

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. ROSS), my friend and colleague.

Mr. ROSS. I thank Chairman MCKEON for his leadership on this amendment.

Mr. Speaker, prior to September 11, 2001, terrorist groups had a much different strategy. They remained virtually invisible, and their strategies were unpredictable.

Today, the terrorist threat to America and the free world is on the rise, the enemy is expanding, and that enemy is ISIL. This is an enemy that commits human atrocities and distributes video footage showing brutal human torture.

It is now very clear what threats America and all of the international community face if ISIL is not destroyed.

Two Americans and one British citizen have tragically fallen victim to ISIL's radical terrorist actions. These barbarians are the face of pure evil, and they must be crushed.

We have heard Secretary of State John Kerry call American military actions against ISIL ''significant counterterror'' operations. This is a pitifully weak way to motivate the men and women of our Armed Forces, Mr. Speaker. This is war, and the United States and the free world must be victorious.

The House's action today calls to mind a discussion I recently had with a mother in my district of Bartow, Florida. Aileen Payne is a Gold Star Mother. She is the mother of Corporal Ronald Payne, Jr., the first marine who was killed in combat in Afghanistan.

When we met last week, she exuded a passion for ensuring that Congress has a thoughtful debate on providing the President the authority required by our Constitution to take the fight to ISIL. She understands, perhaps more than most Americans, the significance of putting the lives of American soldiers at risk.

Her son's death came with a very high price, the price of freedom, the price of national security, and the price of victory. She, nor I, want the loss of her son to be in vain.

The amendment we are deliberating today is a step in the right direction. While I support this amendment, I believe the words of this Gold Star Mother must be heard and considered. If we do not develop and implement a strategy, a winning strategy to eradicate ISIL, we will be taking for granted the very freedoms that we have been afforded and defended by our brave troops, now and throughout the history of our country.

Corporal Payne would want us to defend American freedom and defeat terrorism worldwide. He gave his life for that cause.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCKEON. I yield the gentleman an additional 30 seconds.

Mr. ROSS. I thank the chairman.

Mr. Speaker, while this amendment does not represent my ideal military strategy against ISIL, I believe that Congress is fulfilling its constitutional duty today, and I stand in support of its efforts.

Mr. GARAMENDI. Mr. Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the amendment offered by Chairman MCKEON, and I want to be very clear about what is at stake here today.

The terrorist group ISIL poses a direct threat to our allies and friends in the Middle East; and, of equal importance, left unchecked, their nihilistic vision could pose a direct threat to the United States, particularly given the number of individuals fighting with ISIL who have American and Western passports.

I am gravely concerned that those individuals could return home and carry out acts of violence against the homeland. We have a clear imperative to act.

These terrorists have brutally murdered two unarmed American journalists and an aid worker from the United Kingdom. They have slaughtered thousands of innocent Muslims, killed children, and committed unspeakable atrocities against women and religious minorities.

ISIL and its agents operate without regard to international borders, and any strategy to degrade and defeat these terrorists must acknowledge this reality. In Iraq, the United States and its allies are operating in support and at the request of the sovereign Government of Iraq, as well as Kurdish forces. We have friendly boots on the ground and U.S. advisers in place, but, in Syria, we lack that clear partnership.

I believe the President has rightly committed to an approach that does not involve U.S. combat troops fighting on foreign soil, but the opposition needs training and equipment that the U.S. and its allies are able to provide.

Our commitment, however, needs to be matched by that of other countries in the region, including Sunni countries with whom the United States has a rich history of partnership. After all, ISIL is not just a problem for the United States. It is also a problem for the many Western countries with citizens fighting overseas.

It is a problem for our NATO allies, for whom Syria is a neighbor, and it is a problem for the safety, security, and the stability of the entire region.

We can't simply kill terrorists and expect to see democracy flourish. We must carefully consider the full range of possible outcomes in Syria and what risks we may incur in a nation and region already riven by years of civil war, the use of weapons of mass destruction, and a terrible humanitarian crisis.

This is an exceedingly complex task but one that we must address. If we do not act, we face a darker, more uncertain future. Congress and the administration must do their parts. Today's amendments are only a down payment on what will assuredly be years of difficult oversight, debate, and discussion.

It is far from a blank check. It will require a great deal of hard work, and there are many legitimate questions that remain unanswered, but we need to act, and I believe that this amendment represents a prudent first step.

I urge my colleagues to support the McKeon amendment.

Mr. MCKEON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), my friend and colleague who is a member of the Committee on Armed Services.

Mr. CONAWAY. I thank the chairman for yielding.

Mr. Speaker, first of all, I want to thank the leadership for this extended debate. This is an important conversation we should be having, and to have an unprecedented almost 6 hours of debate just reflects how great we do, in fact, consider this.

I also want to thank the leadership for allowing two different votes, a vote on this amendment and then a vote on the CR and not trying, somehow, to combine those two because I think that would have also lessened the gravity of what is going on.

Mr. Speaker, I support this amendment, but I do so with grave reservations, and, in fact, in the speech of the Intelligence Committee, I would give this low confidence that this mission will, in fact, be successful.

Mr. Speaker, there are no Boy Scouts in Syria. There is not anybody over there fighting that you would want to live next door to you in your neighborhood; but, with that said, we will go through under this President's stated plans a vetting process that will try to find those Syrian opposition teams—people, individuals, and/or groups that are secular that are not Islamic jihadist and they are not a part of the Assad regime—in order to create this force that they are talking about.

Mr. Speaker, this will not be in all likelihood the last time we will come to this Chamber and discuss the fight against radical Islam or this fight in Syria. Those discussions may very well be, as General Dempsey said today, involving the deployment of U.S. military assets other than just fighting this thing from the air.

I want to be able at that point in time to say to the American people, ''We have explored every other opportunity, every other way of getting at this, of creating ground forces in Syria, short of sending American troops into harm's way again.'' I think it is what we deserve.

We clearly want to train these Syrians to be able to defend their own country. That is the most successful model. We have had a long experience with doing that, a checkered past in some instances; but, nevertheless, the best alternative, as we see today, is to make that happen.

I would also point out to my colleagues that by December 11, when this authorization expires, we will know a whole lot more than we do today.

Today, we are looking at this whole issue from about 10,000 feet, so to speak. By December 11, if this plan is put into place, we will know what the President specifically has in place. We will know how the President intends to vet. We will know how the President—where and how these training camps will be set up.

We will have the military's evaluation of how that process will work. We will just simply know a whole lot more then than we know today.

With that, Mr. Speaker, I would urge my colleagues to get us to that point. Help us understand the additional facts that we don't have in the RECORD today in order to do that, but, to do that, you will have to support this amendment.

With that, Mr. Speaker, I urge my colleagues to support the McKeon amendment to get us in this overall group a better sense of understanding of what might or what might not be accomplishable by this December date, whether it is through a new CR or the omnibus or the NDAA so that, at that point in time, we will make a much more informed decision than we will today.

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

Mr. MCKEON. Mr. Speaker, at this time, I yield 3 minutes to the distinguished gentleman from South Carolina (Mr. SANFORD), my friend and colleague.

Mr. SANFORD. Mr. Speaker, first off, I would just say thank you to Chairman MCKEON for his work and for the leadership's work and, indeed, for providing this time for debate.

As was just stated by my colleague from Texas, I don't think that there is a more sacred vote out there for Members of Congress than on issues of war.

I mean, in its balance hangs life and death. In its balance hangs all kinds of financial and life considerations. In its balance hangs how allies are going to view our actions going forward. This is an incredibly important subject, and, indeed, I thank Chairman MCKEON for his work and the committee's work on this matter.

That having been said, I rise, though, in respectful opposition not to the committee's work but to the actions of the President because I think his approach has been fundamentally flawed. I say that, first off, because I think that step one of an issue of war has to be congressional approval, and I think it is so important based on what the Constitution said for the President, indeed, to come to the Congress to ask for a declaration of war, and he has, quite simply, not done so.

I would then say, ''Okay. On what basis does he move forward?'' If you look at what he and others have said, they hang a large part of their hat on the authorization of 2001, and I think what is interesting here is what the President, himself, said just 2 years ago.

He said, ''The AUMF is now nearly 12 years old. Unless we discipline our thinking, our definitions, our actions, we may be drawn into more wars we don't need to fight or continue to grant Presidents unbound powers more suited for traditional armed conflict between nation states.''

I think that the President was right. I agree with the President; yet members of the administration have been coming to Capitol Hill.

They have been, basically, making the case that with that AUMF they have the authorization to go, in essence, another 25 years. I think that that, again, is mistaken. These are not blank checks. Each war and each war effort needs to be debated in isolated form based on that effort.

□ 1700

I would thirdly say that I think that this effort is fundamentally flawed because what von Clausewitz talked about with regard to war. I don't think, at the end of the day, we are going to affect the military center of gravity of our opponent because, if you look at the center of gravity, I would argue it is their faith, it is their willpower, and it is their motivation.

As we saw with the Nazis and the bombings on London, bombing alone will not change will, and, in some cases, it strengthens resolve. What you are left with is, in the void that is created with bombings, boots on the ground, but, in this case, we are leaving that precious job of boots on the ground to what are described as ''moderate rebels,'' whatever that is, and an example, that we have to look back in what just happened.

Mr. Speaker, if you look at the activities of this spring, 1,000 ISIS soldiers routed 30,000 trained soldiers after we spent $25 billion in that process. I think there are a whole host of mistakes and errors in this plan and would respectfully rise in opposition to it.

Mr. GARAMENDI. I yield 5 minutes to the gentleman from New York (Mr. ENGEL), the ranking member of the Foreign Relations Committee.

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding to me.

My colleagues, there are only bad choices left in Syria and Iraq, but, in my opinion, the worst choice of all would be to do nothing. This is an attempt to do something. I want to commend Chairman MCKEON.

Mr. Speaker, I rise in strong support of the McKeon amendment which would authorize a train-and-equip mission for the vetted moderate Syrian opposition. Again, the worst choice would be to do nothing. This is an attempt to do something. It is urgent that we do it now.

Every day we wait is a day longer that ISIS gets stronger and the opposition gets weaker. Now, I think it should be plainly stated that this is a separate issue from an AUMF. This is separate. This is talking about aiding and abetting the vetted Syrian opposition.

Now, I was in favor of doing this 2 years ago. For 2 years, I have been working to assist the moderate opposition. In early 2013, I introduced the Free Syria Act to provide the Syrian opposition with the weapons they need to fight the Syrian regime and the extremists that now control large parts of Syria and Iraq.

This is authorizing a train-and-equip mission for the vetted moderate Syrian opposition. It isn't perfect, but it is a step forward, and it is far, far better than doing nothing.

Mr. Speaker, since I introduced that legislation, the situation in Syria has gotten much worse. More than 200,000 people have died, and millions have been driven from their homes.

Now, it is impossible to know the answers to the what-if questions. What if we had trained the moderate opposition 2 years ago? What if they had been able to hold territory against Assad and ISIS? What if and what if? We have to deal with what we have now. What might have been, no one will ever know. Right now, this is a very, very important thing for us to do.

Mr. Speaker, I understand that my colleagues are war-weary. I am war-weary. I understand the American people are war-weary. I am war-weary, but, again, I think doing nothing would invite something very similar that happened to my city, New York City, on that fateful day of September 11, 2001.

We kicked the Russians—or the world kicked the Russians out of Afghanistan when that happened; so what happened was we took our eye off the prize; and so we allowed Afghanistan to become a safe haven. We allowed the Taliban to welcome in al Qaeda, and al Qaeda had a safe haven to plot and plan attacks against the U.S. homeland.

That is replicating itself right now in Syria and in Iraq, and, if we do nothing, ISIS will plot and plan, and we will have many more September 11s in the United States, in Europe, and in the Middle East. That is why this is in the national interests, the U.S. national interests, and it is something that we really need to do.

The Foreign Affairs Committee held a hearing last month with the Syrian defector ''Caesar,'' a military photographer who smuggled thousands of images out of Syria to demonstrate the atrocities of the Assad regime. The gruesome photographs of Christians and Muslims—men, women, and children—starved, tortured, and killed by the regime demonstrate the true brutality of Assad and his cronies.

Last month, the American people and the world woke up to the brutality of ISIS which has beheaded two American journalists and murdered countless Christians and other minorities and most recently beheaded someone from the United Kingdom.

A self-financed terrorist group with highly-trained fighters willing to die, ISIS represents an immediate threat to our interests and allies and, if left unchecked, the U.S. homeland.

Terrorism, wherever it rears its ugly head—they are all the same. Whether it is ISIS or ISIL or al Qaeda or Hamas or Hezbollah, they are all terrorists, and they all want to use terror to achieve their political goals.

I see Assad and ISIS as two sides of the same coin. Fighting one must not empower the other. Only fighting Assad would allow ISIS to flourish, but only fighting ISIS would leave Assad in power, and he is the biggest magnet drawing foreign fighters to ISIS. Believe it or not, they have this symbiotic relationship from all around the globe.

This crisis does not end unless the moderate opposition is empowered to show the Syrian people that they can fight ISIS and win and, later on, they will fight Assad and win. Through this strategy, the moderate opposition can gain leverage and create the conditions on the ground to compel a political solution.

Now, Mr. Speaker, we have the opportunity to change course in Syria and the region. This authorization can give new hope to the Syrian people and to the people of the region that the United States will stand with them against terrorism.

Like many of my colleagues, I have attended a number of briefings on these matters, and I have noticed a persistent theme.

The SPEAKER pro tempore (Mr. MESSER). The time of the gentleman has expired.

Mr. GARAMENDI. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. ENGEL. Mr. Speaker, I hope to correct this persistent theme. I have heard from some Members that Syrian Christians would prefer to live under

Assad than the moderate opposition. This is a complete mischaracterization, in my opinion, of the situation in Syria.

Assad may profess to protect Christians, but, in reality, he buys his oil from ISIS; thereby bankrolling them and their massacres of Christians. ISIS would not be able to fund their operations without the Assad regime.

The moderate opposition has publicly stated their acceptance and tolerance of Christians, and the Syrian Christian community has welcomed the U.S. call to degrade and destroy ISIS terrorists and the efforts of moderate Syrians to defend their communities.

I understand the reticence of some of my colleagues to get involved. Again, we have no great choices here, but the worst choice is to do nothing.

Mr. Speaker, I want to again thank Congressman MCKEON. Chairman ROYCE and I conduct the Foreign Affairs Committee in a very bipartisan fashion. We pride ourselves in being one of the most bipartisan committees.

Foreign policy should be bipartisan. Issues like this should be bipartisan. I think we can all be proud to be Members of Congress. This is being done in a bipartisan way. I certainly support this resolution.

Mr. MCKEON. Mr. Speaker, I would like to thank the previous gentleman for his comments. He is the ranking member on the Foreign Affairs Committee. He understands this situation very well, and the only thing I would say is the reason we say ISIS/ISIL—I would just say ISIL because they are the same. We need to let the American people know who the enemy is. It is that group, ISIL, and they are the worst of all, in my opinion.

Secondly, the reason we are doing this now is twofold. The President asked for it. We only have one Commander in Chief at a time. I didn't vote for him, but he is our Commander in Chief. He asked for this. We are responding to that request as he asked us as Commander in Chief.

Secondly, and I think this is very important, Saudi Arabia stepped up and said not to keep this secret, but: we overtly will open up our territories and give you training facilities to train these Syrians.

That sends a message to people in that part of the world that this is not the big, bad Satan America against the world. This is moderate Arabs, Kurds, Sunnis, and Shi'a all joining together against terrorism that is out to destroy the world.

I think that opened up this possibility for the President to ask for this, and I am hopeful that we will be able to give him that authority.

Mr. Speaker, at this time, I yield 2½ minutes to the distinguished gentleman from Nebraska (Mr. FORTENBERRY), my friend and colleague, a member of the Committee on Appropriations.

Mr. FORTENBERRY. Mr. Speaker, I thank the chairman for his hard work on this very difficult subject.

Mr. Speaker, several months ago, our best CIA analyst could not have predicted that large swaths of Iraq and Syria would be overrun, conquered, by a group called ISIL, the Islamic State of Iraq and the Levant.

ISIL is better financed, better armed, commands more territory, and boasts a larger army than al Qaeda ever has in its dark history. Its twisted form of religion is eighth century barbarism wielding 21st century weaponry.

Mr. Speaker, they kill, they behead, they crucify, they rape, and they fly a black banner of death wherever they go.

Of late, appropriate American leadership has stopped their advance and prevented further humanitarian catastrophe. Now, the question is what to do next. At this point, we are debating a narrow amendment to authorize President Obama to train and arm so-called moderate Syrian rebels.

Mr. Speaker, several months ago, I offered an amendment to stop any potential arms from flowing to the Syrian opposition. At that time, there was no broad strategy. Weaponizing moderate rebels, in a battleground of shifting loyalties and no guarantee of victory, was an ad hoc idea that could have made the situation much worse.

Now, this new amendment is narrowly tailored with appropriate benchmarks and aggressive oversight; yet, in reality, we are trying to manage very low expectations, and I remain concerned. Unfortunately, this distracts us from a more complete discussion of the overall strategy as outlined by the President.

One thing has to be clear and must continually be made clear: this is the world's problem, not America's problem alone. The international coalition must be truly robust, not symbolic, and include regional Sunni Muslim nations who must fight for their own protection.

The broader answer here is a regeneration of Iraqi forces who must also fight for themselves; plus the Kurds must be truly empowered to defeat ISIL near their homes and to set up protective zones for neighboring minority and vulnerable communities. Finally, cutting off the financing and support for ISIL, hopefully, ensures that this rampage will be short-lived.

Mr. Speaker, action has risks, but the consequences of inaction are too grave. ISIL is a threat to all innocent persons and a threat to civilization itself.

Mr. GARAMENDI. Mr. Speaker, I yield 1 minute to my colleague from New York (Mr. OWENS).

Mr. OWENS. Thank you, Mr. GARAMENDI.

Mr. Speaker, this is a difficult decision, a difficult choice, and likely one that does not have a good or better outcome than what we can propose today. I think the American people need to understand that, as we act today, many of us do with reluctance.

I will vote in support of Mr. MCKEON's amendment, but I do so very reluctantly. I have fear that what we face is a situation in which we will arm folks who subsequently will take negative action against us; however, when weighing the consequences of taking no action, as many of my colleagues have indicated, I think we have no choice but to move forward as this amendment is recommending and the President has requested.

I also believe that we are taking back in Congress power that has drifted over many years to the President, irrespective of what party he is in—or she may be in, in the future—and I think that this is an important constitutional step that we should all support.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. KING), my friend and colleague.

Mr. KING of New York. I thank the chairman for yielding. I thank him for his effort in putting together this amendment, and, before he leaves the floor, I would like to commend my friend, Mr. ENGEL from New York, for the very vigorous bipartisan speech that he gave here today because this is what this issue warrants. Chairman MCKEON has shown it, and I think all of us have to come together to the extent we can to support the President.

Now, Mr. Speaker, I have been critical of the President. I believe that action should have been taken earlier against ISIS, but we can have these debates. That is all in the past.

□ 1715

The fact is that ISIS is a real threat to the United States. As someone who comes from a district that lost over 150 people on 9/11, I never, ever want to go through that again.

I can say right now that ISIS is more powerful than al Qaeda was on 9/11. They have more financing. They have more weapons. They have more members. They have more of their fighters who have passports that will enable them to come into the United States. And we know that they are committed to destroying Western civilization, so it is essential that we take action against ISIS and take it quickly and take it emphatically.

I believe the President has the constitutional and statutory power to act, but I also think it is important for Congress to work with the President. The President has asked for this power to train moderate Syrians, and now I am not certain if that would work. I think it is going to be difficult to vet a sufficient number. It will be difficult to find them, to work with them.

Having said that, as Commander in Chief, the President is entitled, I believe. That is his prerogative, and we should stand with him on that, because if we can put together an effective fighting force on the ground, that would make our airpower all that more effective.

It is also important that we try to put together a coalition, and I believe Congress standing together as one, by

showing strong support for the President, that will encourage other countries to join with us. They will realize we are in this for real, that we are not just making empty gestures. It is important for Congress to come forward at this time.

Now, having said that, I also believe that the President should be more open with the American people and say this is going to be tough. And I believe that there are going to be boots on the ground. Now, I don't believe we have to have combat troops, per se. This is not going to be easy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCKEON. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. KING of New York. Mr. Speaker, we have to realize that no matter how well a war is planned, no matter how specific our strategy is, the fact is that there are going to be tough days ahead. This is going to be very rough. This is not going to be easy. And we have to condition the American people, prepare them for that and be honest with them.

We as Republicans, I believe, have an obligation not just to be critical, but to stand with the President if we believe overall that ISIS has to be stopped, and we have to support our Commander in Chief in doing that.

So what happened in the past is in the past. I don't want the past to be prolonged, but we can work constructively and positively and to make sure that the job gets done because too many lives are dependent on it.

I am not in this for Iraq. I am not in this for Afghanistan. Yes, that is important. I am in this for the people in the United States, people who never, ever should be attacked again, and our forces overseas who are in harm's way. That is our main obligation, and that is who I am voting for today when I vote for the chairman's amendment.

Again, I thank him for the outstanding job he has done; and since this may be my last time, to also commend him for the great job he has done as chairman over the last several years.

With that, I urge a ''yes'' vote.

Mr. GARAMENDI. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE), my friend.

Mr. PRICE of North Carolina. Mr. Speaker, I rise today in support of the McKeon amendment, which would permit the administration to train and equip Syrian opposition forces to confront the deadly threat posed to them and their country by ISIL.

This measure is limited, at least for another day the broader question of authorizing the use of force against ISIL. It extends only until December 11, the expiration date of the continuing resolution that it amends; but it is necessary if our country is to get underway the training of forces that are essential, if the Syrian component of the President's plan to degrade and defeat ISIL is to succeed.

The President has no intention of introducing ground combat forces into this conflict, but our strategy does depend on indigenous forces in Iraq and Syria fighting for their own countries, forces capable of taking advantage of the air and other support we will provide.

Getting such forces up to speed in Syria is one of the most difficult aspects of the challenges we face. Many speakers today have stressed these uncertainties and risks. I doubt there is a single one of them that the President hasn't recognized and considered in devising his strategy. But he has also done what we must now do: consider the consequences of letting the threat of ISIL go unchecked.

The continued spread of ISIL and its version of violent jihad present a grave threat to our national security and that of our allies in the region and around the world. The United States must work with allies to ensure that militant extremists do not further destabilize an already volatile region or establish a staging ground for terrorist activities aimed at American personnel and assets both at home and abroad.

So we have a grave responsibility, Mr. Speaker, to weigh the costs and benefits of our actions or of inaction or of this resolution being defeated. This is not a time, if I may say so, for Members to vote ''no'' and then hope the resolution, nonetheless, passes. We don't have the luxury of holding out for a perfect or assured outcome. We must make the best decision we can, countering the threat, but in a careful and measured way that maximizes the chances for success and that gives this body the ability to monitor and oversee the process so as to make course corrections when necessary.

I believe the resolution before us meets these tests, and I urge its adoption.

Mr. MCKEON. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana, Dr. CHARLES BOUSTANY, my friend and colleague.

Mr. BOUSTANY. Mr. Speaker, I want to put this in strategic context. We are seeing a once-in-a-century upheaval in the Middle East, and the most virulent manifestation of that is occurring in Syria today with a very complex civil war raging over several years.

On one side you have the brutal Assad regime aligned with Iran and Hezbollah, another terrorist group, and on the other side a panoply of Sunni groups of which the worst, the most barbaric, is ISIL. It is in America's national interest, our national security interest, to defeat and destroy ISIL, period, hands down.

This is going to require American unity, American resolve. And I can tell you, never, never in recent times has American leadership been more in demand. This is the time for us to step up. It will take a lot of work. It is going to take merging the fighting capabilities of the Kurdish Peshmerga with the Iraqi forces; and, yes, it will take the U.S. training and vetting moderate Syrian forces to deal with this.

This is a necessary first step, and that is why I support this amendment. It is necessary. It is not sufficient. Again, we need a broader strategy that is going to involve a coalition. This first step will show that American resolve to friends and foes alike as well as those who are on the sideline. We will demonstrate that and pull this coalition together.

This will help the President have the necessary leverage to do this and put this coalition in place to defeat this threat of ISIL, but also to get to a broader political settlement in the region, because what is going on in Syria, even beyond ISIL, is a national security threat to the United States. That is why this country, all Americans, must speak with a unified voice. A strong vote on this amendment is essential as a first step to putting this in place.

My colleagues, Mr. Speaker, I urge the President—I urge the President—to put all diplomatic efforts into putting together a strong coalition and to ask for very specific deliverables on each of these countries, whether it is Turkey or Qatar or the Saudis. These countries have to step up if we are going to have a successful strategy in the long run.

The President needs leverage. This gives him the first step. I would hope that he will come to the Congress for a broader authorization for the use of military force because I do believe that will give him all the leverage he needs to complete this diplomatic task in putting a coalition together, along with the military strategy with these allies in the region, to defeat the immediate threat of ISIL and to eliminate this major problem we are seeing with a failed state in Syria that has allowed ISIL and some of these other extremist groups to arise.

This is the time for unity. This is the time for American leadership. This is a time that we step up.

Mr. SMITH of Washington. Mr. Speaker, I yield 4 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the ranking member, Mr. SMITH, for yielding.

Mr. Speaker, the resolution before us is a fateful one. If operations planning is not executed properly, it will result in the United States becoming embroiled in a modern version of the Hundred Years' War.

Over the past decade, and indeed since the bombing of our Marine barracks in Lebanon three decades ago, our Nation's blood and treasure have been expended in growing numbers to influence Middle East foreign policy. Most recently, the result has shifted Iraq from a Sunni-led dictatorship under Saddam Hussein to be replaced by a corrupt, unrepresentative Shi'a-leaning regime led by Nouri al-Maliki. Both corrupt regimes thwarted democratic advancement, and now a new, untested government has been set in place in Baghdad, but its effectiveness is unknown. Its connectivity to its own people across its provinces is uneven and undemocratic.

Meanwhile, we witness the rise of ISIL, a barbaric Sunni force largely composed of foreign fighters from other nations that manifests the discontent of the Sunnis. ISIL's leader had been a leader inside al Qaeda Iraq.

Recognize for the most part, Iraq's huge Sunni population has been vastly ignored and purposefully excluded in Iraq's al-Maliki-led government. There is a huge chasm between Baghdad's politically unrepresentative government and the reality of the Sunni tribes not affiliated with ISIL that have dug in for the long haul and exist in key provinces in Iraq.

It is to America's peril if we miscalculate and fail to understand their importance. It is to America's peril if we underestimate who the enemy is, what ISIL is fighting for and against, and what it will take to defeat ISIL.

America must stand at liberty's side but never place our military between two warring factions whose hatred for one another is legendary and lethal. If America is pulled into a civil war on the lands of Iraq and Syria, perceived as having taken sides with the Shi'a against the Sunnis, we will be on the wrong side of history.

Our military has already lost over 6,000 valorous Americans, with 50,000 more brave wounded or incapacitated. Our Nation has spent over a trillion dollars, including training over 800,000 Iraqis to defend their own nation.

But legions of Iraq's Army that our government trained, at the first test of their mettle against ISIL, tore off their uniforms and fled. It is not disputed that an important reason for this is that the former Prime Minister of Iraq, Maliki, purposefully weakened his own Iraqi Army by putting his incompetent cronies in charge of units that ultimately were underequipped and could not fight.

To win, America cannot and must not make the mistake of ignoring the legitimate concerns of Sunni native tribal leaders in Iraq who have been summarily cut out of the decisions being made by a Baghdad government so unrepresentative and so utterly calculated against Sunni representation. This exclusion will imperil success in any coalition effort to rid the regime of ISIL's barbarism.

It has come to my attention that the exclusion of Iraq's four main Sunni-Arab tribal groups from contact with decisionmakers in Baghdad and elsewhere continues. The current government in Baghdad, led by Prime Minister Haider Abadi, does not engender nor seek their confidence. There is no contact between, for example, historic Sunni tribes and the Iraqi Government nor our government. What a gaping omission. The four main tribes are the Al-bu Khalifah, Al-bu Mar'i, the Al-bu Fahd, and the Al Sulayman. It has also come to my attention that if any Iraqi claims to speak for them in Baghdad, he does not, or he does so fraudulently.

Before I can vote on any resolution that might potentially embroil our military in taking sides in a major Shi'a-Sunni civil war across that vast region, I would seek assurances that our government has been in direct contact with the native Sunni tribes in Iraq whose mettle was proven in the first awakening.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. KAPTUR. Mr. Speaker, might I ask for an additional 30 seconds.

Mr. SMITH of Washington. I yield the gentlelady an additional 30 seconds.

Ms. KAPTUR. To fail to understand their importance or their systematic exclusion from the machinations in Baghdad is to play a war game of chess with half the board empty.

Be aware, if certain key decisionmakers in our own government as well as Baghdad's didn't recognize that Mosul could be taken by ISIL, why depend on those same advisers to plot a forward strategy now? Our policy should be to leave no chessmen off the table.

Today, very, very, very reluctantly, I will support this resolution, but with great misgivings. I hold the sincere hope the administration will hear my pleas to measure up to the full task at hand. Leave no major Sunni interests absent from the daunting political and military coalition that must be forged to be successful in this venture.

□ 1730

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. MCALLISTER), my friend and colleague.

Mr. MCALLISTER. Mr. Speaker, I thank the chairman for all his hard work on getting this amendment before us today.

Mr. Speaker, I am very frustrated that I stand before you today and we can wage a war on Ebola, yet we sit back for hours and allow ISIL to wage a war against us.

A ''no'' vote is the easiest vote to cast. We cannot stand back and do nothing while ISIL continues to threaten our national security and terrorizes the Middle East.

Everyone wants to be a general, but now is not the time to argue amongst ourselves. Back home, people think all we do is argue about petty politics and get nothing accomplished. Now is the time to take action and stand unified behind House leadership and deal with this serious threat.

We are dealing with one of the most barbaric terrorist organizations we have seen in years and the American people cannot afford to have Congress go home without authorizing an effective strategy to annihilate ISIL.

This resolution does not appropriate new funding; it simply gives congressional approval to act in the best interest of our national security without acting unilaterally.

It would be a disservice to American citizens and our allies if we continue bickering while ISIL mobilizes and recruits new members. Destroying ISIL requires a coordinated effort to arm and train those fighting our enemies.

As a veteran, I do not want to see my brothers in arms' blood shed and them die in vain for where we have not completed a mission.

Mr. Speaker, 9/11 is a reminder that terrorism does not recognize boundaries. We are the United States. We must stand united to defeat all enemies, both foreign and domestic, when appropriate, on their soil and not ours.

I urge my colleagues to act now and pass this amendment.

Mr. SMITH of Washington. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, I want to thank the gentleman for yielding and for his very deliberative work in leading our minority.

I am glad that we are debating the President's proposal to arm and train the Syrian rebels. But, Mr. Speaker, I am totally disappointed that a debate on something that could have such broad implications on the United States' national security and the region is being included as an amendment to the continuing resolution. When I became a member of the Appropriations Committee, the first rule I was taught was that you don't authorize on an appropriations bill.

Yet this is another instance of Congress taking a pass on its solemn constitutional obligations to weigh in on matters of war and peace.

I am reminded of the failure to have a thorough and robust debate in the wake of 9/11 and the resulting overly broad authorization which I could not vote for because it was a blank check for perpetual war, and it still is on the books and it is being used as the authority for the strikes that are taking place now. This resolution should be repealed.

And it was the rush to war against Iraq in 2002 that led us to where we are today. ISIS did not exist until the unnecessary and ill-begotten war in Iraq, which created sectarian violence and a civil war.

We should be clear what the United States is committing itself to in Iraq and Syria. The U.S. has conducted nearly 3,000 missions and more than 150 airstrikes, and has deployed more than 1,000 troops already. In a speech about the United States' mission against ISIS, the President said: ''I don't think we're going to solve this problem in weeks. This is going to take some time.''

I ask today: Does this amendment begin to help us contain ISIS or to dismantle ISIS? And what are we getting ourselves into? It is more complex than just an up-or-down vote on arming and training the members of the Free Syrian Army.

The consequences of this vote will be—whether it is written into the amendment or not—a further expansion of a war currently taking place and our further involvement in a sectarian war. That is the consequence of this amendment.

As I said earlier, no one in this body believes that we should stand by while ISIS wreaks havoc across the region. And the brutal nature of ISIS and who they are, we understand very clearly, and we must address ISIS in a big way now. No one believes that we should not deal with ISIS.

But let me just tell you, a military solution, as the President said, is not the way we are going to dismantle or disable or stop ISIS. I supported the President's plan to protect U.S. personnel and to prevent genocide. But any expansion of the military strikes and what took place during that terrible period really requires a full debate and an authorization of the use of force here on this floor, and that is not what we are doing today.

Also, what is missing from this debate are the nonmilitary solutions and options to this crisis. The President and his national security experts have stated repeatedly that there is no military solution. Yet here we are today once again only discussing more arms and more airstrikes.

There are too many unanswered questions for me to support this amendment. How will we avoid embroiling the United States in a sectarian conflict—in a deeper involvement, actually, in a sectarian conflict—in Iraq and Syria? How do we ensure different outcomes than when we spent U.S. tax dollars, mind you, to train and equip the Iraqi army?

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The time of the gentlewoman has expired.

Mr. SMITH of Washington. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. LEE of California. How will we ensure that the United States weapons that we are providing to Syrian rebels won't get into the wrong hands, as they did with the rebels when we supported them in Libya? How will we ensure that what we are doing now won't further destabilize the region? And how will we ensure that we do not stand here years from now debating on how to stop another ISIS—ISIS II?

Mr. Speaker, what is missing from this debate is the political, economic, and diplomatic and regionally-led solutions that will ultimately be the tools for security in the region and for any potential future threats to the United States.

These are significant questions that must be answered before Congress should vote on a proposal, no matter how limited, to intervene militarily once again in a region that is very complicated and that is very dangerous. We should not act in haste, and we must heed the lessons of the past. We must also live up to our constitutional obligation to debate authorization of the use of military force rather than authorize to send arms to Syrian rebels on a continuing resolution to keep the government open. That is why I will vote ''no'' on this amendment.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana, Dr. FLEMING, my friend and colleague, a member of the Armed Services Committee.

Mr. FLEMING. Mr. Speaker, I thank my good friend, the chairman.

Mr. Speaker, I am opposed to the President's vague and inadequate strategy for dealing with ISIS; and, therefore, I rise in opposition to this amendment.

In his haste to claim credit for withdrawing our troops from Iraq, President Obama left the door open to exactly the kind of crisis that has exploded throughout the region. Instead of working hard to renew a status of forces agreement with a sufficient number of American troops to preserve the peace, President Obama was anxious to use withdrawal from Iraq as a campaign slogan in 2012. We are now reaping the whirlwind sown by that reckless policy.

This new policy is little more than an incremental strategy, not unlike the one used in Vietnam. History warns of the dangers of such approaches. By moving hesitantly, in piecemeal fashion, the enemy has more time to learn, adapt, and get stronger. This is a recipe for stalemate and failure.

There is another obvious lesson in all of this: almost since taking office, the Obama administration has been working to reduce our military. President Obama has directed over $1 trillion in cuts to the U.S. military since he took office. Under his planned cuts, senior Army leaders have testified that the Army would be unable to repeat its performance over the last decade in Iraq and Afghanistan.

And, finally, the President has acted as if dangerous and avowed enemies are either not serious threats—like the JV team of global terrorism—or he has acted as though they are reasonable enemies who are willing to negotiate peace.

Neither is true with ISIS. If we are going to degrade and destroy them it will not happen through an indecisive strategy that relies on unreliable and largely unknown help from Syrian rebels, whose own motivations and goals are mixed, and almost impossible to be certain of.

In addition, recent history has taught us that the weapons and resources we commit to other forces could easily fall into the hands of even worse enemies, like ISIS.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER), my friend and colleague.

Mr. ROHRABACHER. Mr. Speaker, I rise in opposition to this amendment.

I support President Obama's authority as Commander in Chief, but his game plan is flawed. It will lead to failure and will put us more in danger.

The President's approach of using American air power and local ground troops is wise. It worked in Afghanistan and it worked in Kosovo.

However, President Obama is choosing the wrong locals to support. With this vote, Congress approves the arming and training of the Free Syrian Army, which is riddled with radical Muslims. In short, we may again be arming insurgents who will end up our enemy.

We are told that the Free Syrian Army has been vetted and that we can trust them. This is wishful thinking, not realistic planning.

The President wants to send more equipment and supplies and weapons to the Kurds. That is certainly a good concept, but proposes to send our assistance via the Iraqi Government in Baghdad. Rest assured, Baghdad will pass on whatever it doesn't want to keep for itself. And remember, they wasted most of what we have already given them. Arming radical Islamists is bad enough; depending on Baghdad to distribute our military equipment to the right people makes even less sense.

We should arm the Kurds directly; then, instead of relying on an unknown and perhaps radical force, we should instead reach out to the Assad regime and enlist his support in a fight against the common enemy. Perhaps we should consult President Putin in Russia about this issue rather than consult the mullahs in Iran.

The President's proposal will not work. I will not support it. Yet another infusion of American troops into this never-ending conflict in the Middle East is a wrong move. It is wrong for the people of the United States and will not succeed.

I ask my colleagues to vote ''no'' on this amendment.

Mr. SMITH of Washington. Mr. Speaker, I, again, reserve the balance of my time.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. PITTENGER), my friend and colleague.

Mr. PITTENGER. Mr. Speaker, I thank the chairman. Mr. Chairman, I acknowledge the tremendous leadership that you have given to this Nation. I am grateful for what you have done as a servant in our Congress to protect this Nation, to provide the security that is needed, and I admire you greatly for your work.

Mr. Speaker, I rise today in support of this amendment.

This amendment is critical to begin the needed process to destroy ISIS. Yes, it is limited in scope of what the President has designated the Congress to approve, but it is necessary. We must convey to the world our commitment to destroy ISIS, the gravest threat that we have ever seen in the history of this country.

But a grave threat, Mr. Speaker, requires a commitment, a thorough commitment, to make sure the job is done. What we are doing today is limited in scope, but yet it is very important. We cannot, however, have a commitment

that is limited, we cannot have the mindset of a Neville Chamberlain, who never recognized the threat and the force of Adolf Hitler in Germany.

We have an enormous threat before us today. The President gratefully acknowledges the threat. However, he has been long in coming to that reality of what we face in the world today.

□ 1745

Yes, he did stand down on missile defense in Poland and Czechoslovakia. Yes, he did stand down our military to the lowest levels since World War II. Yes, he has appeased the Iranians and given them additional time to build up their economy, to build up their nuclear capacity.

He has a scope of the world and understanding that is foreign to me. There are real adversaries out there. Gratefully, he understands the adversaries that we have in ISIS today. They are but yet a part of the dimension of what we are forced to encounter. It must be done, and it must be done with this initial amendment. We will need to come back. We will need to be honest with the American people of what is required to secure this country.

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

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. WILLIAMS), my friend and colleague.

Mr. WILLIAMS. Mr. Chairman, thank you for your leadership.

The Obama administration is so out of touch with reality, it is disturbing. Just last year, President Obama said the war on terror is over. Last month, the official White House spokesperson said Obama's policies have enhanced the world's tranquility, even though there are serious growing conflicts in Gaza, Syria, Iraq, Iran, Ukraine, and China.

Today, Chairman of the Joint Chiefs of Staff Martin Dempsey publicly recommended deploying U.S. combat troops to Iraq should the President's coalition-building efforts fail to curb the threat of ISIS.

If there ever was a time to ensure that America's military was well-prepared, highly trained, and fully equipped, it would be right now. Our enemies are growing stronger, our allies aren't stepping up, and the President's sequester has strained our military's ability to plan and prepare for all potential threats.

The President was caught off guard, leaving our troops underfunded. He must have a clearly defined strategy that fully funds and equips our military.

My district, the 25th District of Texas, is home to Fort Hood, the largest military base in America and home to some of the greatest young men and women the country has ever known. These soldiers and all who wear the uniform need to have the full support of their Congress and their President.

They need adequate funding, training, and the best armored trucks, planes, weapons, and ammunition in the whole wide world. We need to have an unbeatable military readiness and the highest quality of life for the greatest military in the history of the world.

Before President Obama takes any more actions to combat our terrorist enemies, he must work with Congress to roll back his sequester cuts and provide our troops with the support and resources they need and deserve.

In God we trust.

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

Mr. MCKEON. Mr. Speaker, might I inquire how much time we have remaining on both sides?

The SPEAKER pro tempore. The gentleman from California has 1 hour and 50 minutes remaining. The gentleman from Washington has 1 hour and 55 minutes remaining.

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

A lot has been said today on both sides of this issue. As I have listened carefully to all of the arguments, it seems to me that the main argument, as I have heard it, against acting on this amendment at this time is that it doesn't go far enough or we don't know for sure if it would be successful.

I have been in this body now for 22 years. I wish that I had the foresight every time we come to this floor to know exactly what is going to happen after we take action, but it seems to me that none of us really has that foresight.

We can think about it, we can project, but we really don't know what is going to happen if we take action. Sometimes, we know what is going to happen if we don't take action. I think that is probably what we ought to be thinking a little bit about today.

There were some comments made about Iraq and Syria. One thing that I think hasn't been mentioned that I think we know is that we left Iraq precipitously. We can talk about blame. We can place it on President Obama.

I could criticize him for a lot of things, but I sure wouldn't want his job, and I think, because we did leave early, we didn't leave any residual force behind. Maliki did some things that we probably all would have changed.

Saddam Hussein, who was a Sunni—Sunnis are the minority in Iraq—oppressed the Shi'a; so, when Maliki came in, a Shi'a, he oppressed the Sunnis. I think one thing that we do know is that the new Prime Minister, Haider al-Abadi, is really making an effort to reach out to the Sunnis, the Shi'a, and the Kurds to bring a legitimate government that will look out for all of its people.

I think that has given us the opportunity to go into Iraq. The President has put over a thousand of our troops in there, bucked them up, and helped them with the things that they need to be successful in fighting off the terrorists, ISIL, and I think that there are things that they cannot do that we can help them with.

They need intelligence. They need ISR. They need logistics. They need air support. If we provide those things and they see that they are getting good support from their government and that it is not a fight between different sects or different regions and yet they can actually fight together as Iraqis, they will be successful in pushing ISIL back which would be a good thing. They can retake the territory that has been lost.

In the meantime, if we vote for this amendment, we give the President the authority to train Syrians that are thoroughly vetted in Saudi Arabia and then put them back into the fight.

These people are fighting for their homeland. These are people that are fighting for their villages, and they are fighting for their families. Are they perfect? We don't know, but I was talking to one of our retired generals who has been in the fight, and he told me that, sometimes, you have to work with people that are willing to fight the same enemy that you are willing to fight.

In this case, these people that we are looking at are willing to fight ISIL. If they have the help that we can provide, they can be successful, and then the people that we train can go back into the fight in Syria, and we can squeeze ISIL in between Syria and Iraq and keep them from entering into other nations where we do not wish to fight at this time.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT), my friend and colleague.

Mr. GOHMERT. Mr. Speaker, I do appreciate all the time and energy that our House Republican leaders have put into this issue, trying to work with the President, but the truth is that, if you look back under this President as Commander in Chief, we trained people in Libya. We provided weapons to Libya that were then used against us in Benghazi.

There are Americans dead because this administration felt compelled to go in and take out Qadhafi. Sure, it was under the guise of NATO, but we did it. This administration saw to the bombing of Qadhafi. It refused to allow him to leave peacefully, and it has cost us.

Because Libya fell, so did Algeria and Tunisia, and it jump-started, as I have said before, the new Ottoman Empire, the new caliphate that the Muslim brothers and so many of the radicals are saying they are going for.

One of the big problems, too, when we go in and train, as this President wants to do for the Syrians, they learn our tradecraft. They use it against us, as they did at Benghazi.

Al Qaeda today has indicated that all jihadists must combine together. That pressure is going to get greater and

greater. Also, today, the Muslim Brotherhood cleric who had been kicked out of Qatar—I believe he is now in Turkey—is calling for an all-out Muslim Brotherhood opposition to the United States.

Yusuf al-Qaradawi, the head of the Muslim Brotherhood, is likewise begging jihadists to combine together in their fight against the United States.

Where is Qaradawi? He is in Turkey. Yes, that is the Turkey that this President says we are going to count on as one of our allies, and yet Turkey has announced last week that they will not allow the U.S. to conduct air strikes against ISIS from Turkish air bases.

We are in big trouble here. Our action will unify radicals against us. It has already been announced that Colonel Riad al-Asaad, the leader of the Free Syrian Army, has said it would not join the alliance against the Islamic State unless it receives assurances on toppling the Syrian regime. That was reported by Anadolu, the Turkish news agency, just in the last few days.

This is serious stuff. We are uniting the jihadists of the world to come against us. Why? Because there is nothing lower to these jihadists than infidels that help invade what they consider to be a Muslim country.

We are about to ask for more than this administration knows. Why? Because it continues to purge our training material. They are not allowed to understand what it is we are up against.

When you lose The New York Times, as this administration has, you are in big trouble if you are President Obama.

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

Mr. MCKEON. Mr. Speaker, let me just say again that most of the arguments I have heard are, ''Don't do this.'' I haven't heard an alternative.

I think what we need to remember—and we hear it a lot around here—is let's not make the perfect the enemy of the good. The President, the Commander in Chief, has asked for this authority. Saudi Arabia is willing to work with us on this. We need to develop the coalition. We are working hard to make that happen.

At this time, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

I agree very strongly with Chairman MCKEON on one point. You can raise all manner of different questions, but there are no guarantees. If you are trying to figure out how to vote on this and you won't vote in favor until we are guaranteed nothing can go wrong, then save yourself the argument and just vote ''no.'' This is a very dangerous part of the world, and, in any part of the world, something can always go wrong. We cannot guarantee that there will be no bad outcomes.

I think one of the things that has been lost in all this is that train and equip has been equated simply with Iraq and Afghanistan and has been deemed a failure. I really want to point out to people that the U.S. military—and the U.S. Government more broadly—has engaged in many very successful train-and-equip missions.

In fact, this is the way out of Iraq and Afghanistan, the way out of committing over 100,000 U.S. troops to a battle to try to fundamentally change a country. You build partnerships, and those partners in those local areas are the ones that do the fighting and pursue the interests.

In Somalia, we have a very significant problem with al-Shabaab. We have not, I believe, lost a U.S. life in that region. We have trained and equipped Ethiopia, Kenya, and Uganda. They have helped take the fight to al-Shabaab in Somalia in a very successful manner.

□ 1800

We are working with the Yemeni Government right now to help defeat al Qaeda in the Arabian Peninsula within Yemen. And believe me, the country of Yemen is not a model of anything. It has all manner of different challenges in terms of its governance. And you certainly could have looked at that and said, Wow, we are going to work with those guys?

But we did not want al Qaeda in the Arabian Peninsula to continue to grow and continue to threaten us, where at least two terror attacks against the U.S. were launched, so we trained and have worked with the Yemen Government in a way that has helped contain AQAP. Train and equip absolutely is a policy that can work, and that is what we are going to try and do in Syria.

So backing up to the policy there, there are several steps to this.

First of all, should we confront ISIS? I mean, that is an initial decision. And I suppose you can decide that it is way across the world. You have got Sunnis fighting Shi'as. You have got Syria. You have got Iran. You have got all manner of different people all mixed up in this. Let's just wash our hands of it and hope it works out.

The problem with that is ISIS has made it clear that they will kill Americans and that they will threaten us. And if they continue to grow and continue to hold territory, they will absolutely plan and plot attacks against the United States. So simply allowing ISIS to go forward doesn't strike me as a good option, which brings us to the second question.

Okay, if you want to try to contain them, how do you do it? And I completely agree with the cautionary notes that have been cited about just sending in the U.S. military to do it. I think the risks there are enormous, and it would not be successful because it would unite all—not all, but would unite a fair number of Sunnis and radicals against us.

So the option on the table is to train and equip local partners to do the fighting. We have done it successfully with the Kurds. We are making progress now with Iraq now that we have got Maliki out as Prime Minister and we have a new government that at least gives the Sunnis some hope that they will be included in the Iraqi Government.

In Syria, we will have to work with the Free Syria movement. Now, we have already been working with a lot of these folks. We have already been providing humanitarian assistance and some other assistance as well, so it is not like we don't have anybody over there. We do know some folks and we should work with them, because the alternative is allowing Syria to be divided up between Assad and ISIS, and that alternative is unacceptable.

Lastly, I want to say that I fully understand the concerns about mission creep. I fully understand the concerns about open-ended warfare, but this is not what we are talking about.

As the chairman and many others have said, we should have a debate about an AUMF on this floor. This is not an AUMF. This in no way authorizes any U.S. military action against anybody. All it does is it authorizes the Department of Defense to train and equip other forces. Our forces will be hundreds of miles from the battlefield, training and equipping other forces.

So I agree, there is a much larger debate to have if an AUMF is put out on the floor, and we have to think about will this be taken and interpreted way too broadly. We have seen that happen with the 2001 AUMF, for instance. So that will be a worthy debate.

That is not what we are doing here. In fact, this is something that 3 years ago many people suggested that the U.S. Government should do. But we cannot do it unless Congress authorizes the Department of Defense to do it.

So I think this is much more narrow in scope than the broader debate, and the broader debate is one we should have. But here we are talking about a very narrow approach of train and equip that, frankly, can help limit U.S. action.

I have heard some of my colleagues say, well, you know, we understand the bombing. We need to do the bombing because ISIS is a threat and all that. But we don't want to do the train and equip which, to me, is just completely backwards.

If you are concerned about mission creep, if you are concerned about the U.S. getting too involved, then direct military action is certainly a heck of a lot more involvement than training and equipping others in the region to lead the fight.

I think that is an appropriate policy. I applaud the chairman for his work in putting this together.

We do have more work to do. This only authorizes this until the CR runs out, December 11, I believe, so we will have to do this in the National Defense Authorization Act. But I think it is a modest and appropriate step, and whatever criticism you have of all manner

of different mistakes, perceived and actual, that the President may have made before, please don't let that color what is an incredibly important policy decision as we try to decide how to confront a very real threat in ISIS.

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

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

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.J. Res. 124 is postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2, AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT; PROVIDING FOR CONSIDERATION OF H.R. 4, JOBS FOR AMERICA ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2014, THROUGH NOVEMBER 11, 2014

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113–601) on the resolution (H. Res. 727) providing for consideration of the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes; providing for consideration of the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes; and providing for proceedings during the period from September 22, 2014, through November 11, 2014, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5405, by the yeas and nays;

H.R. 5461, by the yeas and nays;

S. 1603, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROMOTING JOB CREATION AND REDUCING SMALL BUSINESS BURDENS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5405) to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, to reduce regulatory burdens, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 320, nays 102, not voting 9, as follows:

[Roll No. 501]

YEAS—320

Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Cárdenas
Carney
Carter
Cassidy
Chabot
Chaffetz
Cicilline
Clawson (FL)
Coble
Coffman
Cole
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Daines
Davis (CA)
Davis, Rodney
DeGette
Delaney
DelBene
Denham
Dent
DeSantis
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Keating
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quigley
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Scalise
Schneider
Schock
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—102

Bass
Beatty
Becerra
Blumenauer
Bonamici
Brady (PA)
Butterfield
Capps
Capuano
Carson (IN)
Cartwright
Castro (TX)
Chu
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Courtney
Cummings
Davis, Danny
DeFazio
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Fattah
Frankel (FL)
Fudge
Gabbard
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Hinojosa
Horsford
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Kennedy
Kildee
Larson (CT)
Lee (CA)
Levin
Lewis
Lofgren
Lowenthal
Lynch
McDermott
McGovern
Michaud
Miller, George
Moore
Nadler
Napolitano
Neal
Negrete McLeod
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Pingree (ME)
Pocan
Price (NC)
Rangel
Richmond
Roybal-Allard
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Smith (WA)
Takano
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Wasserman Schultz
Waters
Waxman
Welch

NOT VOTING—9

Aderholt
Barton
Capito
Castor (FL)
Collins (GA)
DesJarlais
Holt
Nunnelee
Rush

□ 1841

Ms. KAPTUR, Messrs. SMITH of Washington, RICHMOND, GENE GREEN of Texas, Ms. LEE of California, and Messrs. BUTTERFIELD and SCHIFF changed their vote from ''yea'' to ''nay.''

Messrs. POLIS, THOMPSON of California, Ms. WILSON of Florida, Mr. BEN RAY LUJÁN of New Mexico, Ms. MATSUI, Mr. FARR, Ms. BROWN of Florida, Mrs. DAVIS of California, Mr. CICILLINE, Ms. SLAUGHTER, and Mr. LANGEVIN changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INSURANCE CAPITAL STANDARDS CLARIFICATION ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5461) to clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act, to improve upon the definitions provided for points and fees in connection with a mortgage transaction, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 327, nays 97, not voting 7, as follows:

[Roll No. 502]

YEAS—327

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Beatty
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Cárdenas
Carney
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Clawson (FL)
Cleaver
Clyburn
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Daines
Davis, Rodney
DeGette
Delaney
DelBene
Denham
Dent
DeSantis
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Keating
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quigley
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schneider
Schock
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—97

Bass
Becerra
Blumenauer
Bonamici
Brady (PA)
Butterfield
Capps
Capuano
Carson (IN)
Cartwright
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cohen
Conyers
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Farr
Fattah
Fudge
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Hinojosa
Horsford
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Kennedy
Langevin
Lee (CA)
Levin
Lewis
Lofgren
Lowenthal
McDermott
McGovern
Michaud
Miller, George
Moore
Nadler
Napolitano
Negrete McLeod
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Pingree (ME)
Pocan
Price (NC)
Rangel
Richmond
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Schwartz
Scott (VA)
Serrano
Smith (WA)
Speier
Takano
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Waxman
Welch
Yarmuth

NOT VOTING—7

Barton
Capito
Castor (FL)
DesJarlais
Holt
Nunnelee
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker Pro Tempore (during the vote). There are 2 minutes remaining.

□ 1849

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GUN LAKE TRUST LAND REAFFIRMATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1603) to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 359, nays 64, not voting 8, as follows:

[Roll No. 503]

YEAS—359

Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Camp
Capps
Capuano
Cárdenas
Carney
Carter
Cartwright
Cassidy
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Honda
Horsford
Hoyer
Hudson
Huffman
Hultgren
Hunter

Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pocan
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Womack
Yarmuth
Yoder
Yoho
Young (AK)

NAYS—64

Aderholt
Amash
Bentivolio
Bridenstine
Burgess
Campbell
Carson (IN)
Clawson (FL)
Dent
DeSantis
Duffy
Duncan (SC)
Duncan (TN)
Fleming
Forbes
Foxx
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Griffith (VA)
Grijalva
Harris
Herrera Beutler
Holding
Huelskamp
Huizenga (MI)
Hurt
Jenkins
Jordan
King (IA)
Kingston
Labrador
Lamborn
Marchant
Meadows
Miller (MI)
Mulvaney
Neugebauer
Palazzo
Perry
Pitts
Poe (TX)
Pompeo
Price (GA)
Ribble
Rice (SC)
Roby
Rogers (AL)
Ryan (OH)
Salmon
Sanford
Sensenbrenner
Smith (NJ)
Southerland
Stutzman
Weber (TX)
Westmoreland
Wilson (SC)
Wittman
Wolf
Woodall
Young (IN)

NOT VOTING—8

Barton
Capito
Castor (FL)
DesJarlais
Holt
Nunnelee
Rush
Stockman

□ 1857

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1900

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 motions 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.

Record votes on postponed questions will be taken later.

DEPARTMENT OF VETERANS AFFAIRS EXPIRING AUTHORITIES ACT OF 2014

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5404) to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5404

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Department of Veterans Affairs Expiring Authorities Act of 2014''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.
Sec. 3. Scoring of budgetary effects.

TITLE I—EXTENSIONS OF AUTHORITY RELATING TO HEALTH CARE

Sec. 101. Extension of requirement to provide nursing home care to certain veterans with service-connected disabilities.
Sec. 102. Extension of authority for pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces.
Sec. 103. Extension of authority for pilot program on assistance for child care for certain veterans receiving health care.
Sec. 104. Extension of authority to make grants to veterans service organizations for transportation of highly rural veterans.
Sec. 105. Extension of requirement for report on activities of Department of Defense-Department of Veterans Affairs Interagency Program Office.
Sec. 106. Extension of authority for the performance of medical disabilities examinations by contract physicians.
Sec. 107. Extension of authority for collection of copayments for hospital care and nursing home care.
Sec. 108. Extension of authority for recovery from third parties of cost of care and services furnished to veterans with health-plan contracts for non-service-connected disability.

TITLE II—EXTENSIONS OF AUTHORITY RELATING TO HOMELESSNESS

Sec. 201. Extension of current funding level for comprehensive service programs for homeless veterans.
Sec. 202. Extension of authority for homeless veterans reintegration programs.
Sec. 203. Extension of authority to provide referral and counseling services for certain veterans at risk of homelessness.
Sec. 204. Extension of authority for treatment and rehabilitation services for seriously mentally ill and homeless veterans.
Sec. 205. Extension of authority to provide housing assistance for homeless veterans.
Sec. 206. Extension of authority to provide financial assistance for supportive services for very low-income veteran families in permanent housing.
Sec. 207. Extension of authority for grant program for homeless veterans with special needs.
Sec. 208. Extension of authority for the Advisory Committee on Homeless Veterans.

TITLE III—EXTENSIONS OF AUTHORITY RELATING TO BENEFITS

Sec. 301. Extension of authority for the Veterans' Advisory Committee on Education.
Sec. 302. Extension of authority for calculating net value of real property at time of foreclosure.
Sec. 303. Extension of authority relating to vendee loans.

TITLE IV—OTHER EXTENSIONS OF AUTHORITY AND OTHER MATTERS

Sec. 401. Extension of authority to transport certain individuals to and from Department of Veterans Affairs facilities.
Sec. 402. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.
Sec. 403. Extension of requirement to provide reports to Congress regarding equitable relief in the case of administrative error.
Sec. 404. Extension of authority for Advisory Committee on Minority Veterans.
Sec. 405. Extension of authority for temporary expansion of eligibility for specially adapted housing assistance for certain veterans with disabilities causing difficulty ambulating.
Sec. 406. Restoration of prior reporting fee multipliers.
Sec. 407. Extension of authority for agreement with National Academy of Sciences.
Sec. 408. Health professionals education debt reduction.
Sec. 409. Amendments to Veterans Access, Choice, and Accountability Act of 2014.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—EXTENSIONS OF AUTHORITY RELATING TO HEALTH CARE

SEC. 101. EXTENSION OF REQUIREMENT TO PROVIDE NURSING HOME CARE TO CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES.

Section 1710A(d) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

SEC. 102. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON COUNSELING IN RETREAT SETTINGS FOR WOMEN VETERANS NEWLY SEPARATED FROM SERVICE IN THE ARMED FORCES.

(a) EXTENSION OF AUTHORITY.—Subsection (d) of section 203 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1143; 38 U.S.C. 1712A note) is amended to read as follows:

''(d) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on December 31, 2015.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (f) of such section is amended by striking ''fiscal years 2010 and 2011'' and inserting ''fiscal years 2010, 2011, and 2015''.

SEC. 103. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING HEALTH CARE.

(a) EXTENSION OF AUTHORITY.—Subsection (e) of section 205 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1144; 38 U.S.C. 1710 note) is amended to read as follows:

''(e) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on December 31, 2015.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (h) of such section is amended by striking ''2014'' and inserting ''2015''.

SEC. 104. EXTENSION OF AUTHORITY TO MAKE GRANTS TO VETERANS SERVICE ORGANIZATIONS FOR TRANSPORTATION OF HIGHLY RURAL VETERANS.

Section 307(d) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by striking ''2014'' and inserting ''2015''.

SEC. 105. EXTENSION OF REQUIREMENT FOR REPORT ON ACTIVITIES OF DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS INTERAGENCY PROGRAM OFFICE.

Section 1635(h)(1) of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 460; 10 U.S.C. 1071 note) is amended by striking ''2014'' and inserting ''2015''.

SEC. 106. EXTENSION OF AUTHORITY FOR THE PERFORMANCE OF MEDICAL DISABILITIES EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108–183; 38 U.S.C. 5101 note) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

SEC. 107. EXTENSION OF AUTHORITY FOR COLLECTION OF COPAYMENTS FOR HOSPITAL CARE AND NURSING HOME CARE.

Section 1710(f)(2)(B) is amended by striking ''September 30, 2014'' and inserting ''September 30, 2015''.

SEC. 108. EXTENSION OF AUTHORITY FOR RECOVERY FROM THIRD PARTIES OF COST OF CARE AND SERVICES FURNISHED TO VETERANS WITH HEALTH-PLAN CONTRACTS FOR NON-SERVICE-CONNECTED DISABILITY.

Section 1729(a)(2)(E) is amended by striking ''October 1, 2014'' and inserting ''October 1, 2015''.

TITLE II—EXTENSIONS OF AUTHORITY RELATING TO HOMELESSNESS

SEC. 201. EXTENSION OF CURRENT FUNDING LEVEL FOR COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.

Section 2013(7) is amended by striking ''$150,000,000'' and inserting ''$250,000,000''.

SEC. 202. EXTENSION OF AUTHORITY FOR HOMELESS VETERANS REINTEGRATION PROGRAMS.

Section 2021(e)(1)(F) is amended by striking ''2014'' and inserting ''2015''.

SEC. 203. EXTENSION OF AUTHORITY TO PROVIDE REFERRAL AND COUNSELING SERVICES FOR CERTAIN VETERANS AT RISK OF HOMELESSNESS.

(a) EXTENSION OF AUTHORITY.—Subsection (d) of section 2023 is amended by striking ''September 30, 2014'' and inserting ''September 30, 2015''.

(b) TECHNICAL AMENDMENT.—Subsection (c)(3) of such section is amended by striking ''enter into contracts'' and inserting ''make grants''.

SEC. 204. EXTENSION OF AUTHORITY FOR TREATMENT AND REHABILITATION SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

(a) GENERAL TREATMENT.—Section 2031(b) is amended by striking ''December 31, 2014'' and inserting ''September 30, 2015''.

(b) ADDITIONAL SERVICES AT CERTAIN LOCATIONS.—Section 2033(d) is amended by striking ''December 31, 2014'' and inserting ''September 30, 2015''.

SEC. 205. EXTENSION OF AUTHORITY TO PROVIDE HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 2041(c) is amended by striking ''December 31, 2014'' and inserting ''September 30, 2015''.

SEC. 206. EXTENSION OF AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.

Section 2044(e)(1)(E) is amended by striking ''fiscal years 2013 and 2014'' and inserting ''fiscal years 2013 through 2015''.

SEC. 207. EXTENSION OF AUTHORITY FOR GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.

Section 2061(d)(1) is amended by striking ''2014'' and inserting ''2015''.

SEC. 208. EXTENSION OF AUTHORITY FOR THE ADVISORY COMMITTEE ON HOMELESS VETERANS.

Section 2066(d) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

TITLE III—EXTENSIONS OF AUTHORITY RELATING TO BENEFITS

SEC. 301. EXTENSION OF AUTHORITY FOR THE VETERANS' ADVISORY COMMITTEE ON EDUCATION.

Section 3692(c) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

SEC. 302. EXTENSION OF AUTHORITY FOR CALCULATING NET VALUE OF REAL PROPERTY AT TIME OF FORECLOSURE.

Section 3732(c)(11) is amended by striking ''October 1, 2014'' and inserting ''October 1, 2015''.

SEC. 303. EXTENSION OF AUTHORITY RELATING TO VENDEE LOANS.

Section 3733(a)(7) is amended—

(1) in the matter preceding subparagraph (A), by striking ''September 30, 2014'' and inserting ''September 30, 2015''; and

(2) in subparagraph (C), by striking ''September 30, 2014,'' and inserting ''September 30, 2015,''.

TITLE IV—OTHER EXTENSIONS OF AUTHORITY AND OTHER MATTERS

SEC. 401. EXTENSION OF AUTHORITY TO TRANSPORT CERTAIN INDIVIDUALS TO AND FROM DEPARTMENT OF VETERANS AFFAIRS FACILITIES.

Section 111A(a)(2) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

SEC. 402. EXTENSION OF AUTHORITY FOR OPERATION OF THE DEPARTMENT OF VETERANS AFFAIRS REGIONAL OFFICE IN MANILA, THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking ''December 31, 2014'' and inserting ''September 30, 2015''.

SEC. 403. EXTENSION OF REQUIREMENT TO PROVIDE REPORTS TO CONGRESS REGARDING EQUITABLE RELIEF IN THE CASE OF ADMINISTRATIVE ERROR.

Section 503(c) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

SEC. 404. EXTENSION OF AUTHORITY FOR ADVISORY COMMITTEE ON MINORITY VETERANS.

Section 544(e) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

SEC. 405. EXTENSION OF AUTHORITY FOR TEMPORARY EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR CERTAIN VETERANS WITH DISABILITIES CAUSING DIFFICULTY AMBULATING.

Section 2101(a)(4) is amended—

(1) in subparagraph (A), by striking ''September 30, 2014'' and inserting ''September 30, 2015''; and

(2) in subparagraph (B), by striking ''fiscal year 2014'' and inserting ''each of fiscal years 2014 and 2015''.

SEC. 406. RESTORATION OF PRIOR REPORTING FEE MULTIPLIERS.

During the one-year period beginning on the date of the enactment of this Act, the second sentence of section 3684(c) shall be applied—

(1) by substituting ''$9'' for ''$12''; and

(2) by substituting ''$13'' for ''$15''.

SEC. 407. EXTENSION OF AUTHORITY FOR AGREEMENT WITH NATIONAL ACADEMY OF SCIENCES.

Section 3(i) of the Agent Orange Act of 1991 (Public Law 102–4; 105 Stat. 13; 38 U.S.C. 1116 note) is amended by striking ''October 1, 2014'' and inserting ''December 31, 2015''.

SEC. 408. HEALTH PROFESSIONALS EDUCATION DEBT REDUCTION.

Section 7683 is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) IN GENERAL.—Education debt reduction payments under the Education Debt Reduction Program shall consist of—

''(1) payments to individuals selected to participate in the program of principal and interest on loans described in section 7682(a)(2) of this title; or

''(2) payments for the principal and interest on such loans of such individuals to the holders of such loans.'';

(2) in subsections (b) and (c), by striking ''payments to'' both places it appears and inserting ''payments to or for''; and

(3) in subsection (d)—

(A) in paragraph (1), by striking ''made to'' and inserting ''made to or for''; and

(B) in paragraph (2)(A), by striking ''payable to that'' and inserting ''payable to or for that''.

SEC. 409. AMENDMENTS TO VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014.

(a) EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(A), by inserting ''provide the veteran an appointment that exceeds the wait-time goals described in such subsection or'' before ''place such''; and

(B) in paragraph (2), by inserting ''(or other digital channel)'' after ''website'';

(2) in subsection (d)(1)(A), by adding at the end the following new sentences: ''An agreement entered into pursuant to this subparagraph may not be treated as a Federal contract for the acquisition of goods or services and is not subject to any provision of law governing Federal contracts for the acquisition of goods or services. Before entering into an agreement pursuant to this subparagraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to such veterans under this section with such entities pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.'';

(3) in subsection (l)(1), by inserting ''a copy of'' before ''any medical record''; and

(4) by adding at the end the following new subsection:

''(t) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44, United States Code, shall not apply in carrying out this section.''.

(b) COLLABORATION BETWEEN VA AND INDIAN HEALTH SERVICE.—Section 102 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subsection (b), by striking ''The Secretary of Veterans Affairs shall establish'' and inserting the following: ''The Secretary of Veterans Affairs and the Director of the Indian Health Service shall jointly establish and implement'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(3) Entering into an agreement between the Department and the Indian Health Service described in paragraph (2)(A) with respect to the effect of such agreement on the priority access of any Indian to health care services provided through the Indian Health Service, the eligibility of any Indian to receive health services through the Indian Health Service, and the quality of health care services provided to any Indian through the Indian Health Service.''; and

(3) by striking subsection (d).

(c) PROMPT PAYMENT.—Section 105 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subsection (a), by striking ''section 1315'' and inserting ''part 1315'';

(2) in subsection (b)(2), by striking ''chapter 39'' and inserting ''chapter 39 of title 31''; and

(3) in subsection (d), by striking ''required by subsection (b)'' and inserting ''required by subsection (c)''.

(d) IMPROVEMENT OF ACCESS TO MOBILE VET CENTERS.—Section 204 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''and readjustment counseling services'' after ''other health care''; and

(B) in paragraph (2)—

(i) in subparagraph (B), by inserting ''and events'' after ''locations''; and

(ii) in subparagraph (C), by inserting ''and outreach contacts'' after ''appointments''; and

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by inserting ''and readjustment counseling'' after ''telemedicine services''; and

(ii) in clause (iii), by inserting ''and outreach contacts'' after ''appointments'';

(B) in subparagraph (B), by inserting ''and readjustment counseling'' after ''health care services''; and

(C) in subparagraph (E), by striking ''mobile vet centers and''.

(e) IMPROVED TRANSPARENCY.—Section 206(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in paragraph (1), by striking ''comprehensive database'' and inserting ''comprehensive, machine-readable data set'';

(2) in paragraph (3), by striking ''notice in the database of the reason'' and inserting ''notice of the reason''; and

(3) in paragraphs (2), (3), and (4), by striking ''database'' each place it appears and inserting ''data''.

(f) INFORMATION ON CREDENTIALS.—Section 207 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by striking ''successor database'' each place it appears and inserting ''successor data set''.

(g) REPORT ON STAFFING SHORTAGES.—Section 301(b)(3) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146) is amended—

(1) in subparagraph (A), by striking ''Not later'' and all that follows through ''2019'' and inserting the following: ''On October 1 of each year beginning in 2015 and ending in 2019''; and

(2) in subparagraph (B)—

(A) in clause (iii), by striking ''at each'' and all that follows through the period at the end and inserting the following: ''or guidelines of the Department with respect to determining the ratio of residents to staff supervising residents.''; and

(B) by striking clause (v) and inserting the following new clause:

''(v) Efforts of the Department, as of the date of the submittal of the report, to recruit and retain medical residents to work for the Veterans Health Administration as full-time employees.''.

(h) PROJECT ARCH.—Section 403(j) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) is amended—

(1) by striking ''In carrying out'' and inserting ''Notwithstanding any provision of law relating to the use of competitive procedures in entering into contracts, in carrying out''; and

(2) by inserting ''under this section'' after ''make use of contracts entered into''.

(i) CLARIFICATION OF APPROVAL OF COURSES OF EDUCATION PROVIDED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING AND IN-STATE TUITION RATE FOR VETERANS.—Paragraph (1) of section 3679(c) is amended to read as follows:

''(1) Notwithstanding any other provision of this chapter and subject to paragraphs (3) through (6), the Secretary shall disapprove a course of education provided by a public institution of higher learning if the institution charges tuition and fees for that course for covered individuals who are pursuing the course with educational assistance under chapter 30 or 33 of this title while living in the State in which the institution is located at a rate that is higher than the rate the institution charges for tuition and fees for that course for residents of the State in which the institution is located, regardless of the covered individual's State of residence.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentlewoman from Arizona (Mrs. KIRKPATRICK) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 5404, as amended.

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

There was no objection.

Mr. LAMBORN. I yield myself such time as I may consume.

Mr. Speaker, the amendment to H.R. 5404 would extend a number of expiring current authorities and critical programs at both the Department of Veterans Affairs and the Department of Labor. These programs include authorizations for veterans' health care and homeless programs, benefits for disabled veterans, and home loan programs.

These noncontroversial programs are set to expire at the end of this fiscal or calendar year. These are not new programs, and the costs have either been fully offset or have been assumed in the baseline budget for this year.

The amendment to H.R. 5404 would also make certain technical and conforming changes to Public Law 113–146, the Veterans Access, Choice, and Accountability Act of 2014. These changes are needed to ensure proper and swift implementation of this important law that provides veterans whose care at VA is delayed with a choice to obtain private care and provides the Secretary the tools he needs to hold senior VA managers accountable. The changes have the support of the majority and minority leadership of the Senate Committee on Veterans' Affairs.

Mr. Speaker, I urge all of my colleagues to join me in supporting this legislation, and I reserve the balance of my time.

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

I would like to thank my colleagues on both sides of the aisle for all of the hard work and dedication that went into H.R. 5404, the Department of Veterans Affairs Expiring Authorities Act of 2014.

This bill would extend a number of important programs administered by the Department of Veterans Affairs. We must ensure that the VA has the resources and authority to provide high-quality health care services and benefits that veterans have earned and deserve, no matter where they choose to live.

H.R. 5404 extends the Department's authority to deliver nursing home care to our veterans, give child care assistance for veterans so they can make their medical appointments, and provide counseling retreats for our women veterans.

For veterans who live in highly rural areas like my district, this bill extends VA's authority to give grants to veterans' service organizations to transport our rural veterans to their medical appointments, which is critical for increasing access to VA health care.

This bill also extends critical homeless programs that the VA needs to end veteran homelessness by 2015. Programs such as housing assistance, financial assistance, counseling, and reintegration services will continue so that veterans who experience homelessness or are at risk of being homeless have a safety net of services to help themselves in their time of need.

Finally, H.R. 5404 contains several extensions that will assist the Department in its efforts to provide specially adapted housing to veterans who have difficulty getting around their own homes, permit the VA to recruit and retain needed medical specialists, improve education benefit programs, and allow the VA to maintain an effective, functioning home loan guaranty program.

I urge my colleagues to support H.R. 5404, and I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DENHAM), the sponsor of the bill and a member of the Veterans' Affairs Committee who has made many important contributions to the welfare of veterans such as this bill we are considering right now.

Mr. DENHAM. Mr. Speaker, as we continue to tackle the pressing need for VA health care reform, the last thing our veterans need is even more uncertainty with the many other benefits that have an equally important impact on their lives.

H.R. 5404, the Department of Veterans Affairs Expiring Authorities Act, extends several important VA authorities that support the services they rely on every single day.

As current military forces overseas draw down, our country must prepare to welcome back thousands of returning soldiers, many of whom are young and aspiring to build a new life for themselves and their loved ones.

For the next year, veterans can continue to utilize programs that help them pay off school debt, for health education, and buy affordable homes, helping their transition into civilian life be an easier one.

For those veterans who require more day-to-day medical care, they can continue to qualify for child care assistance and specially adaptive housing grants, as well as accessing expanded health services, such as those provided by the VA's 70-plus mobile vet centers around the country.

Transportation services to VA medical facilities will also continue, giving peace of mind to the many disabled or rural-based vets that too often find themselves restricted by mobility or distance. In rural districts like mine across the country, veterans often travel over 90 miles for an appointment, disrupting their lives and causing physical and financial hardship.

Additionally, this bill reinforces our fight against homelessness by expanding rehabilitation, counseling, and housing programs to help these underserved veterans get back on their feet. Since 2009, veteran homelessness has dropped 23 percent, largely due to the success of these services. Whenever I travel back to my district and meet with local veteran constituents and organizations, it is clear that these grant programs are making a real difference.

In California's Central Valley, Catholic Charities of the Archdiocese of Stockton has received a grant from the VA that is helping preserve 791 households in San Joaquin County from the threat of homelessness. That is 791 families who have a chance to build a stable home life and keep their kids in school.

As cochair of the Veterans Jobs Caucus, I place especially high importance on the continuance of our essential reintegration and job training programs. Through their service, these hardworking men and women gain the skills and qualities that are highly valued by employers. We must do all we can to connect them with the resources and training they need to land worthwhile jobs that will bring this financial security and dignity to their lives.

In closing, I would just like to thank the ranking member and the chairman as well as all of the committee for their hard work in putting this bill together. This is a great bipartisan bill that will continue to help the lives of those that have given everything for the freedoms of our country.

Mrs. KIRKPATRICK. Mr. Speaker, I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), who is also a member of the Veterans Affairs' Committee and likewise has made very solid and important contributions for veterans.

Mrs. WALORSKI. Thank you, Mr. Chairman, for yielding.

Mr. Speaker, I rise today in support of H.R. 5404. This legislation will continue to protect millions of American veterans who swore to protect and defend this great Nation, including the 54,000 in my district who depend on the VA for care and support.

Earlier this summer, I served as a member of the VA Conference Committee. My fellow conferees and I were able to work together and again prove that helping vets is not political or partisan; it is American.

When that legislation was signed into law, I said it was the first step toward reforming the VA. Today's legislation is yet another step in the right direction. H.R. 5404 would extend the number of important veterans' service programs to vets in rural areas, homeless vets, vets with mental illness, all in an effort to improve their quality of life.

Of the 8 million veterans enrolled in the VA health care system, roughly 3 million live in rural areas. These vets live 30 or more miles from their nearest VA and must travel long distances to receive care. This legislation would give more funding to VSOs to drive their vets to doctors' appointments, increasing their access to care.

This bill also funds programs to help our homeless veterans get back on their feet and reduce the number of homeless veterans. It also helps to fund job training, counseling, and placement services for those vets so they can find a good-paying job. Additionally, and just as importantly, this bill also addresses suffering from mental health issues. This legislation will help fund programs to help vets with mental illness with greater outreach, rehabilitation services, care, and treatment.

Today is an important opportunity as Members of Congress to take another step forward towards meaningful reform and to take another step in the right direction. Today we stand together to help our Nation's heros. We owe it to our veterans to provide them with nothing but the best.

I urge my colleagues to support this bill.

Mrs. KIRKPATRICK. Mr. Speaker, I urge my colleagues to support H.R. 5404 and send this important, must-pass measure to the Senate to ensure that these important programs and services continue.

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

Mr. LAMBORN. Mr. Speaker, I thank the gentlewoman.

I too urge all Members of the House to support H.R. 5404, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SALMON). The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, H.R. 5404, as amended.

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

A motion to reconsider was laid on the table.

VA CONSTRUCTION ASSISTANCE ACT OF 2014

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3593) to amend title 38, United States Code, to improve the construction of major medical facilities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3593

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 ''VA Construction Assistance Act of 2014''.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) According to testimony by the Director of Physical Infrastructure of the General Accountability Office before the Committee on Veterans' Affairs of the House of Representatives in May 2013, schedule delays of major medical center construction projects of the Department of Veterans Affairs have averaged 35 months, with the delays ranging from 14 months to 74 months.

(2) The average cost increase attributed to such delays has been $336,000,000 per project.

(3) Management of the major medical facility projects currently underway as of the date of the enactment of this Act in Denver, Colorado, Orlando, Florida, and New Orleans, Louisiana, should be subject to the oversight of a special project manager of the Army Corps of Engineers that is independent of the Department of Veterans Affairs because, according to the Comptroller General of the United States, such projects have experienced continuous delays and a total cost increase of nearly $1,000,000,000.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the management of the major medical center construction projects of the Department of Veterans Affairs has been an abysmal failure; and

(2) in order to minimize repeated delays and cost increases to such projects, the Secretary of Veterans Affairs should fully implement all recommendations made by the Comptroller General of the United States in an April 2013 report to improve construction procedures and practices of the Department.

SEC. 3. IMPLEMENTATION OF MAJOR MEDICAL FACILITY CONSTRUCTION REFORMS.

Section 8104 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(i)(1) With respect to each project described in paragraph (2), the Secretary shall—

''(A) use the services of a medical equipment planner as part of the architectural and engineering firm for the project;

''(B) develop and use a project management plan to ensure clear and consistent communication among all parties;

''(C) subject the project to construction peer excellence review;

''(D) develop—

''(i) a metrics program to enable the monitoring of change-order processing time; and

''(ii) goals for the change-order process consistent with the best practices of other departments and agencies of the Federal Government; and

''(E) to the extent practicable, use design-build processes to minimize multiple change orders.

''(2) A project described in this paragraph is a construction or alteration project that is a major medical facility project.''.

SEC. 4. SPECIAL PROJECT MANAGER FOR CERTAIN MEDICAL CENTER CONSTRUCTION PROJECTS.

(a) APPOINTMENT OF SPECIAL PROJECT MANAGER.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the Army Corps of Engineers to procure, on a reimbursable basis, the services of the Army Corps of Engineers with respect to appointing not less than one special project manager who has experience in managing construction projects that exceed $60,000,000 to oversee covered projects until the date on which the project is completed.

(b) DUTIES.—A special project manager appointed under subsection (a) to oversee a covered project shall—

(1) conduct oversight of all construction-related operations at the project, including with respect to—

(A) the performance of the Department of Veterans Affairs involving the prime contractors; and

(B) the compliance of the Department with the Federal Acquisition Regulation, including the VA Acquisition Regulation;

(2) advise and assist the Department in any construction-related activity at the project, including the approval of change-order requests for the purpose of achieving a timely completion of the project; and

(3) conduct independent technical reviews and recommend to the Department best construction practices to improve operations for the project.

(c) PLANS AND REPORT.—

(1) COMPLETION PLANS.—Not later than 90 days after being appointed under subsection (a), a special project manager shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate detailed plans of the covered project for which the special project manager is so appointed.

(2) PROGRESS REPORTS.—Not later than 180 days after being appointed under subsection (a), and each 180-day period thereafter until the date on which the covered project is completed, a special project manager shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report detailing the progress of the covered project for which the special project manager is so appointed. Each report shall include—

(A) an analysis of all advice and assistance provided to the Department under subsection (b);

(B) an analysis of all changes ordered by the Department with respect to the project, or claimed to have been made by contract between the Department and the prime contractor, including the extent to which such changes comply with the Federal Acquisition Regulation, including the VA Acquisition Regulation;

(C) an analysis of the communication and working relationship between the Department and the prime contractor, including any recommendations made by the prime contractor to aid in the completion of the project; and

(D) identification of opportunities and recommendations with respect to improving the operation of any construction-related activity to reduce costs or complete the project in a more timely manner.

(d) COOPERATION.—

(1) INFORMATION.—The Secretary of Veterans Affairs shall provide a special project manager appointed under subsection (a) with any necessary documents or information necessary for the special project manager to carry out subsections (b) and (c).

(2) ASSISTANCE.—Upon request by the special project manager, the Secretary shall provide to the special project manager administrative assistance necessary for the special project manager to carry out subsections (b) and (c).

(e) COVERED PROJECTS DEFINED.—In this section, the term ''covered projects'' means each construction project that is a major medical facility project (as defined in section 8104(a)(3)(A) of title 38, United States Code) that—

(1) was the subject of a report by the Comptroller General of the United States titled ''Additional Actions Needed to Decrease Delays and Lower Costs of Major Medical-Facility Projects'', numbered GAO–13–302, and published in April 2013; and

(2) has not been activated to accept patients as of the date of the enactment of this Act.

SEC. 5. PROHIBITION ON NEW APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act, and this Act and such amendments shall be carried out using amounts otherwise made available for such purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentlewoman from Arizona (Mrs. KIRKPATRICK) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 3593, as amended.

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

There was no objection.

Mr. LAMBORN. Mr. Speaker, I yield myself as much time as I may consume.

In a moment I will yield to the bill's sponsor, Mr. COFFMAN, for a more detailed description.

The goal of this legislation is to improve the way VA manages its major construction projects.

Mr. Speaker, it is no secret that VA has a poor track record in managing major medical facility projects. Major construction projects are routinely completed years late and tens of millions of dollars over budget. Unfortunately, the critically needed VA hospital being constructed in Aurora, Colorado, for instance, has run into major problems, as have a handful of others around the country.

This legislation would direct the inclusion of an outside entity, the Army Corps of Engineers, which has a record of on-time, on-budget completion of projects, to assist in the management of VA's major facility construction efforts.

No longer can veterans afford to wait years for needed facilities to open. This bill finally would move VA away from the status quo, which clearly has not served veterans or the taxpayers well at all.

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I would like to commend my colleague and friend, Representative MIKE COFFMAN, and applaud his leadership on this important issue.

With that, I reserve the balance of my time.

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

I am pleased that we are bringing up a bill that I introduced, along with the chairman of the Oversight and Investigations Subcommittee, Representative COFFMAN.

This bill takes aim at two of the VA's most chronic problems: accountability and efficiency. It is also an attempt to make real reforms in the VA construction process.

This bill may not have all the answers, but it is a step forward in a discussion we must have on addressing the facility needs of the VA and ensuring that we are addressing the access requirements in a timely and cost-effective manner.

We have seen time and again how VA has underperformed in the management of its multibillion-dollar construction budgets.

Last year, the Government Accountability Office testified to the committee on a number of significant cost overruns and completion delays.

There may be some disagreement on the metrics and the magnitude of VA shortcomings in this area—and I do wish to note that VA has made steps in the right direction—but in the end, we are faced with a very real issue that VA needs additional expertise with construction management and the acquisition of major medical facilities.

I believe that asking the Army Corps of Engineers to provide the expertise they have to the VA is a step we should explore. I am hopeful that we will pass this bill today and continue the discussion with the members of this committee, the VA, and the Army Corps of Engineers.

This legislation shows what we can do by working across the aisle. It would codify some of the GAO recommendations from 2013, as well as other industry best practices.

H.R. 3593 would also provide technical assistance to the VA in the form of special project managers and design construction evaluations on, particularly, troubled major construction projects.

While I recognize the Corps of Engineers and VA have some reservations with the bill, I believe we can work within the confines of the legislative language to ensure a positive outcome for all parties.

I urge my colleagues to support H.R. 3593 as part of our role as watchdogs on behalf of veterans and taxpayers.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I want to thank the gentlewoman from Arizona for her support of this good piece of legislation.

I yield 3 minutes to the gentleman from Colorado (Mr. COFFMAN), who is a member of the VA committee, a subcommittee chairman of the committee, and the sponsor of this bill.

Mr. COFFMAN. Mr. Speaker, I thank the gentleman from Colorado.

As chairman of the Veterans' Affairs Committee's Oversight and Investigations Subcommittee, I introduced H.R. 3593, the VA Construction Assistance Act, along with my friend and ranking member, ANN KIRKPATRICK of Arizona, to address significant problems with the VA's construction practices, problems which became public knowledge through our subcommittee's work.

My proposed reforms are designed to speed construction and rein in the out-of-control costs of three major VA regional projects under development in Aurora, Colorado; New Orleans, Louisiana; and Orlando, Florida.

We introduced this legislation late last year based on the investigative work of our subcommittee and in response to a Government Accountability Office report that found that VA's major construction projects had been mired in mismanagement. The report concluded early last year that these projects are more than $360 million each over budget and almost 3 years on average behind schedule.

The VA Construction Assistance Act implements GAO-recommended reforms by assigning medical equipment planners to these construction projects and streamlining the change order process. The proposal also goes a step further by requiring the assignment of an emergency manager from the Army Corps of Engineers, independent of the VA, to oversee these projects, and only these three major medical facility projects, currently under construction.

The GAO specifically singled out the Army Corps of Engineers as an organization with a record of building similar projects within budget and on schedule for the Department of Defense.

Our veterans cannot simply hope that the situation improves. We must get these construction projects delivered so our Nation's veterans receive the health care services that they have earned while at the same time protecting the taxpayers from massive cost overruns. Notably, this bill is supported by the Veterans of Foreign Wars and the American Legion.

As such, I urge each of my colleagues to support this commonsense bipartisan legislation.

Mrs. KIRKPATRICK. At this time, I yield 4 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I thank Ranking Member KIRKPATRICK for yielding time to me.

I rise in opposition to this legislation. Let me just say, I understand I am the longest-serving member on the VA—23 years—and I understand—don't confuse me with too many facts—that this bill only includes three projects: Denver, Colorado; Orlando, Florida, one that we have been working on for over 25 years; and New Orleans, Louisiana. These projects, all of them, are far too along in the process to inject a special project manager. The Orlando VA Medical Center is currently 94 percent complete and construction is planned to be completed by the end of this year.

New Orleans is 52 percent complete and completion is scheduled for February 2016. The VA and the contractor have signed an agreement on a firm fixed price and are working closely together on the delivery of this project.

I understand that the gentleman from Colorado is concerned about the Denver VA Medical Center. However, the project is 55 percent complete, and any efforts to change the leadership midstream would only delay things further and cost our veterans time and money that could be better spent on their health care.

As a senior member of the Committee on Transportation and Infrastructure, I know firsthand the amount of critical infrastructure work that the Corps of Engineers have accomplished around the country. With nearly $6 billion in backlog of authorized civil works projects for the Corps of Engineers and with new, critical port-related projects included in the recent passage of the Water Resources Development Act, there are grave concerns by the Army Corps about their ability to participate in this project, especially the costs that it would relate to the Army Corps.

Mr. Speaker, I ask unanimous consent to put the letter in the RECORD from the Army Corps.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

DEPARTMENT OF THE ARMY,
U.S. ARMY CORPS OF ENGINEERS,
Washington, DC, Sept. 12 2014.

Hon. CORRINE BROWN,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE BROWN: I am writing in response to your letter to Lieutenant General Thomas P. Bostick dated September 11, 2014, requesting the U.S. Army Corps of Engineers views on H.R. 3593, The VA Construction Assistance Act of 2013, the best way to resolve projects covered under H.R. 3593 and how the Corps is currently working with the Department of Veterans Affairs (VA) on other projects. H.R. 3593 concerns appointment, duties and reporting of an independent Corps special project manager (PM) to oversee completion of certain covered VA major medical facility construction projects in Denver, Colorado, Orlando, Florida and New Orleans, Louisiana.

The Corps prior experience in use of a special PM with another federal agency was not found to be beneficial. In 2011, the Corps and the Department of Energy (DOE—Environmental Management) conducted a one-year pilot study known as the ''Project Management Partnership''. Three senior 'level positions for Corps persons were established: one at DOE HQ, one at Savannah River, and one at Oak Ridge, to support specific DOE missions and projects. DOE and the Corps agreed to terminate the pilot, as the agencies processes and cultures were found not well aligned It was also found that inserting a Corps special PM into ongoing DOE projects, especially those experiencing delays and cost growth was not feasible, since the special PM did not have clearly delegated authority responsibility by which to act within DOE.

The appointment of an independent special PM in the case of H.R. 3593 would present a number of problems. A special PM would not have authority with the VA project delivery team or VA contracting officer. A special PM would also not have links to VA's project or agency automatic information systems. The covered projects' direct contractual relationship and fiduciary responsibility are between the VA and construction contractor. The Corps is not a party to those contracts. The VA is better situated than the Corps to submit the detailed completion plans and progress reports to the House and Senate Committees on Veterans' Affairs due to its direct relationship with the construction contractor. Finally, the proposed legislation, as written, is unclear towards which agency must bear the administrative costs resulting

from the special PM's Congressional reporting requirements. The Corps does not have appropriated funding sources that would be legally available to satisfy reporting requirements on the VA's behalf.

H.R. 3953 effectively establishes a governance mechanism for the covered projects. However, this does not appear to be the matter at hand; project development, acquisition, and execution appear to be the issues for these projects. An alternative approach would be more appropriate to address these matters. An independent review and examination of the covered projects by multi-disciplined Corps design-construction evaluation teams would enjoy both independence and the depth of necessary Corps enterprise support that could recommend an effective path forward for the projects' completion. Existing authorities coupled with an interagency agreement in a willing partnership between the Corps and VA would provide both parties sufficient authority to enable them to work collaboratively, on a cost reimbursable basis, towards resolving project delays and cost escalation. An interagency agreement could be arrived at reasonably quickly between VA and the Corps, upon formal request by VA for Corps technical services, for such an evaluation of a covered project.

The Corps, as part of its interagency capabilities, has an established relationship with the VA, providing support for a broad range of facility construction and maintenance requirements. Authority for the Corps' work with VA is based on the Economy Act, which, coupled with an interagency agreement, provides sufficient authorities to work collaboratively. During 2007, the Corps of Engineers and the VA formalized its relationship through a Memorandum of Agreement (MOA) for the Corps to provide the VA support in the execution of their minor construction and non-recurring maintenance needs.

Prior to fiscal year 2007, Corps execution support to VA was at or below $2 million annually for work for the Veterans National Cemetery Administration. In 2007, as a result of the MOA, the workload grew to $7 million and rose to $377 million by the turn of the decade through the expansion of the Corps work for the VA. Over the last several years, the Corps managed work at 74 different VA facilities nationwide.

The Corps also is supporting the VA with the development of its project governance processes. Two Corps personnel are currently assigned to VA headquarters to assist with the VA's development of a VA Program Review Board (PRB) framework that is modeled on the PRB process used by the Corps. The PRB framework will support senior VA leadership in their oversight of construction programs including monitoring of project performance and challenges.

As execution funds have grown over the years so has the collaborative relationship between the Corps and VA. The Corps regional and local offices have developed relationships with each of the 23 Veterans Integrated Service Network (VISN) offices around the country. Whether and how a VISN incorporates the Corps services into its projects is at the discretion of each VISN.

I hope this response has adequately addressed your questions and concerns related to this matter. If you have additional questions or concerns, please contact me or your staff may contact Mr. Kurt Conrad, Military Programs Liaison at (202) 761–0630.

Sincerely,

LLOYD O. CALDWELL, P.E.,
Director of Military Programs.

MS. STELLA S. FIOTES, EXECUTIVE DIRECTOR, OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT, OFFICE OF ACQUISITION, LOGISTICS AND CONSTRUCTION, DEPARTMENT OF VETERANS AFFAIRS WITNESS TESTIMONY 03/25/2014: LEGISLATIVE HEARING ON H.R. 3593, THE VA CONSTRUCTION ASSISTANCE ACT OF 2013

Section three of the bill would institute certain requirements for VA major medical facility projects, including mandates for the use of a medical equipment planner, use of a project management plan, and use of a construction peer excellence review. It would also require development of a metrics program to enable the monitoring of change-order processing time and goals for the change order process consistent with the ''best practices'' of other federal agencies.

Section four of the bill would mandate that within 180 days VA enter into an agreement with the U.S. Army Corps of Engineers (USACE) to procure a ''special project manage'' on a reimbursable basis to oversee three named current VA major construction projects for facilities in Denver, Colorado, Orlando, Florida, and New Orleans, Louisiana. The bill enumerates the duties of the special project manager and requires that plans and progress reports be provided to the House and Senate Committees on Veterans' Affairs. It also establishes that VA provide the special project manager with the requisite information and administrative assistance necessary to carry out their tasks.

VA has a strong history of delivering facilities to serve Veterans. In the past 5 years, VA has delivered 75 major construction projects valued at over $3 billion that include the new medical center complex in Las Vegas, cemeteries, polytrauma rehabilitation centers, spinal cord injury centers, a blind rehabilitation center, and community living centers.

VA appreciates the strong interest and support from the Subcommittee to ensure that our major construction projects, and more specifically the Denver, Colorado, New Orleans, Louisiana, and Orlando, Florida facilities, are delivered successfully. While there have been challenges with these projects, we have taken numerous actions to strengthen and improve our execution of all VA's ongoing major construction projects, including the three projects that H.R. 3593 addresses. For the reasons expressed below, VA does not believe that the approach outlined in the bill will achieve the desired results, and thus does not support it.

VA believes the creation of a special project manager would be problematic in the management and supervision of these projects. Specifically, the special project manager adds more levels of management and may complicate, if not confuse, the project delivery process. The bill raises serious questions about the contractual relationship between the VA and its contractor, the lines of authority the special project manager will have vis-à-vis VA and the U.S. Army Corps of Engineers (USACE), and the effect upon the independent exercise of discretion by the VA contracting officer, who is ultimately responsible for managing the contract on behalf of the Government. The legislation we believe will also lead to increased management and overhead costs associated with funding the special project manager and support team.

VA continuously evaluates its processes and delivery methods for each lease and construction project on its merits, and we benchmark industry best practices with several agencies including the National Institute of Building Sciences, General Services Administration and the USACE. When VA determines that the best delivery strategy is to employ another agency such as the USACE, this strategy is used. VA and the USACE have a long history of working together to advance VA facility construction and share best practices, and our current discussions are a logical evolution of that relationship.

Since 2008, VA has engaged USACE to support maintenance and minor construction projects at more than 70 of our medical facilities. VA engaged USACE to review the contracts for the New Orleans and Denver projects, and they continue to assist in schedule evaluation in Orlando. More recently, USACE is supporting VA in establishing a Project Review Board process, similar to the process used by USACE districts, and supporting the VA National Cemetery Administration in its maintenance and minor construction program.

As outlined in the cited Government Accountability Office (GAO) testimony and April 2013 report, the delays and cost increases on the Denver, New Orleans and Orlando projects occurred in the planning and design phases; each of these projects is now in the construction phase. Last year, VA took aggressive action on the recommendations in the April 2013 GAO report and all recommendations were closed as of September 2013. Their recommendations included the addition of medical planners, the streamlining of the change order process, and clearer definition of roles and responsibilities in the project management.

In addition to closing the GAO recommendations, VA has worked diligently to address and close all of the recommendations identified through the VA's Construction Review Council (CRC), which was established in 2012 and is chaired by the Secretary of Veterans Affairs to serve as the single point of oversight and performance accountability for the VA real property capital asset program. With the personal commitment of the Secretary, and the diligent efforts of senior staff and management, all CRC recommendations have been implemented since October 2013. These recommendations include improvements in the development of requirements, measures aimed at improving design quality, better coordination of funding across the Department to support VA's major construction program, and advances in program management and automation. Through the CRC and the VA Acquisition Program Management Framework that provides for continual project review throughout the project's acquisition life-cycle, VA will continue to drive improvements in the management of VA's real property capital programs.

Our focus across the spectrum of construction project management has led to advancements in our overall construction program. Areas of increased effort include improving requirements definition and acquisition strategies, assessing project risk, assuring timely project and contract administration, partnering with our construction and design contractors, early involvement of the medical equipment planning and procurement teams, and engaging in executive level on-site project reviews. Additionally, the monthly updates provided to the Committees on key projects have increased the transparency in our program.

The way the Department is doing business today has changed significantly since the Orlando, Denver and New Orleans projects were undertaken. The lessons learned and the improvements made have resulted in positive changes and are being applied to help ensure the Department's capital program is delivered on time and within budget.

The costs associated with enactment of this legislation cannot be predicted with specificity, as they will depend on the scope

and details of the arrangement mandated to be concluded with the USACE under the bill.

Ms. BROWN of Florida. Mr. Speaker, with prior experience, the Army Corps has indicated that this kind of agreement does not work. They presently have all of the authorization they need to work with VA. And, in fact, they—the VA—spent $377 million at 74 projects they already participate in nationwide, so they don't need an additional authorization.

What this bill would do would only slow down the project in Orlando. I have spent—and all of the Members from the Orlando area and from Florida—we have spent years on this problem, and it is not just the VA's problem. For years, we did not have any construction going on with the VA. These projects, these last projects, we hadn't done any construction in the VA in 15 years, so certainly a lot of the expertise was gone.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. KIRKPATRICK. Mr. Speaker, I yield the gentlewoman an additional 2 minutes.

Ms. BROWN of Florida. But now it is not a benefit to have additional responsibilities placed particularly in Orlando at this time. We have a project that is close to completion. We want to bring this project in on time. By the time this bill is ever passed and signed into law, I am hoping that the veterans will be in the VA facility in Orlando, Florida.

In addition, we have worked with them—and the people who are handling it are not just the VA—the construction people. It has been a problem all along. I am not saying that the Army Corps could not be helpful, but at this time they absolutely cannot be helpful in this project.

So as we move forward, take Orlando out of what you are proposing. It is too late. We are ready for our VA facility to open up in Orlando, Florida, and to serve the veterans of the central Florida area. May God continue to bless America, and certainly the veterans deserve to be able to move into the VA facility in the Orlando, central Florida, area.

Mr. LAMBORN. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I want to thank Mr. COFFMAN for bringing this bill. I think it is extremely important, and it directly affects the Omaha VA in-patient facility, as well as veterans all around the Midwest area.

The cost overruns of the Denver, or the Aurora hospital, as well as Orlando and others, have been noted in the GAO report showing that these hospitals on average are 35 months delayed and somewhere between 300 and $400 million over budget. It shows a serious inability of the VA's construction and management subagency to manage and run these projects.

I am pleased that this legislation would require the VA to employ at least one special project manager from the Corps of Engineers. It has been noted by every speaker here today that the Corps of Engineers has a specialty, a somewhat amazing ability to get projects done on time and on budget, so having their level of expertise injected into this, even if it is just an advisory or a consulting role, I think is an important first step.

I would prefer that we just turned it all over, the VA hospital construction, to something like the Corps of Engineers, but this is a legitimate good first step in this process.

Now, our Omaha facility remains number 23. It has been in that area now for 6 years, and it looks like unless we improve this process and get their spending under control that it could be more than a decade before our new VA in-patient replaces an over 60-year-old building where they had no water for one 24-hour period because of the poor infrastructure. So that is how we are harming our veterans by not getting these projects done on time and within budget.

Again, I want to thank the gentleman from Colorado for taking charge of this issue and all of the conversations you and I have had about this over the last couple of years.

□ 1930

Mrs. KIRKPATRICK. Mr. Speaker, I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. I thank the gentleman from Colorado (Mr. LAMBORN).

I think, again, going back to this Government Accountability report, it says that, on average, these projects are $366 million over budget; on average, these projects are 35 months behind schedule. There are a number of recommendations that are taken right from this report that are part of this bill.

One recommendation that wasn't specifically in the bill, but it was mentioned in the bill by referencing that the Army Corps of Engineers basically builds the same projects for the Department of Defense—the hospitals—on schedule and within budget.

We are talking about, again, hundreds of millions of dollars wasted in every single facility that is not going to the health care our veterans have earned; so I think it is only right that we move forward with this, not only to be fair to the men and women who have served us in uniform and sacrificed so much in defense of this country and giving them the benefits that they have earned through their service, but also out of respect to the taxpayers of the United States who have basically had their hard-earned dollars wasted in building these projects with these incredible and massive cost overruns.

I have had countless meetings with the Corps of Engineers, and they said that they could not publicly state their support for this, but I have given this legislation to them and said, ''Come back to me if you have any issues with it.''

They did not other than to say they feel prospectively they should be the ones managing these projects, period. My bill does not address that prospectively.

Mrs. KIRKPATRICK. Mr. Speaker, I hope my colleagues support H.R. 3593 and work with our partners in the executive branch to improve the delivery of facilities for our veterans.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I too thank the gentlewoman from Arizona once again for her bipartisan support of this good piece of legislation.

I urge all of my colleagues in the U.S. House to support H.R. 3593, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, H.R. 3593, as amended.

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

A motion to reconsider was laid on the table.

VETERANS TRAUMATIC BRAIN INJURY CARE IMPROVEMENT ACT OF 2014

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4276) to extend and modify a pilot program on assisted living services for veterans with traumatic brain injury, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4276

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 ''Veterans Traumatic Brain Injury Care Improvement Act of 2014''.

SEC. 2. EXTENSION AND MODIFICATION OF PILOT PROGRAM ON ASSISTED LIVING SERVICES FOR VETERANS WITH TRAUMATIC BRAIN INJURY.

(a) MODIFICATION OF REPORT REQUIREMENTS.—Subsection (e) of section 1705 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 38 U.S.C. 1710C note) is amended to read as follows:

''(e) REPORTS.—

''(1) QUARTERLY REPORTS.—

''(A) IN GENERAL.—For each calendar quarter occurring during the period beginning January 1, 2015, and ending September 30, 2017, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the pilot program.

''(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include each of the following for the quarter preceding the quarter during which the report is submitted the following:

''(i) The number of individuals that participated in the pilot program.

''(ii) The number of individuals that successfully completed the pilot program.

''(iii) The degree to which pilot program participants and family members of pilot program participants were satisfied with the pilot program.

''(iv) The interim findings and conclusions of the Secretary with respect to the success of the pilot program and recommendations for improvement.

''(2) FINAL REPORT.—

''(A) IN GENERAL.—Not later than 60 days after the completion of the pilot program, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a final report on the pilot program.

''(B) ELEMENTS.—The final report required by subparagraph (A) shall include the following:

''(i) A description of the pilot program.

''(ii) The Secretary's assessment of the utility of the activities carried out under the pilot program in enhancing the rehabilitation, quality of life, and community reintegration of veterans with traumatic brain injury.

''(iii) An evaluation of the pilot program in light of independent living programs carried out by the Secretary under title 38, United States Code, including—

''(I) whether the pilot program duplicates services provided under such independent living programs;

''(II) the ways in which the pilot program provides different services that the services provided under such independent living program;

''(III) how the pilot program could be better defined or shaped; and

''(IV) whether the pilot program should be incorporated into such independent living programs.

''(iv) Such recommendations as the Secretary considers appropriate regarding improving the pilot program.''.

(b) DEFINITION OF COMMUNITY-BASED BRAIN INJURY RESIDENTIAL REHABILITATIVE CARE SERVICES.—Such section is further amended—

(1) in the section heading, by striking ''**ASSISTED LIVING**'' and inserting ''**COMMUNITY-BASED BRAIN INJURY RESIDENTIAL REHABILITATIVE CARE**'';

(2) in subsection (c), in the subsection heading, by striking ''ASSISTED LIVING'' and inserting ''COMMUNITY-BASED BRAIN INJURY RESIDENTIAL REHABILITATIVE CARE'';

(3) by striking ''assisted living'' each place it appears, and inserting ''community-based brain injury rehabilitative care''; and

(4) in subsection (f)(1), by striking ''and personal care'' and inserting ''rehabilitation, and personal care''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(d) PROHIBITION ON NEW APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act, and this Act and such amendments shall be carried out using amounts otherwise available for such purpose.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentlewoman from Arizona (Mrs. KIRKPATRICK) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks to H.R. 4276, as amended.

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

There was no objection.

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

Mr. Speaker, H.R. 4276, as amended, would require the Department of Veterans Affairs, beginning in January, to provide reports to Congress on the pilot program for assisted living services for veterans with traumatic brain injury.

With passage of the Veterans Access, Choice, and Accountability Act earlier this year, we were able to extend this important program for another 3 years. As of June 1 of this year, 187 veterans from 46 different facilities in 22 States have been enrolled for services.

These are severely injured veterans who still want to live within their communities. For that reason, this bill also amends the definition of ''assisted living'' to encompass community-based brain injury residential rehabilitative care.

Too often, pilot programs are initiated and abandoned by the VA with little reporting or data analysis as to the effectiveness or efficiency of the program. That is why this bill is important.

It would require the Secretary to provide quarterly reports to Congress on utilization, status, and veteran satisfaction as well as interim assessments as to the success of the program and recommendations for improvement.

It would also require a final report as to how the VA would expect to continue or integrate this pilot into other services that are vital for enhancing the quality of life for those veterans suffering from what has been called one of the signature wounds of recent conflicts, traumatic brain injury, or TBI.

I am grateful to Representative BILL CASSIDY, my friend and colleague from Louisiana, for his leadership in introducing this legislation, and I am proud to join him in supporting it.

Mr. Speaker, I urge all of my colleagues to join me in supporting this important piece of legislation, and I reserve the balance of my time.

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

Traumatic brain injury has become a signature wound of the Iraq and Afghanistan wars. These conflicts have caused hundreds of thousands of servicemembers to sustain TBIs.

The Veterans Access, Choice, and Accountability Act extended the pilot program on assisted living services for veterans with TBI until October 2017. This pilot has helped nearly 200 veterans with moderate to severe brain injuries, and this program fills a treatment need which residential VA facilities currently cannot handle.

H.R. 4276 will improve the reporting requirements for the TBI assisted living pilot program so that we can better gauge its success and expand the definition of community-based residential rehabilitative services so that veterans with TBI have other residential and home-based assisted living options.

Congress has provided significant resources for this program, currently approaching $30 million per year. Reports show that veterans believe this is a successful and popular program, but we in Congress must provide vital oversight so that innovative pilot programs meet our veterans' needs. This is why we need better data on the cost and benefits of this program to veterans.

This bill will require the VA to submit detailed quarterly reports on this pilot program. I believe that these increased reporting requirements will ensure that the VA is providing the best rehabilitative services for our veterans with TBI.

Earlier this year, I held a field hearing on access to care for veterans with TBI at the VA medical center in Tucson, Arizona. The Tucson VA's polytrauma care unit is one of several VA centers across the country that is at the very forefront of providing care and rehabilitative services for veterans with TBI.

I believe the VA's cutting-edge treatments and its coordinated care for veterans with TBI serve as a model for innovative care that could be expanded to other medical specialties so that the VA may better address the unique health care needs of our veterans.

In the coming months, we must look to fundamentally reform the VA in how it provides benefits and services to veterans. We must look to some of the VA health care delivery programs that show promise, such as the assisted living pilot program, to implement best practices throughout the VA system that will give our veterans the timely, world-class health care they deserve. I look forward to engaging my colleagues and veterans in this goal.

I urge my colleagues to support H.R. 4276, and I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana, Representative BILL CASSIDY, my friend and colleague and a sponsor of the bill.

Mr. CASSIDY. Mr. Speaker, over 19 percent of returning veterans suffer from some form of traumatic brain injury.

That is why in March I introduced H.R. 4276 which would extend a VA pilot program to care for those suffering from traumatic brain injury, or TBI, and was pleased when a portion of this bill was included in the Veterans Access to Care Act of 2014.

In addition to extending the program for a longer length of time, my bill also created metrics for determining the success of the program.

I am pleased the House will now vote on the amended portion of my bill which creates more thorough, frequent reporting requirements and expands the definition of ''assisted living'' to encompass broader definitions of care.

The expanded reporting requirements allow for a more thorough determination of how successful this program is in rehabilitating patients suffering from TBI.

I am a doc. I know that, unless you measure something, it will not change. If we measure and find it doing well, hopefully, we expand; if not, we improve it.

It will also measure the satisfaction that the veteran and their family members have with the program. By expanding the definition of ''assisted living,'' the bill also allows for more partnerships to take place with non-VA facilities so that veterans can receive the kind of care that serves their unique needs.

It is our duty as Members of Congress to care for our veterans and ensure they receive the best care available. I thank Chairman MILLER for working with me on this legislation.

I appreciate the opportunity to have it considered, and I urge all my colleagues to support it.

Mrs. KIRKPATRICK. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. I thank the ranking member. This is certainly a bill that I can support.

H.R. 4276 would improve the reporting requirement for the TBI assisted living pilot program so that we can better gauge its success and expansion of the definition of the community-based residential rehabilitation services so that veterans who have TBI have other residential and home-based assisted living options.

I think it is important for us to go back to what the first President of the United States said about any war that we participate in:

''The willingness with which our young people are likely to serve in any war, no matter how justifiable, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their country.''

We are not just talking about this on Veterans Day, but about how we treat them and how we support them every day. I think this bill goes a long way to deal with some of the problems that they are experiencing after returning from the last two wars; so this is certainly a bill that I can support.

I want to say may God continue to bless America. I want to thank the veterans for their service—and not just thanking them, but this is really putting your money where your mouth is.

Mr. LAMBORN. Mr. Speaker, we have no further speakers, and I am prepared to close. I reserve the balance of my time.

Mrs. KIRKPATRICK. Mr. Speaker, I have no further speakers. I urge my colleagues to support H.R. 4276, and I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I too encourage all Members to support H.R. 4276, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, H.R. 4276, as amended.

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

A motion to reconsider was laid on the table.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2014

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2258) to provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2258

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 ''Veterans' Compensation Cost-of-Living Adjustment Act of 2014''.

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2014, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2014, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—Each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2014, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85–857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2015.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentlewoman from Arizona (Mrs. KIRKPATRICK) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

□ 1945

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on S. 2258.

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

There was no objection.

Mr. LAMBORN. Mr. Speaker, I yield myself as much time as I may consume.

As a senior member of the House Committee on Veterans' Affairs, I rise today in favor of S. 2258, the Veterans' Compensation Cost-of-Living Adjustment Act of 2014.

Mr. Speaker, it is timely that we consider this legislation today, having just observed last week the 13th anniversary of the September 11 terrorist attacks on our homeland, the catalyst for our efforts to fight terrorism.

Many of those who have sacrificed so much in recent and past conflicts aimed to protect America from harm are in continued and increased need. This is critical legislation that authorizes a cost-of-living adjustment for disabled veterans receiving disability compensation from the Department of Veterans Affairs and other compensation for survivors of veterans who have died as a result of their services to our country.

The amount of the payment increases will be determined by the Consumer Price Index, which controls the cost-of-living adjustment for Social Security payments as well.

I would like to thank Congressman RUNYAN of New Jersey, the chairman of the Subcommittee on Disability Assistance and Memorial Affairs within the Committee on Veterans Affairs, for introducing H.R. 4095, a companion bill to this legislation.

Mr. Speaker, I urge all of my colleagues to join me in supporting this legislation, and I reserve the balance of my time.

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

Mr. Speaker, last week the Senate passed S. 2258, the Veterans' Compensation Cost-of-Living Adjustment Act of 2014, which provides that veterans receive a cost-of-living adjustment beginning in December. Today, the House

can also act to ensure veterans continue to receive the support they deserve.

This is a bill that we must pass every year in order to ensure that the benefits we pay our veterans do not lose purchasing power because of inflation. Today we have the opportunity to pass this measure and send it to the President's desk.

This bill directs the VA to increase the rates of veterans' disability compensation, provide additional compensation for disabled veterans with dependents, ensure certain disabled veterans receive a clothing allowance, and increase dependency and indemnity compensation for surviving spouses and children. These adjustments would be made effective December 1, 2014, and match the increase in Social Security benefits.

S. 2258 will assist the estimated 4.5 million veterans and survivors who receive these monthly benefits and often depend upon these payments to make ends meet. For some, it is their only source of income.

Without this annual COLA increase, veterans, their families and survivors, would see the value of their hard-earned benefits slowly erode. Providing for this cost-of-living increase is another important thing Congress can do to help veterans and their families that have already sacrificed so much for us.

I urge my colleagues to support S. 2258, and I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I have no further speakers at this time, and I reserve the balance of my time.

Mrs. KIRKPATRICK. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. I thank the gentlewoman from Arizona for yielding to me and for all her hard work on behalf of our veterans.

Mr. Speaker, as the ranking member of the Disability Assistance and Memorial Affairs Subcommittee, I rise in support of S. 2258, the Veterans' Compensation Cost-of-Living Adjustment Act.

Unlike Social Security COLA increases, Congress must act each year to provide veterans with the COLA increase that they earned and deserved.

I was proud to introduce the corresponding legislation in the House with our subcommittee chairman, JON RUNYAN. Together, we also introduced legislation to make this yearly adjustment automatic.

So today, the House will pass a number of bills that are designed to meet the bipartisan goal of ensuring our Nation's heroes receive all the benefits they have earned. But there is an important bill that has been blocked from consideration in the House. That bill is H.R. 2529, the Veteran Spouses Equal Treatment Act, which would provide all married veterans and their families access to Federal benefits that they deserve.

Last week in the House Veterans' Affairs Committee, only one Republican had the courage to vote to provide access to VA benefits to legally married, same-sex couples, regardless of where they live, couples who received the benefits while they were in the military but lost them upon becoming veterans if they reside in certain States.

We heard all types of pitiful excuses. We heard that it was unconstitutional for Congress to force States to adopt Federal directives. That is ridiculous and intellectually dishonest. In fact, this House voted unanimously earlier this year to mandate that States provide instate tuition for veterans, a bill authored by the very Member who made the specious states' rights argument against H.R. 2529. And if you can even believe it, we heard process arguments as an excuse for not doing the right thing. I would remind my colleagues that they are the ones who make the process.

So when we vote today to adjust the COLA, remember that this increase is meaningless to thousands of our Nation's heroes in States like Texas, Florida, and North Carolina. They will not be receiving the benefits they earned and deserve. It is shameful and it is unfair.

So, Mr. Speaker, while I urge my colleagues to support H.R. 2258, I would remind them of these facts and implore the Republican leadership to do the right thing and bring H.R. 2529 to the floor for a vote so all veterans will get the benefits they earned and deserve.

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

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

Mr. Speaker, I urge my colleagues to support S. 2258 and send this important bill to the President today.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I too urge all Members to support S. 2258, and I yield back the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, thank you, Chairman MILLER, for your work to bring this legislation to the floor of the House that is so important to so many veterans depending on VA compensation.

This legislation affects the benefits of all veterans, by raising the compensation they receive to allow them to continue to buy the products they need to live.

It is important to pass this clean bill to make sure that those who have sacrificed to protect the freedoms we hold most dear do not suffer in these tough economic times.

In the words of the first President of the United States, George Washington:

"The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, S. 2258.

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.

FEDERAL RESERVE TRANSPARENCY ACT OF 2014

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 24) to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 24

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 ''Federal Reserve Transparency Act of 2014''.

SEC. 2. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, the Comptroller General shall complete an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 within 12 months after the date of the enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the audit required pursuant to subsection (a) is completed, the Comptroller General—

(A) shall submit to Congress a report on such audit; and

(B) shall make such report available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests the report.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking the second sentence.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 714 of title 31, United States Code, is amended—

(1) in subsection (d)(3)—

(A) in subparagraph (A)—

(i) by striking ''or (f)'';

(ii) in clause (i), by striking ''or (f)''; and

(iii) in clause (ii), by striking ''or (f)''; and

(B) in subparagraph (C), by striking ''or (f)''; and

(2) by striking subsection (f).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 24, the Federal Reserve Transparency Act, directs the GAO to conduct a full audit of the Federal Reserve.

The Dodd-Frank legislation mandated a GAO audit of the Fed, but that audit issued by the GAO in July of 2011 focused solely on certain issues concerning emergency credit facilities. GAO remains restricted under the current law from conducting a broader audit of the Fed that includes, for instance, a review of the Fed's monetary policy operations and its agreements with foreign governments and central banks.

Under this bill, the GAO, as the investigative arm of Congress, is allowed to conduct the audit that reviews all these transactions and is required to report such findings of the audit to Congress.

Now, while Congress should not manage the details of monetary policy, it needs to be able to conduct oversight of the Fed. The Fed was created by Congress to be a central bank independent of influence of the U.S. Treasury. It was never intended to be a second Treasury Department.

In recent years, the Fed's extraordinary interventions into the economy and financial markets have led some to call into question its independence. The Fed remains ultimately responsible to the American people and their elected representatives. This is why H.R. 24 has strong bipartisan support, with 228 cosponsors on both sides of the aisle. A version of this bill passed the House of Representatives last Congress by a vote of 327–98.

I want to thank Chairman HENSARLING for working with me to bring this legislation to the floor. I will insert our letters of exchange in the CONGRESSIONAL RECORD.

I encourage and urge my colleagues to support this legislation.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 12, 2014.

Hon. DARRELL ISSA,
Chairman, House Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN ISSA: On July 24, 2014, the Committee on Oversight and Government Reform ordered H.R. 24, the Federal Reserve Transparency Act of 2013, as amended, to be reported favorably to the House. As a result of your having consulted with the Committee on Financial Services concerning provisions of the bill that fall within our Rule X jurisdiction, I agree to discharge our committee from further consideration of the bill so that it may proceed expeditiously to the House Floor.

The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 24, as amended, at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 24, as amended, and would ask that a copy of our exchange of letters on this matter be included in your committee's report to accompany the legislation and/or in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, September 12, 2014.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Washington, DC.

DEAR CHAIRMAN: Thank you for your letter regarding the Committee on the Financial Services' jurisdictional interest in H.R. 24, the ''Federal Reserve Transparency Act of 2013,'' and your willingness to forego consideration of HR. 24 by your committee.

I agree that the Committee on Financial Services has a valid jurisdictional interest in certain provisions of H.R. 24 and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 24. As you have requested, Twill support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, 1 will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

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

I rise, Mr. Speaker, in opposition to H.R. 24.

Let me be clear. I support transparency surrounding the operations of the Federal Reserve. Transparency helps ensure that the Federal Reserve is implementing policies that will achieve the objectives given to it by Congress: supporting maximum employment, price stability, and moderate, long-term interest rates.

I emphasize, however, that the Federal Reserve has been subject to audit since 1978. Further, the Dodd-Frank Wall Street Reform and Consumer Protection Act, which I supported, significantly expanded the authority of the Government Accountability Office to examine the Federal Reserve's operations.

It also required the Federal Reserve to make public a wider range of data than it had previously disclosed. For example, Dodd-Frank authorized GAO to begin auditing discount window operations and required the Federal Reserve to begin releasing information about emergency credit transactions and discount lending programs.

Critically, however, Dodd-Frank ensured that transparency surrounding the Fed's operations was expanded in a way that would not compromise the Fed's ability to review and alter monetary policy without fear that its internal deliberations would be made public.

Mr. Speaker, if enacted, this bill would severely curtail the independence that has been a hallmark for the Federal Reserve and has been essential to its ability to strengthen our country. Specifically, H.R. 24 would permit GAO to audit the communications that members of the Federal Reserve's Board of Governors have with each other and with staff regarding monetary policy.

The act would also permit GAO to audit transactions conducted under the direction of the Federal Open Market Committee. Such audits, which could be conducted on an almost real-time basis under this bill, could have a chilling effect on the Fed. If board members know that their statements may become public, they may be inhibited from speaking candidly about the economic trends they are observing or the monetary policies they believe would best respond to current conditions. Further, simply by requesting that the GAO conduct certain audits, Members of Congress could seek to influence the Fed's deliberations and policy decisions.

The Federal Reserve is responsible for stewarding monetary policies that will support our Nation's long-term growth. We should expand transparency surrounding the Federal Reserve in a way that will ensure short-term political considerations do not unduly influence the Federal Reserve's monetary policymaking responsibilities.

The Oversight Committee has not held a single hearing or heard a single witness regarding the far-reaching consequences that passage of this legislation could have. I oppose this legislation, and I urge Members to vote against it.

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

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Mr. MEADOWS. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Georgia (Mr. BROUN), a man who has worked very hard on this particular issue.

Mr. BROUN of Georgia. Mr. Speaker, in the United States Constitution, article I, section 8, where it enumerates the powers of Congress, one of those powers is, as I am reading, ''to coin money, regulate the value thereof, and of foreign coin.''

In 1913, Congress abdicated its responsibility and its duty over to the Federal Reserve. It is unconstitutional that we have done so, and it has caused some disastrous effects.

I thank my friend Mr. MEADOWS for yielding me time to speak on behalf of H.R. 24, the Federal Reserve Transparency Act, better known as ''Audit the Fed.''

This is the same bill that passed the U.S. House in the 112th Congress by an overwhelming bipartisan majority. This is a vital piece of legislation that will help to usher in a new era of transparency in this Nation's monetary policy, and I am pleased to speak on its behalf with my colleagues.

Over the century, since its inception in 1913, the Federal Reserve has controlled our Nation's monetary policy—and therefore our economy—under a veil of secrecy. Throughout these last 100 years, Congress has only exercised a relatively small degree of oversight over the Federal Reserve. This lack of accountability has led to grievous consequences, and this must end.

For instance, since the Federal Reserve establishment in 1913, the value of the U.S. dollar has fallen 95 percent. In other words, the value of today's dollar is approximately worth one nickel of what a dollar was worth in 1913. What this does is cause a dramatic decline in the value of the U.S. dollar, and it is driven by the easy money policies of the Federal Reserve.

What does this mean in practical terms for the American people?

The steady decline of the U.S. dollar punishes thrift and savings, erodes the value of those savings, and harms older Americans living on fixed incomes. Just as bad, the expansion in money supply under the Federal Reserve has led to an unstable environment of booms and busts that have wrecked the financial security and stability of average Americans. This hurts poor people and senior citizens and the middle class the absolute most. Rich people will do fine with the policies of the Federal Reserve's. Wall Street bankers and the big money folks are fine, but the policies of the Federal Reserve hurt poor folks, they hurt senior citizens, and they hurt the middle class. It is not fair.

Since the 2008 financial crisis, the Federal Reserve's balance sheet has grown at an unprecedented rate, and it now contains $4 trillion worth of assets. At the same time, the enactment of the Dodd-Frank financial reform law has granted the Federal Reserve a greater role than ever in managing our economy and in overseeing the regulation of our financial system. Yet, in spite of the undeniable importance of the Federal Reserve, current law specifically prohibits audits of the Federal Reserve's deliberations, discussions, or actions on monetary policy.

In 2011, a partial audit of the Federal Reserve, required by the Dodd-Frank law, found that the Fed had loaned $16 trillion to financial institutions, some of which were not even American, between 2007 and 2010. This incredible sum was quietly loaned out with no public notice and no congressional oversight. If this is the sort of activity brought to light by just a partial audit, then I believe this further highlights the absolute necessity of a full audit. This bill will require a full audit of the Board of Governors of the Federal Reserve and of the Federal Reserve banks within 12 months of enactment.

The Federal Reserve is a creation of Congress, and it must therefore be subject to the oversight and regulation of Congress.

I must recognize and commend the leadership and years of work by my friend and colleague, Dr. Ron Paul, on this important issue. In the last Congress, Dr. Paul's bill amassed a bipartisan coalition that saw this legislation pass in a 327–98 vote. I am deeply honored to carry on this legacy of Dr. Paul's.

I urge my colleagues here in the House to support this important piece of legislation, and I urge our friends in the Senate to take up this bill's counterpart by my medical colleague, Senator RAND PAUL's S. 209.

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

Mr. MEADOWS. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. I thank the gentleman from North Carolina.

Mr. Speaker, I rise today in support of my friend and colleague Congressman PAUL BROUN's Federal Reserve Transparency Act, otherwise known as ''Audit the Fed.''

Our mutual friend and predecessor, Congressman Ron Paul, first introduced this bill back in 1983. His often lonely voice and courageous efforts to shed light on the secretive and harmful actions of the Federal Reserve have finally paid off over 30 years later. In July of 2012, Congressman Paul's ''Audit the Fed'' bill passed the House of Representatives by an overwhelming vote of 327–98. Sadly, it has yet to receive a vote in the Senate.

As Congressman Ron Paul stated here on the House floor in 2011, in words that remain current and relevant today in 2014:

> Throughout its nearly 100-year history, the Federal Reserve has presided over the near-complete destruction of the United States dollar. Since 1913, the dollar has lost over 98 percent of its purchasing power, aided and abetted by the Federal Reserve's loose monetary policy. How long will we as a Congress stand idly by while hardworking Americans see their savings eaten away by inflation? Only big spending politicians and politically favored bankers benefit from inflation.
>
> Since its inception, the Federal Reserve has always operated in the shadows, without sufficient scrutiny or oversight of its operations. While the conventional excuse is that this is intended to reduce the Fed's susceptibility to political pressures, the reality is that the Fed acts as a foil for the government. Whenever you question the Fed about the strength of the dollar, they will refer you to the Treasury and vice versa. The Federal Reserve has, on the one hand, many of the privileges of government agencies while retaining benefits of private organizations, such as being largely insulated from Freedom of Information Act requests.
>
> The Federal Reserve can enter into agreements with foreign central banks and foreign governments, and the GAO is prohibited from auditing these agreements. Why should a government-established agency, whose police force has Federal law enforcement powers and whose notes have legal tender status in this country, be allowed to enter into agreements with foreign powers and foreign banking institutions with no oversight?
>
> Particularly because the Fed has operated swap lines with foreign central banks and provided hundreds of billions of dollars of bailouts to foreign commercial banks, the Fed's negotiations with the European Central Bank, the Bank for International Settlements, and other foreign institutions should face increased scrutiny, most especially because of their significant effect on foreign policy. Given the currency crisis in Europe and the prospect of the Fed propping up foreign governments or bailing out American banks invested in European debt, this issue is of especially pressing concern.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MEADOWS. I yield the gentleman an additional 1 minute.

Mr. MASSIE. Thank you.

Congressman Ron Paul's words are even more true today than they were then, and that is why I urge my colleagues to vote in favor of this bill. It is time to force the Federal Reserve to operate by the same standards of transparency and accountability to the taxpayers that we should demand of all government agencies.

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

Mr. MEADOWS. Mr. Speaker, at this point, I have no additional people wishing to speak on this particular bill, but I would like to read one statement from Senator RAND PAUL. He said: ''It is time for more transparency in virtually every part of our government.''

I think most Americans can agree on that, and the Fed is the most logical place to start. I hope the House passes the ''Audit the Fed'' bill, and I look forward to pushing this bill in the Senate.

I reserve the balance of my time.

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

Again, I will be brief, but I urge Members to vote against the legislation. I think it is a giant step in the wrong direction.

I yield back the balance of my time.

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

Tonight, we have heard from the distinguished gentleman from Georgia, who not only has authored this legislation but has pushed at every attempt to make sure that we have accountability and transparency. The American people deserve that.

When much of the financial crisis was happening in 2008, this very body debated over and over again on whether a stimulus should be put forth to

stimulate the economy. At the same time, the Federal Reserve was making investment dollars that made that stimulus package look very small in comparison. Yet we are to assume that, like other government agencies, they are doing everything correctly. We know, as history has shown us, that that is not always the case.

I urge all of my colleagues to join me in supporting this particular bill—to support transparency, to let the accountability be with the American people.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 24, 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. MEADOWS. 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.

SENIOR EXECUTIVE SERVICE ACCOUNTABILITY ACT

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5169) to amend title 5, United States Code, to enhance accountability within the Senior Executive Service, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5169

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 ''Senior Executive Service Accountability Act''.

SEC. 2. BIENNIAL JUSTIFICATION OF POSITIONS.

Section 3133(a)(2) of title 5, United States Code, is amended by inserting after ''positions'' the following: '', with a justification for each position (by title and organizational location) and the specific result expected from each position, including the impact of such result on the agency mission,''.

SEC. 3. EXTENSION OF PROBATIONARY PERIOD.

(a) IN GENERAL.—Section 3393(d) of title 5, United States Code, is amended by striking ''1-year'' and inserting ''2-year''.

(b) CONFORMING AMENDMENT.—Section 3592(a)(1) of such title is amended by striking ''1-year'' and inserting ''2-year''.

SEC. 4. MODIFICATION OF PAY RETENTION FOR SENIOR EXECUTIVE SERVICE MEMBERS REMOVED FOR UNDER PERFORMANCE.

Section 3594(c)(1)(B) of title 5, United States Code, is amended to read as follows:

''(B)(i) any career appointee placed under subsection (a) or (b)(2) of this section shall be entitled to receive basic pay at the highest of—

''(I) the rate of basic pay in effect for the position in which placed;

''(II) the rate of basic pay in effect at the time of the placement for the position the career appointee held in the civil service immediately before being appointed to the Senior Executive Service; or

''(III) the rate of basic pay in effect for the career appointee immediately before being placed under subsection (a) or (b) of this section; and

''(ii) any career appointee placed under subsection (b)(1) of this section shall be entitled to receive basic pay at the rate of basic pay in effect for the position in which placed; and''.

SEC. 5. REQUIREMENT THAT PERFORMANCE REQUIREMENTS BE ESTABLISHED IN ADVANCE.

Section 4312(b)(1) of title 5, United States Code, is amended—

(1) by striking ''on or'' and inserting ''not later than 30 calendar days''; and

(2) by inserting ''in writing'' after ''communicated''.

SEC. 6. AMENDMENTS TO ADVERSE ACTION PROVISIONS WITH RESPECT TO CAREER APPOINTEES IN THE SENIOR EXECUTIVE SERVICE.

(a) SUSPENSION FOR 14 DAYS OR LESS FOR SENIOR EXECUTIVE SERVICE EMPLOYEE.—Paragraph (1) of Section 7501 of title 5, United States Code, is amended to read as follows:

''(1) 'employee' means—

''(A) an individual in the competitive service who is not serving a probationary period or trial period under an initial appointment or who has completed 1 year of current continuous employment in the same or similar positions under other than a temporary appointment limited to 1 year or less; or

''(B) a career appointee in the Senior Executive Service who—

''(i) has completed the probationary period prescribed under section 3393(d); or

''(ii) was covered by the provisions of subchapter II of this chapter immediately before appointment to the Senior Executive Service; and''.

(b) MODIFICATION OF CAUSE AND PROCEDURE FOR SUSPENSION AND TERMINATION.—

(1) IN GENERAL.—Section 7543 of title 5, United States Code, is amended—

(A) in subsection (a), by striking ''misconduct,'' and inserting ''such cause as would promote the efficiency of the service, misconduct,'';

(B) in subsection (b)(4), by adding at the end before the period the following: '', but no later than 30 days after the date that the employee's answer was received under paragraph (2)'';

(C) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively;

(D) by inserting after subsection (b) the following:

''(c) An agency head may extend the deadline for an employee to answer under subsection (b)(2) or the deadline for the agency to issue a written decision under subsection (b)(4) for no more than 30 days each. Any extension by the agency head under this subsection must be in writing and document the reasons for granting the extension.''; and

(E) by adding at the end the following:

''(g)(1) With respect to an employee subject to removal under this subchapter, if a final order or decision is issued in favor of the agency by the agency, the Merit Systems Protection Board, or the applicable reviewing court under section 7703, the employee—

''(A) shall pay to the agency an amount equal to any pay received by the employee during the period beginning on the date that the employee received notice under subsection (b)(1) and ending on the date of such final order or decision; and

''(B) have removed from such employee's credit any annual leave accrued during such period.

''(2) Paragraph (1) shall apply only to an employee who, during the period described in paragraph (1)(A), is placed on administrative leave or any other type of leave whereby the employee is in a status without duties but with pay.''.

(2) CONFORMING AMENDMENTS.—Subchapter V of chapter 35 of title 5, United States Code, is amended—

(A) in section 3593—

(i) in subsection (a)(2), by striking ''misconduct,'' and inserting ''such cause as would promote the efficiency of the service, misconduct,''; and

(ii) in subsection (b), by striking ''misconduct,'' and inserting ''such cause as would promote the efficiency of the service, misconduct,''; and

(B) in section 3594(a), by striking ''misconduct,'' and inserting ''such cause as would promote the efficiency of the service, misconduct,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Congress looks to the Senior Executive Service, or ''SES'' as we refer to it, to provide leadership so that the government may successfully deliver services to the American people.

A 1978 law creating the SES intended it to be an elite corps of leaders serving just below the high-level Presidential appointees. The roughly 8,000 SES members are spread across government agencies and are intended to be that link between the political appointees and agencies' career workforce.

In a budget-constrained environment, senior executives must be good stewards of the taxpayer dollars so citizens receive the best value for their money. Unfortunately, the Oversight Committee's investigations have, time and time again, identified SES members embroiled in agency scandals. This has created a need to restore the public confidence by increasing accountability and performance within the government's executive corps.

In February of 2012, the committee began investigating allegations that the Internal Revenue Service inappropriately scrutinized certain applicants who were seeking tax-exempt status. Documents and information showed that SES member Lois Lerner, the Director of the IRS' exempt organization unit, was extensively involved in the targeting of conservative groups' tax-exempt organizations while working to maintain a veneer of objective enforcement.

In April of 2012, the committee began investigating SES member Jeff Neely

for the excessive, wasteful and, in some cases, impermissible waste of taxpayer dollars associated with the GSA conferences, at a luxury resort in Las Vegas.

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Mr. Neely directed those planning the conference to make it over the top; thus it came as no surprise when photos surfaced of Mr. Neely relaxing in a Las Vegas hot tub on the taxpayers' dime.

Senior Executive Servicemembers also chose to conceal problems within the VA health care system. With more than 20 veterans' deaths linked to substandard care, the work of the VA inspector general and the Veterans' Affairs Committee, under Chairman MILLER, paints a very disturbing picture.

In response to all of this, H.R. 5169 gives agencies the tools to better manage their senior executives. The bill eliminates a provision in the current law that allows an executive removed for performance and placed in a new Federal job to retain their executive salary. I might add that that averages $161,000.

The bill makes senior executives subject to suspensions without pay for less than 2 weeks instead of a simple reprimand or admonishment in the same manner as frontline employees would receive. The bill makes senior executives accountable for conduct contrary to the efficiency of the Federal service.

The bill extends the probationary period for senior executives from 1 year to 2 years, and, if used properly, that probationary period gives agencies an effective tool to ensure that executives are productive. If executives are not performing in an acceptable level, they will be terminated.

The bill ensures that senior executives receive their performance plans—the foundation of accountability for poor and high performance—at least 30 days in writing before the appraisal cycle begins.

Mr. Speaker, following the committee's consideration, we have worked on a bipartisan basis to address the concerns of the minority.

First, the bill before the House today reflects the adoption of the amendment offered and withdrawn at the markup of the bill by the Delegate from the District of Columbia and maintains a requirement for agencies to provide 30 days' advanced notice to senior executives facing termination.

Second, the bill requires agencies to make a decision on termination and other disciplinary actions within 30 days of receiving the employee's response to that proposed action.

Finally, the bill ensures that senior executives fired for misconduct return any salary and leave accrued while on nonduty status. This means that the executive retains his or her avenues to appeal but, in the end, if terminated, is required to make the taxpayer whole.

Combined, these changes bring needed accountability to the Federal Government's executive leadership core.

I urge the Members of the House to support this measure, joining me in providing agencies additional tools to address instances where senior government officials are engaging in behavior contrary to the principles of public service.

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

Mr. CUMMINGS. I yield myself such time as I may consume.

Mr. Speaker, I want to thank Oversight Committee Chairman ISSA and the sponsor of H.R. 5169, the gentleman from Michigan, TIM WALBERG, for working with my Democratic colleagues Representatives LYNCH and NORTON to address some of our concerns.

Although much progress has been made in improving this legislation, I believe that there remains sufficient constitutional issues to cause concern, and, therefore, I must reluctantly oppose H.R. 5169, the Senior Executive Service Accountability Act.

I understand that this legislation was meant to address recent allegations of misconduct and management failures by senior executives at various agencies. While the allegations are quite troubling, I don't believe they justify governmentwide changes to the Senior Executive Service that will bring senior executives much closer to becoming ''at-will'' employees.

I am concerned that the provisions in this bill that would extend the probationary period for senior executives from 1 to 2 years and authorize suspensions for less than 14 days would give agency heads and political appointees the opportunity to terminate or suspend career senior executives for politically motivated reasons, and it is a very real possibility that this would go unchecked simply because there is no third-party review of an agency's actions under these circumstances.

I fear that this could result in the politicization of the Federal Government's career senior executive core which would undermine the very protections against political patronage and corruption instituted under the Pendleton Civil Service Reform Act of 1883.

I am also deeply troubled by the clawback provision in this legislation which would require an SES member who has been removed from Federal service to pay back the salary and accrued leave he or she received during the period pending removal.

I think it is highly likely that the courts and the Merit Systems Protection Board would construe this clawback provision in the same way they construe involuntary or enforced leave.

The Federal Circuit Court of Appeals and the MSPB have held that the imposition of involuntary or enforced leave constitutes a constructive suspension, requiring an agency to provide procedural due process to the employee before placing him or her on such leave status. These procedural rights must include notice, an opportunity to respond, an agency decision, and appeal rights.

Although this clawback requirement is limited to those senior executives who were placed on some form of leave with pay but without duties, they would never have been given the chance to challenge the agency's decision; moreover, the practical and real effect of the clawback provision is that the senior executive is removed from Federal service upon notice of removal which is, in essence, ''at-will'' employment.

For these reasons, I urge my colleagues to join me in opposing H.R. 5169; and, with that, I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield as much time as he may consume to the gentleman from the State of Michigan (Mr. WALBERG), my distinguished colleague who is the author of this piece of legislation.

Mr. WALBERG. I thank the gentleman from North Carolina for yielding to me and also thank him for his comments on this legislation. He laid it out extremely well.

Mr. Speaker, Congress expects the Senior Executive Service to provide leadership so the Federal Government may successfully fulfill their obligations to the American people. That is what it is all about. We serve at their will and for their purpose and so does the Senior Executive Service.

We also look to senior leaders to be good stewards of taxpayer dollars so citizens can have confidence that their hard-earned tax dollars are being utilized sensibly.

Unfortunately and especially in light of the numerous scandals at the IRS and Veterans Administration perpetuated by senior executive branch officials who let things happen and get out of control, we need to take legislative action to restore public confidence and increase accountability and performance within the Senior Executive Service.

The bill I have introduced, the Senior Executive Service Accountability Act, gives agencies commonsense tools to hold senior leaders more accountable for their taxpayer-funded work. Let me make this clear: the bill will make it easier to remove officials who have been found to have engaged in misconduct.

Specifically, it eliminates the current loophole that allows an executive who has been removed for poor performance and placed in a new Federal job from retaining their executive salary. It promotes fairness to make SES employees subject to the same employment standards as the employees they supervise.

It provides greater transparency on the number of senior leaders at each agency and their exact job requirements. It limits the amount of time an agency has to finalize its decision on whether to terminate an employee who has engaged in misconduct, thereby

preventing bad actors from receiving their paychecks for months after they were found to have committed acts of misconduct.

Having said that, Mr. Speaker, I ask for the support of my colleagues on H.R. 5169.

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

Mr. MEADOWS. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN. I thank the gentleman for yielding, and I thank the gentleman from Michigan for his bill.

Mr. Speaker, this bill is about accountability, accountability for Senior Executive Service people, people like Lois Lerner.

The ranking member of the committee who I have a great deal of respect for stated in his opening comments that he is nervous about this legislation because it might ''politicize senior government officials.'' Well, that is what we have now.

I mean, what could be more political than a high-ranking official at the Internal Revenue Service targeting people who disagreed with her political views? This is all about holding people accountable who do the very things the ranking member talked about.

We need this legislation because, Lord knows, the Justice Department is not doing their job. They are not holding anyone accountable. I mean, think about this fact pattern: you have got the FBI leaking to The Wall Street Journal in January of this year that no one is going to be prosecuted in the IRS scandal.

You have got the President's now famous remark on Super Bowl Sunday, on national television, where he says:

> There is no corruption here, not even a smidgen.

Talk about prejudging the outcome of a case when you have the highest-ranking official in the executive branch, and, of course, we have now—we have known about for several months—the lead attorney at the Justice Department on this case, Barbara Bosserman, who gave $6,750 to the President's reelection campaign and the Democratic National Committee; so, of course, we need something like this because the Justice Department isn't going to hold anyone to account.

Now, there is one bright spot, Mr. Speaker. This House in a bipartisan fashion told the Attorney General that we need a special prosecutor. Every single Republican voted for that measure. More importantly, 26 Democrats said, This is so egregious; this is so wrong. We not only need Mr. WALBERG's legislation, but we need a special prosecutor in the Justice Department to hold people to account.

When I talk with folks back home—every single day I am out and about, they walk up to me. ''Someone needs to be held to account for systematically targeting our most fundamental right, our First Amendment right to speak out in a political fashion against our government. That was targeted, and people need to be held to account for it.''

That is why I applaud the gentleman from North Carolina for his work on the committee and the gentleman from Michigan for sponsoring this great piece of legislation.

Mr. CUMMINGS. I will continue to reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from North Carolina for his leadership on this issue and managing this bill, and I thank the gentleman from Michigan for his leadership and introduction of this legislation.

Mr. Speaker, the bills on the floor this evening represent our ongoing effort to get to the bottom of the IRS' targeting effort of innocent American citizens on the basis of their political beliefs and to ensure that such malfeasance never happens again.

As I have stated repeatedly over the past year, it is imperative that we find out who ordered the targeting, when the targeting was ordered, and why.

I commend my colleagues on the Oversight and Government Reform and Ways and Means Committees for their tireless pursuit of justice for the American people.

The Judiciary Committee has been an active partner in this effort. On May 15, 2013, Attorney General Eric Holder promised me and Judiciary Committee members that he would conduct a fair, impartial investigation of the IRS targeting matter.

The Attorney General made his famous pledge that:

> This will not be about parties . . . this will not be about ideological persuasions . . . and anyone who has broken the law will be held accountable.

Unfortunately, that appears to be where the administration's commitment to pursuing this investigation ended. On May 7, 2014, following a year of no apparent progress in the investigation, the House passed H. Res. 565, calling on the Attorney General to appoint a special counsel to investigate the IRS targeting of conservative groups.

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That resolution, which laid out in detail the case for a special counsel, passed by a bipartisan vote of 250–168. Significantly, 26 Democrats joined in calling on the Attorney General of the United States to appoint an independent special counsel.

Since H. Res. 565 passed the House, other events have bolstered the already solid case for the appointment of a special counsel to investigate this matter. Incredibly, on June 13, the IRS announced that it had ''lost'' an untold number of emails belonging to Lois Lerner which were sought by congressional investigators. The ''lost'' emails covered the period between January 1, 2009, and April 2011, a period when the IRS' targeting of conservative groups was occurring regularly. How convenient.

Not 2 weeks ago, the IRS announced that it had also lost emails from five other employees involved in congressional investigations, including two agents in the supposedly ''rogue'' Cincinnati office. Again, how convenient.

On July 30, the Judiciary Committee held a hearing on the need for a special counsel to probe the IRS matter.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MEADOWS. I yield the gentleman 1 additional minute.

Mr. GOODLATTE. At that hearing, we heard testimony that the Justice Department had demonstrated it ''can no longer fairly and justly oversee'' any further investigations into the ongoing IRS targeting scandal and the ''only opportunity for justice'' lies with an independent special counsel.

Unfortunately, Mr. Speaker, the Obama administration has repeatedly demonstrated its unwillingness to work with congressional investigators to ensure we all know the full story behind the IRS' targeting of conservative groups. Their attempt to pull the wool over the American peoples' eyes speaks volumes.

Mr. Speaker, I urge my colleagues to join me in support of our ongoing efforts to uncover the truth and ensure accountability for the IRS' targeting of conservative groups. I commend my colleagues for bringing these important bills to the floor, and I urge my colleagues to join me in voting for them.

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

Mr. MEADOWS. Mr. Speaker, I yield as much time as he may consume to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I thank the gentleman from North Carolina for allowing me the opportunity to make a few closing comments on this issue that I wouldn't have introduced if I didn't feel it was important.

Senior executives have the opportunity to lead, to set policy, and to expand capabilities at their agency. This is a tremendous opportunity and privilege, a privilege of service we must not take lightly.

Now, I hasten to quickly state that a majority of Federal workers, including senior executives, are hardworking public servants doing the job that they have been asked to do, and I want to recognize and thank those hardworking men and women. Unfortunately, the recent scandals that we have talked about, like those at the VA and the IRS, have shined a light on those who have abused their position.

Lois Lerner certainly abused her position, and American taxpayers will never understand how Lois Lerner was

placed on administrative leave on May 23, 2013, and then retired 4 months later on September 23, 2013, successfully avoiding termination after she acknowledged the IRS wrongfully scrutinized conservative groups for years. Ms. Lerner continued to receive a full salary during this time, roughly $60,000, for which the average American would have to work 15 months to earn.

Then members of our Oversight and Government Reform Committee know the full story, the story of the so-called secret agent man who was allowed for years to not show up to his department work under the ruse of being a CIA agent. There was an unbelievable breakdown in the senior executive oversight, I might state.

Now, the American people need to have confidence that these executives are acting honestly and responsibly, Mr. Speaker. The Senior Executive Accountability Act is an attempt, an important attempt, an important step towards holding bad actors accountable for their actions in restoring the public trust.

Mr. Speaker, I ask my colleagues for their support of H.R. 5169.

Mr. CUMMINGS. Mr. Speaker, may I ask how much time remains?

The SPEAKER pro tempore. The gentleman from Maryland has 16 minutes remaining.

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

Mr. Speaker, we do oppose this legislation. We understand the intent of the sponsor, and we applaud him for his efforts. I think that we have to be very, very careful with people's constitutional rights I have stated in my opposition.

With that, Mr. Speaker, I urge Members to vote against the legislation, and I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, I am willing to close with just a few remarks.

Mr. Speaker, perhaps the IRS and the scandals that have been surrounding that are not a big deal to address this piece of legislation. Perhaps a picture of the gentleman in a Las Vegas hot tub is not a reason to address this piece of legislation, but I can tell you that our veterans are, Mr. Speaker.

Those facts that have been the headlines for far too long really are at the core of what we are as a body, that we must protect the men and women who have fought so valiantly for our country and for the freedoms. If we cannot hold our senior executives accountable for the sake of our veterans, then what good is there of any law?

What we must do, Mr. Speaker, I urge my colleagues to join me in supporting this for the veterans of our country to make sure that there is more accountability on behalf of American taxpayers so that we, once again, can start to trust our government.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 5169, as amended.

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

A motion to reconsider was laid on the table.

FEDERAL RECORDS ACCOUNTABILITY ACT OF 2014

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5170) to improve Federal employee compliance with the Federal and Presidential recordkeeping requirements, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5170

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) IN GENERAL.—This Act may be cited as the ''Federal Records Accountability Act of 2014''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Removal for deliberate destruction of Federal records.
Sec. 3. Use of non-official electronic messaging accounts.
Sec. 4. Reporting of the loss or potential loss of records.
Sec. 5. Senior Agency Official for Records Compliance.
Sec. 6. Preservation of electronic messages and other records.
Sec. 7. Presidential records.
Sec. 8. Retention of electronic correspondence.

SEC. 2. REMOVAL FOR DELIBERATE DESTRUCTION OF FEDERAL RECORDS.

(a) IN GENERAL.—Chapter 75 of title 5, United States Code, is amended by adding after subchapter V the following:

''SUBCHAPTER VI—FEDERAL RECORDS

''§ 7551. Definitions

''In this subchapter the following definitions apply:

''(1) EMPLOYEE.—The term 'employee' means—

''(A) an individual in the competitive service who is not serving a probationary or trial period under an initial appointment or who has completed 1 year of current continuous employment in the same or similar positions under other than a temporary appointment limited to 1 year or less; or

''(B) a career appointee in the Senior Executive Service who—

''(i) has completed the probationary period prescribed under section 3393(d) of this title; or

''(ii) was covered by the provisions of subchapter II of this chapter immediately before appointment to the Senior Executive Service.

''(2) SUSPENSION.—The term 'suspension' has the meaning given that term in section 7501 of this title.

''§ 7552. Suspension and removal

''(a) INSPECTOR GENERAL FINDING.—If the Inspector General of an agency determines an employee of the agency has willfully and unlawfully concealed, removed, mutilated, obliterated, falsified, or destroyed any record, proceeding, map, book, document, paper, or other thing in the custody of such employee, or verifies a violation under section 2208 or 2911 of title 44, the Inspector General shall promptly inform the head of the agency of that determination in writing.

''(b) SUSPENSION.—Notwithstanding any other provision of law, the head of an agency shall suspend an employee of that agency who has been determined by the Inspector General under subsection (a) to have willfully and unlawfully concealed, removed, mutilated, obliterated, falsified, or destroyed any record, proceeding, map, book, document, paper, or other thing in the custody of such employee, or who has been verified by the Inspector General to be in violation of section 2208 or 2911 of title 44.

''(c) REQUIREMENTS AFTER SUSPENSION.—An employee suspended under subsection (b) is entitled, after suspension and before removal, to—

''(1) be represented by an attorney or other representative;

''(2) a written statement of the charges against the employee within 15 days after suspension, which may be amended within 30 days thereafter;

''(3) an opportunity within 15 days after the receipt of the written statement under paragraph (2), plus an additional 15 days if the charges are amended, to answer the charges and submit affidavits;

''(4) a hearing, at the request of the employee, by an agency authority duly constituted for this purpose;

''(5) a review of the employee's case by the head of the agency or a designee, before a decision adverse to the employee is made final; and

''(6) a written statement of the decision of the head of the agency.

''(d) REMOVAL.—Subject to subsection (c) of this section and after any investigation and review the head of the agency considers necessary, the head of an agency shall remove an employee suspended under subsection (b) if such head determines that the employee willfully and unlawfully concealed, removed, mutilated, obliterated, falsified, or destroyed any record, proceeding, map, book, document, paper, or other thing in the custody of such employee.

''(e) APPEAL.—An employee who is removed under subsection (d) is entitled to appeal to the Merit Systems Protection Board under section 7701 of this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 75 of title 5, United States Code, is amended by adding at the end the following new items:

''SUBCHAPTER VI—FEDERAL RECORDS

''7551. Definitions.

''7552. Suspension and removal.''.

(2) SUBCHAPTER II APPLICABILITY.—Section 7512 of such title is amended—

(A) in subparagraph (D), by striking ''or'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting '', or''; and

(C) by adding at the end the following:

''(F) a suspension or removal under section 7552 of this title.''.

SEC. 3. USE OF NON-OFFICIAL ELECTRONIC MESSAGING ACCOUNTS.

(a) PRESIDENTIAL RECORDS ACT.—Chapter 22 of title 44, United States Code is amended by adding at the end the following new section:

"§ 2208. Disclosure requirement for official business conducted using non-official electronic messaging accounts

''(a) IN GENERAL.—The President, Vice President, or covered employee may not create or send a Presidential or Vice Presidential record using a non-official electronic messaging account (in this section, referred to as 'applicable electronic message') unless the President, Vice President, or covered employee—

''(1) includes an official electronic messaging account of the President, Vice President, or covered employee, as applicable, as a recipient in the original creation or transmission of the applicable electronic message and identifies all recipients of the applicable electronic message in such message;

''(2) forwards a complete copy of the applicable electronic message, including a complete list of the recipients of such message, to an official electronic messaging account of the President, Vice President, or covered employee, as applicable, within fifteen days after the original creation or transmission of the message; or

''(3) prints a complete copy of the applicable electronic message, including a complete list of the recipients of such message, and submits the message to the appropriate location or individual for appropriate archival storage by the Executive Office of the President within fifteen days after the original creation or transmission of the message.

''(b) ADVERSE ACTIONS.—An intentional violation of subsection (a) (including any rules, regulations, or other implementing guidelines) by a covered employee, as determined by the appropriate supervisor, shall be forwarded to the Inspector General of the agency for a verification of the violation, and upon verification, shall be subject to the suspension and removal provisions under section 7552 of title 5.

''(c) DEFINITIONS.—In this section:

''(1) COVERED EMPLOYEE.—The term 'covered employee' means—

''(A) the immediate staff of the President;

''(B) the immediate staff of the Vice President;

''(C) an individual of the Executive Office of the President whose function is to advise and assist the President; or

''(D) an individual of the Office of the Vice President whose function is to advise and assist the Vice President.

''(2) ELECTRONIC MESSAGE.—The term 'electronic message' means electronic mail and all other means by which individuals and groups may communicate with each other electronically.

''(3) ELECTRONIC MESSAGING ACCOUNT.—The term 'electronic messaging account' means any account that sends an electronic message.''.

(b) FEDERAL RECORDS.—Chapter 29 of title 44, United States Code is amended by adding at the end the following new section:

"§ 2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

''(a) IN GENERAL.—An officer or employee of a Federal agency may not create or send a record using a non-official electronic messaging account (in this section, referred to as 'applicable electronic message') unless such officer or employee—

''(1) includes an official electronic messaging account of the officer or employee as a recipient in the original creation or transmission of the applicable electronic message and identifies all recipients of the applicable electronic message in such message;

''(2) forwards a complete copy of the applicable electronic message, including a complete list of the recipients of such message, to an official electronic messaging account of the officer or employee within fifteen days after the original creation or transmission of the record; or

''(3) prints a complete copy of the applicable electronic message, including a complete list of the recipients of such message, and submits it to the appropriate location or individual for appropriate archival storage by the Federal agency within fifteen days after the original creation or transmission of the message.

''(b) ADVERSE ACTIONS.—An intentional violation of subsection (a) (including any rules, regulations, or other implementing guidelines) by an officer or employee of a Federal agency, as determined by the appropriate supervisor, shall be forwarded to the Inspector General of the agency for a verification of the violation, and upon verification, shall be subject to the suspension and removal provisions under section 7552 of title 5.

''(c) DEFINITIONS.—In this section:

''(1) ELECTRONIC MESSAGE.—The term 'electronic message' means electronic mail and all other means by which individuals and groups may communicate with each other electronically.

''(2) ELECTRONIC MESSAGING ACCOUNT.—The term 'electronic messaging account' means any account that sends an electronic message.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 22.—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following new item:

''2208. Disclosure requirement for official business conducted using non-official electronic messaging accounts.''.

(2) CHAPTER 29.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended by adding at the end the following new item:

''2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts.''.

SEC. 4. REPORTING OF THE LOSS OR POTENTIAL LOSS OF RECORDS.

Section 3106 of title 44, United States Code, is amended to read as follows:

"§ 3106. Unlawful removal, destruction of records

''(a) NOTIFICATION.—

''(1) ARCHIVIST AND PUBLIC NOTIFICATION.—Whenever the actual, impending, or threatened unlawful concealment, removal, mutilation, obliteration, falsification, or destruction of any record, proceeding, map, book, document, paper, or other thing in the custody of an agency comes to the attention of the head of the Federal agency, the head of the agency shall—

''(A) notify the Archivist; and

''(B) publish a general description of the records at risk or that have been lost on the website of the agency.

''(2) AGENCY NOTIFICATION.—Whenever the actual, impending, or threatened unlawful concealment, removal, mutilation, obliteration, falsification, or destruction of any record, proceeding, map, book, document, paper, or other thing in the custody of an agency comes to the attention of a Senior Agency Official for Records Management, such official shall immediately notify the head of the agency.

''(b) RECLAMATION OF RECORDS.—With the assistance of the Archivist, the head of a Federal agency shall initiate action through the Attorney General for the recovery of records the head knows or has reason to believe have been unlawfully removed from the agency, or from another Federal agency whose records have been transferred to the legal custody of such head.

''(c) ACTION BY THE ARCHIVIST.—In any case in which the head of the agency does not initiate an action for the recovery of records described in subsection (b) or other redress within a reasonable period of time after being notified of any such unlawful removal, the Archivist shall request the Attorney General to initiate an action described in subsection (b), and shall notify the Congress not later than 5 days after the date on which such a request has been submitted to the Attorney General.''.

SEC. 5. SENIOR AGENCY OFFICIAL FOR RECORDS COMPLIANCE.

(a) SENIOR AGENCY OFFICIAL.—Chapter 31 of title 44, United States Code, is amended by adding at the end the following new section:

"§ 3108. Senior Agency Official for Records Compliance

''(a) DESIGNATION.—Not later than November 15, 2014, the head of each Federal agency shall designate a Senior Agency Official for Records Management, and not later than November 15 of each year thereafter the head of each Federal agency shall reaffirm or designate a new Senior Agency Official for Records Management.

''(b) AUTHORITIES AND RESPONSIBILITIES.—The Senior Agency Official for Records Management shall—

''(1) be at least at the level of an Assistant Secretary or the equivalent; and

''(2) be responsible for the coordinating with the appropriate Agency Records Officer and appropriate agency officials to ensure compliance with all applicable records management statutes, regulations, and any guidance issued by the Archivist.

''(c) FEDERAL AGENCY COORDINATION.—In addition to the designation made pursuant to subsection (a), the head of a Federal agency may designate additional Senior Agency Officials for Records Management as the head of the agency determines to be necessary.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 31 of title 44, United States Code, is amended by adding at the end the following new item:

''3108. Senior Agency Official for Records Compliance.''.

SEC. 6. PRESERVATION OF ELECTRONIC MESSAGES AND OTHER RECORDS.

(a) REQUIREMENT FOR PRESERVATION OF ELECTRONIC MESSAGES.—Chapter 29 of title 44, United States Code, as amended by section 3(b), is further amended by adding at the end the following new section:

"§ 2912. Preservation of electronic messages and other records

''(a) REGULATIONS REQUIRED.—Not later than 18 months after the date of the enactment of this section, the Archivist shall promulgate regulations governing Federal agency preservation of electronic messages that are determined to be records (as such term is defined under section 3301 of this title). Such regulations shall, at a minimum—

''(1) require the electronic capture, management, and preservation of such electronic records in accordance with the records disposition requirements of chapter 33 of this title;

''(2) require that such electronic records are readily accessible for retrieval through electronic searches;

''(3) establish mandatory minimum functional requirements for electronic records management systems to ensure compliance with the requirements in paragraphs (1) and (2);

''(4) establish a process to certify that Federal agencies' electronic records management systems meet the functional requirements established under paragraph (3); and

''(5) include timelines for Federal agency compliance with the regulations that ensure compliance as expeditiously as practicable but not later than 2 years after the date of the enactment of this section.

''(b) COVERAGE OF OTHER ELECTRONIC RECORDS.—To the extent practicable, the regulations promulgated under subsection (a) shall also include requirements for the capture, management, and preservation of other electronic records.

''(c) COMPLIANCE BY FEDERAL AGENCIES.—Each Federal agency shall comply with the regulations promulgated under subsection (a).

''(d) REVIEW OF REGULATIONS REQUIRED.—The Archivist shall periodically review and, as necessary, amend the regulations promulgated under subsection (a).

''(e) REPORTS ON IMPLEMENTATION OF REGULATIONS.—

''(1) AGENCY REPORT TO ARCHIVIST.—Not later than 3 years after the date of the enactment of this section, the head of each Federal agency shall submit to the Archivist a report on the agency's compliance with the regulations promulgated under this section.

''(2) ARCHIVIST REPORT TO CONGRESS.—Not later than 90 days after receipt of all reports required by paragraph (1), the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on Federal agency compliance with the regulations promulgated under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, as amended by section 3(c)(2), is further amended by adding after the item relating to section 2911 the following new item:

''2912. Preservation of electronic messages and other records.''.

(c) DEFINITIONS.—Section 2901 of title 44, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (14); and

(2) by striking paragraph (15) and inserting the following new paragraphs:

''(15) the term 'electronic messages' means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals; and

''(16) the term 'electronic records management system' means software designed to manage electronic records, including by—

''(A) categorizing and locating records;

''(B) ensuring that records are retained as long as necessary;

''(C) identifying records that are due for disposition; and

''(D) ensuring the storage, retrieval, and disposition of records.''.

SEC. 7. PRESIDENTIAL RECORDS.

(a) ADDITIONAL REGULATIONS RELATING TO PRESIDENTIAL RECORDS.—

(1) IN GENERAL.—Section 2206 of title 44, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(C) by adding at the end the following:

''(5) provisions for establishing standards necessary for the economical and efficient management of electronic Presidential records during the President's term of office, including—

''(A) records management controls necessary for the capture, management, and preservation of electronic messages;

''(B) records management controls necessary to ensure that electronic messages are readily accessible for retrieval through electronic searches; and

''(C) a process to certify the electronic records management system to be used by the President for the purposes of complying with the requirements in subparagraphs (A) and (B).''.

(2) DEFINITIONS.—Section 2201 of title 44, United States Code, is amended by adding at the end the following new paragraphs:

''(6) The term 'electronic messages' has the meaning given that term under section 2901(15) of this title.

''(7) The term 'electronic records management system' has the meaning given that term under section 2901(16) of this title.''.

(b) CERTIFICATION OF PRESIDENT'S MANAGEMENT OF PRESIDENTIAL RECORDS.—

(1) CERTIFICATION REQUIRED.—Chapter 22 of title 44, United States Code, as amended by section 3(a), is further amended by adding at the end the following new section:

''§ 2209. Certification of the President's management of Presidential records

''(a) ANNUAL CERTIFICATION.—The Archivist shall annually certify whether the electronic records management controls established by the President meet requirements under sections 2203(a) and 2206(5) of this title.

''(b) REPORT TO CONGRESS.—The Archivist shall report annually to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the status of the certification.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, as amended by section 3(c)(1), is further amended by adding at the end the following new item:

''2209. Certification of the President's management of Presidential records.''.

(c) REPORT TO CONGRESS.—Section 2203(f) of title 44, United States Code, is amended by adding at the end the following:

''(4) One year following the conclusion of a President's term of office, or if a President serves consecutive terms one year following the conclusion of the last term, the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on—

''(A) the volume and format of electronic Presidential records deposited into that President's Presidential archival depository; and

''(B) whether the electronic records management controls of that President met the requirements under subsection (a) and section 2206(5) of this title.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 8. RETENTION OF ELECTRONIC CORRESPONDENCE.

(a) RETENTION OF RECORDS OF HIGH LEVEL OFFICIALS.—Section 3102 of title 44, United States Code, is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) the identification of electronic messaging accounts (as defined in section 2911) that should be preserved because such accounts are most likely to contain records that should be preserved as permanent Federal records and the automatic retention of those records, including the accounts of each head of a Federal agency, the deputies and assistants of such head, the head of each program office and staff office, each assistant secretary, each administrator, each commissioner, each director of an office, bureau, or the equivalent, each principal regional official, each staff assistant to such official (such as a special assistant, confidential assistant, and administrative assistant), each career Federal employee, each political appointee, and each member of the Armed Forces serving in equivalent or comparable positions; and

''(5) electronic capture, management, and preservation of the electronic messaging accounts (as defined in section 2911) described in paragraph (4), in accordance with the records disposal requirements of chapter 33 of this title such that—

''(A) electronic records are readily accessible for retrieval through electronic searches; and

''(B) there are mandatory minimum functional requirements for electronic records management systems to ensure compliance with this section.''.

(b) REVIEW BY THE COMPTROLLER GENERAL OF THE UNITED STATES.—Section 3107 of title 44, United States Code, is amended—

(1) by striking ''Chapters 21'' and inserting ''(a) IN GENERAL.—Chapters 21''; and

(2) by adding at the end the following:

''(b) COMPTROLLER GENERAL EVALUATION.—The Comptroller General shall evaluate and report to Congress not less than every two years on agency management of electronic mail records required under paragraphs (4) and (5) of section 3102.''.

(c) REVIEW BY INSPECTOR GENERAL.—Section 4(a) of the Inspector General Act (5 U.S.C. App) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(6) to review existing and proposed legislation and regulations relating to records retention requirements under the chapters 21, 29, 31 and 33 of title 44, United States Code (commonly referred to as the Federal Records Act) for programs and operations of such establishment and to make recommendations in the semiannual reports required by section 5(a) concerning compliance with records retention requirements.''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on December 31, 2016.

The SPEAKER pro tempore (Mr. BENTIVOLIO). Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, compliance with the Federal Records Act and the Presidential Records Act is vital in preserving the history of our government and ensuring its continued transparency.

Unfortunately, too frequently of late, Congress has heard examples of agencies and individuals failing to comply with the basic provisions of Federal recordkeeping law. The most recent illustration is the IRS which, according to the Archivist of the United States, failed to follow the law by not disclosing the potential loss of Federal records relating to Lois Lerner.

In another instance, the Oversight Committee learned that the then-Assistant Attorney General Tom Perez used his personal email account almost 1,200 times over a 4-year period to conduct official business. We should not tolerate this type of behavior.

Democracy requires transparency, Mr. Speaker. The public has a right to know the actions their government takes on their behalf. This principle of a right to know has been enshrined in numerous statutes at the Federal, State, and local levels. These include open meeting laws, Freedom of Information Act processes, and records laws.

At the national level, two bedrock transparency laws are the Federal Records Act and the Presidential Records Act. Together, these two laws ensure that our Nation's key documents, whether they be emails, maps, agendas, microfilm, or any other type of media, are preserved, sometimes in perpetuity, as a clear record of the government's operation and decision-making process.

Unfortunately, in recent weeks, particularly in relation to the events at the IRS surrounding the loss of Lois Lerner's emails, it is clear that records laws are not being followed appropriately by agencies and their employees.

The Archivist of the United States in testimony before this committee on June 24 stated that the IRS ''did not follow the law'' in failing to notify him of the potential loss of Federal records of Lois Lerner's hard drive.

Records can be lost due to ignorance, inattention, or intentional malice. We should not tolerate any of these excuses, but the intentional destruction of records, Mr. Speaker, in particular, is a criminal act, and Federal employees found to have committed such a crime should be fired.

I am pleased that today we are considering the Federal Records Accountability Act of 2014, a bill I was proud to introduce. This commonsense legislation will make a number of reforms to better hold Federal employees accountable to the requirements of the Federal Records Act and the Presidential Records Act.

Specifically, the bill creates a process requiring agencies to fire employees who have been found to have ''willfully and unlawfully'' altered, removed, or destroyed a Federal record.

The bill bars Federal employees from using nonofficial emails and other electronic messaging accounts to conduct official business, unless that communication is disclosed in full within 15 days to the government. Failure to do so would be considered a ''willful and unlawful'' destruction of Federal records and subject the employee to termination.

Mr. Speaker, additionally, the legislation will require agencies to disclose on their Web site notices indicating an actual, impending, or threatened loss of Federal records. This expands the current law mandate that agencies only inform the Archivist, the mandate recently ignored by the IRS.

This bill also requires agencies to appoint or reconfirm a senior agency official for records management. This individual would be responsible for ensuring full agency compliance with records laws, and Congress will be able to hold them directly accountable for noncompliance.

Additionally, thanks to an amendment from my good friend, the ranking member, Mr. CUMMINGS, this bill will require agencies to preserve their electronic records in an electronic format. This reform will end the absurd and yet all too common practice in which agencies require emails and other electronic records to be manually printed out for long-term storage and instead save them on a hard drive.

Finally, thanks to efforts by Ms. SPEIER and Mr. DESANTIS, the bill will require agencies to automatically capture all official emails, instant messages, tweets, and other electronic communications by senior agency officials, their assistants, and other officials likely to come into regular digital contact with a large number of Federal records.

This process will dramatically improve transparency at the most senior levels of government by starting with the presumption that electronic messages are Federal records instead of the current process under which officials self-select what constitutes a record.

Collectively, the reforms in H.R. 5170 will send a powerful message that transparency and faithful recordkeeping are priorities of our government.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

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

□ 2045

Mr. Speaker, I rise in strong support of this bill and I want to thank Representative MARK MEADOWS for his hard work on this bill.

This bill would make the Federal Government's records more transparent. This bill includes the language of a bill I introduced, the Electronic Message Preservation Act. That portion of the legislation would require the Archivist of the United States to issue regulations mandating that within 2 years of enactment all Federal agencies manage and preserve their email records electronically.

The bill would also direct the Archivist to establish standards for the preservation and management of electronic Presidential records and to annually certify that the White House has records management controls in place that meet those standards. Under this bill, the Archivist must report 1 year after the President leaves office on whether the controls used by the President met the required standards.

This amendment would move agencies out of the arcane print-and-file recordkeeping systems that many of them still use, a system which can lead to records getting lost or not being turned over in response to requests.

This bill also includes an amendment offered by my colleague Representative JACKIE SPEIER during the committee markup. The Speier amendment would provide a clearer standard for agencies to follow with regard to which records had to be kept and for how long. Under this approach, the records of senior agency officials would be kept permanently.

This bill also provides procedures for agencies to follow if an employee intentionally destroys records. Under this bill, employees will be held accountable and they will also receive the same due process rights that they have under current law.

There are a couple of issues with this bill that I would like to flag. One concern that has been raised is that the bill could have the unintended consequence of encouraging Federal employees to save every email. Under current law, the National Archives works with agencies to establish schedules that define how long an agency has to keep categories of records.

Agencies can't save everything forever or the volume would be so overwhelming we wouldn't be able to sort out important information from junk. We should evaluate this concern and just ensure that we aren't creating unintended consequences.

Another concern that has been raised with this bill is that, in attempts to restrict the manner in which the President and Vice President create records, the bill says the President and Vice President or a covered employee may not create or send a Presidential or Vice Presidential record using a nonofficial electronic messaging account unless the President or Vice President or covered employee takes certain steps. Those steps include copying an official email account, forwarding a copy of the email to an official account, or printing the email and properly archiving it.

The Presidential Records Act already requires the President, the Vice President, and their immediate staff to preserve their records. I think we should just make sure that we are not crossing the line in the requirements for the President and the Vice President. I believe those two concerns should be evaluated and addressed if this bill is considered in the Senate.

Again, I strongly support this bill and urge my colleagues to support it.

With that, I yield back the balance of my time.

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

As we look at this particular piece of legislation, the real genesis of this came from very troubling testimony that a number of us on both sides of this aisle heard in hearing after hearing. It was not one agency. It has been a plethora of agencies that seem to have communication that is going on, Mr. Speaker, on a regular basis that is not being preserved.

Now, part of this is accountability; part of this is historical. Can you imagine what our Founding Fathers would do if they had communicated to one another and never preserved the letter or the communication that had taken place between them? What would our history be? It would be filled with a number of holes. So, from a historical perspective, we have the real duty to require it for our children and our grandchildren to understand what goes on in government.

But, from an accountability standpoint, I think that is where most Americans are focusing these days, Mr. Speaker. They don't understand why we continue to lose email after email, while there seems to be hard drive problems at the IRS that transcend all logical comprehension of why so many hard drives would have failed. I have a hard time understanding that as well.

Regardless of those issues, if we enact this particular bill—and I thank the ranking member from Maryland because he has, indeed, with his amendment made this bill better. It is stronger, and I thank him for his support. Because when we work together in a bipartisan way to make sure that these records are kept, it not only preserves it for historical purposes, but it starts to build back the foundation, block by block, layer by layer, where the American people can once again trust their government.

I think it is time, Mr. Speaker, that we take this act and make it into law. So I encourage my colleagues to support this. I urge them to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 5170, as amended.

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

A motion to reconsider was laid on the table.

USE OF PERSONAL EMAIL ACCOUNTS PROHIBITION

Mr. BOUSTANY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5418) to prohibit officers and employees of the Internal Revenue Service from using personal email accounts to conduct official business.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5418

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

SECTION 1. IRS EMPLOYEES PROHIBITED FROM USING PERSONAL EMAIL ACCOUNTS FOR OFFICIAL BUSINESS.

No officer or employee of the Internal Revenue Service may use a personal email account to conduct any official business of the Government.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

Tonight I rise in strong support of H.R. 5418. This bill which I introduced is a response to the Ways and Means Committee's year-and-a-half-long investigation of the IRS' targeting of taxpayers based on their political beliefs.

In its exhaustive ongoing investigation, the committee found that some IRS employees risk that confidential information by circumventing official email and using their personal, nonsecure email for official business. H.R. 5418 fixes this problem by prohibiting employees of the IRS from using a personal email account to conduct any official business, ensuring there is a full record of IRS activity and that taxpayer information is secure.

There is no reason for an IRS employee to have confidential taxpayer information on his or her home computer without the necessary safeguards against disclosure. This behavior must be stopped, and I urge a ''yes'' vote on this bill.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I shall consume.

This is the first of three straightforward bills concerning the IRS. It is my hope the Republicans will focus the debate in the straightforward manner that is warranted, and that is what is happening on this bill.

Currently, the IRS restricts its employees from sending emails that contain sensitive but unclassified data outside the IRS network unless approved by senior agency management, but the manual does not specifically reference the use of personal email accounts. This legislation would specifically prohibit the use of personal email accounts to conduct official agency business. I support this bill.

Mr. Speaker, I welcome the introduction of this bill and I support it, and I yield back the balance of my time.

Mr. BOUSTANY. Mr. Speaker, I think it is a good bill. It is a commonsense bill. It has broad support. I urge its support, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 5418.

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.

PROVIDING FOR A RIGHT TO AN ADMINISTRATIVE APPEAL

Mr. BOUSTANY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5419) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5419

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

SECTION 1. ADMINISTRATIVE APPEAL RELATING TO ADVERSE DETERMINATIONS OF TAX-EXEMPT STATUS OF CERTAIN ORGANIZATIONS.

(a) IN GENERAL.—Section 7123 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(c) ADMINISTRATIVE APPEAL RELATING TO ADVERSE DETERMINATION OF TAX-EXEMPT STATUS OF CERTAIN ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall prescribe procedures under which an organization described in section 501(c) may request an administrative appeal (including a conference relating to such appeal if requested by the organization) to the Internal Revenue Service Office of Appeals of an adverse determination described in paragraph (2).

''(2) ADVERSE DETERMINATIONS.—For purposes of paragraph (1), an adverse determination is described in this paragraph if such determination is adverse to an organization with respect to—

''(A) the initial qualification or continuing qualification of the organization as exempt from tax under section 501(a) or as an organization described in section 170(c)(2),

''(B) the initial classification or continuing classification of the organization as a private foundation under 509(a), or

''(C) the initial classification or continuing classification of the organization as a private operating foundation under section 4942(j)(3).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to determinations made after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

Tonight I rise in strong support of H.R. 5419. This bill which I introduced requires the IRS to grant the same fair and unbiased appeal process to groups applying for tax-exempt status as it grants to other taxpayers.

During the investigation, we found that groups were being denied their ability to appeal denials of tax-exempt applications due to an unfair administrative practice at the IRS. This puts too much decisionmaking power in the hands of Washington bureaucrats, the same people we now know were depriving certain conservative groups of their right to operate as tax-exempt groups. This bill fixes that and provides equal rights to appeal for all tax-exempt applicants.

Mr. Speaker, I urge a ''yes'' vote on this bill, and I reserve the balance of my time.

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

Under current law, tax-exempt organizations are not able to request an administrative appeal of their initial classification of tax-exempt status. The bill would amend the Internal Revenue Code of 1986 to provide a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

I might add, this would apply to all, whatever their political leanings, provided they meet the requirements of the statute. So this would apply to liberal as well as conservative organizations that were subject to the inappropriate standards used by the IRS.

In 2012, the IRS received 51,748 applications for 501(c)(3) status and 2,774 applications for (c)(4) status.

□ 2100

In each case, less than three-tenths of 1 percent were denied. In 2013, two-tenths of 1 percent of all 501(c)(3) applications and 501(c)(4) applications were denied.

I support this legislation, and urge all of my colleagues to do so.

I yield back the balance of my time.

Mr. BOUSTANY. Mr. Speaker, I think this is, again, commonsense legislation that is needed. It is a necessary reform which came out in the investigation that we have done so far.

I urge its passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 5419.

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.

PERMITTING RELEASE OF INFORMATION REGARDING CERTAIN INVESTIGATIONS

Mr. BOUSTANY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5420) to amend the Internal Revenue Code of 1986 to permit the release of information regarding the status of certain investigations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5420

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

SECTION 1. RELEASE OF INFORMATION REGARDING THE STATUS OF CERTAIN INVESTIGATIONS.

(a) IN GENERAL.—Section 6103(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(11) DISCLOSURE OF INFORMATION REGARDING STATUS OF INVESTIGATION OF VIOLATION OF THIS SECTION.—In the case of a person who provides to the Secretary information indicating a violation of section 7213, 7213A, or 7214 with respect to any return or return information of such person, the Secretary may disclose to such person (or such person's designee)—

''(A) whether an investigation based on the person's provision of such information has been initiated and whether it is open or closed,

''(B) whether any such investigation substantiated such a violation by any individual, and

''(C) whether any action has been taken with respect to such individual (including whether a referral has been made for prosecution of such individual).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

Mr. Speaker, tonight I rise in support of H.R. 5420. This bill, which I introduced, reforms the Tax Code's rules on information disclosures to victims of unauthorized disclosures.

In recent years, the IRS has leaked the confidential tax information of numerous groups: The National Organization for Marriage, Crossroads GPS, Americans for Responsible Leadership, Freedom Path, and others. Disclosing taxpayer information like this is a crime, but current law does not allow the victimized taxpayer to know anything of the status of the investigation into the leak.

H.R. 5420 fixes this by allowing victims of unauthorized disclosures to learn about the status of any investigations into their particular cases.

Additionally, some victims of IRS targeting were subject to the flagrant disclosure of their confidential tax information to the media. Yet these victims are not permitted access to any information about the progress on the investigation of these violations.

This bill provides certainty to taxpayers who have been victimized in this manner to inquire about the status of their investigations. It is a commonsense bill. It is a good reform.

I urge a ''yes'' vote on this bill, and I reserve the balance of my time.

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

I support this legislation.

When a taxpayer makes a complaint regarding unlawful disclosure of information, current law does not permit the Treasury Department to provide the affected taxpayer with information concerning the status or resolution of the complaint.

Under the provision here, the enumerated circumstances in which taxpayer information may be lawfully disclosed by the Treasury Department would be expanded to include disclosure to certain complainants of information regarding the status and results of any investigation initiated by their complaint.

I support this bill, and I yield back the balance of my time.

Mr. BOUSTANY. Mr. Speaker, I thank my friend across the aisle. I think if only we could conduct business this way, it might all be good and we could solve a lot of problems, so I thank the gentleman.

This is, again, a commonsense reform, it came out of the investigation, I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 5420.

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.

TRIBAL GENERAL WELFARE EXCLUSION ACT OF 2013

Mr. NUNES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3043) to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3043

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 ''Tribal General Welfare Exclusion Act of 2013''.

SEC. 2. INDIAN GENERAL WELFARE BENEFITS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before section 140 the following new section:

''SEC. 139E. INDIAN GENERAL WELFARE BENEFITS.

''(a) IN GENERAL.—Gross income does not include the value of any Indian general welfare benefit.

''(b) INDIAN GENERAL WELFARE BENEFIT.—For purposes of this section, the term 'Indian general welfare benefit' includes any payment made or services provided to or on behalf of a member of an Indian tribe (or any spouse or dependent of such a member) pursuant to an Indian tribal government program, but only if—

''(1) the program is administered under specified guidelines and does not discriminate in favor of members of the governing body of the tribe, and

''(2) the benefits provided under such program—

''(A) are available to any tribal member who meets such guidelines,

''(B) are for the promotion of general welfare,

''(C) are not lavish or extravagant, and

''(D) are not compensation for services.

''(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) INDIAN TRIBAL GOVERNMENT.—For purposes of this section, the term 'Indian tribal government' includes any agencies or instrumentalities of an Indian tribal government and any Alaska Native regional or village corporation, as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601, et seq.).

''(2) DEPENDENT.—The term 'dependent' has the meaning given such term by section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B).

''(3) LAVISH OR EXTRAVAGANT.—The Secretary shall, in consultation with the Tribal Advisory Committee (as established under section 3(a) of the Tribal General Welfare Exclusion Act of 2013), establish guidelines for what constitutes lavish or extravagant benefits with respect to Indian tribal government programs.

''(4) ESTABLISHMENT OF TRIBAL GOVERNMENT PROGRAM.—A program shall not fail to be treated as an Indian tribal government program solely by reason of the program being established by tribal custom or government practice.

''(5) CEREMONIAL ACTIVITIES.—Any items of cultural significance, reimbursement of costs, or cash honorarium for participation in cultural or ceremonial activities for the transmission of tribal culture shall not be treated as compensation for services.''.

(b) CONFORMING AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting before the item relating to section 140 the following new item:

''Sec. 139E. Indian general welfare benefits.''.

(c) STATUTORY CONSTRUCTION.—Ambiguities in section 139E of such Code, as added by this Act, shall be resolved in favor of Indian tribal governments and deference shall be given to Indian tribal governments for the programs administered and authorized by the tribe to benefit the general welfare of the tribal community.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years for which the period of limitation on refund or credit under section 6511 of the Internal Revenue Code of 1986 has not expired.

(2) ONE-YEAR WAIVER OF STATUTE OF LIMITATIONS.—If the period of limitation on a credit or refund resulting from the amendments made by subsection (a) expires before the end of the 1-year period beginning on the date of the enactment of this Act, refund or credit of such overpayment (to the extent attributable to such amendments) may, nevertheless, be made or allowed if claim therefor is filed before the close of such 1-year period.

SEC. 3. TRIBAL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Secretary of the Treasury shall establish a Tribal Advisory Committee (hereinafter in this subsection referred to as the ''Committee'').

(b) DUTIES.—

(1) IMPLEMENTATION.—The Committee shall advise the Secretary on matters relating to the taxation of Indians.

(2) EDUCATION AND TRAINING.—The Secretary shall, in consultation with the Committee, establish and require—

(A) training and education for internal revenue field agents who administer and enforce internal revenue laws with respect to Indian tribes on Federal Indian law and the Federal Government's unique legal treaty and trust relationship with Indian tribal governments, and

(B) training of such internal revenue field agents, and provision of training and technical assistance to tribal financial officers, about implementation of this Act and the amendments made thereby.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of 7 members appointed as follows:

(A) Three members appointed by the Secretary of the Treasury.

(B) One member appointed by the Chairman, and one member appointed by the Ranking Member, of the Committee on Ways and Means of the House of Representatives.

(C) One member appointed by the Chairman, and one member appointed by the Ranking Member, of the Committee on Finance of the Senate.

(2) TERM.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each member's term shall be 4 years.

(B) INITIAL STAGGERING.—The first appointments made by the Secretary under paragraph (1)(A) shall be for a term of 2 years.

SEC. 4. OTHER RELIEF FOR INDIAN TRIBES.

(a) TEMPORARY SUSPENSION OF EXAMINATIONS.—The Secretary of the Treasury shall suspend all audits and examinations of Indian tribal governments and members of Indian tribes (or any spouse or dependent of such a member), to the extent such an audit or examination relates to the exclusion of a payment or benefit from an Indian tribal government under the general welfare exclusion, until the education and training prescribed by section 3(b)(2) of this Act is completed. The running of any period of limitations under section 6501 of the Internal Revenue Code of 1986 with respect to Indian tribal governments and members of Indian tribes shall be suspended during the period during which audits and examinations are suspended under the preceding sentence.

(b) WAIVER OF PENALTIES AND INTEREST.—The Secretary of the Treasury may waive any interest and penalties imposed under such Code on any Indian tribal government or member of an Indian tribe (or any spouse or dependent of such a member) to the extent such interest and penalties relate to excluding a payment or benefit from gross income under the general welfare exclusion.

(c) DEFINITIONS.—For purposes of this subsection—

(1) INDIAN TRIBAL GOVERNMENT.—The term ''Indian tribal government'' shall have the meaning given such term by section 139E of such Code, as added by this Act.

(2) INDIAN TRIBE.—The term ''Indian tribe'' shall have the meaning given such term by section 45A(c)(6) of such Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. NUNES) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. NUNES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

I rise today in support of the Tribal General Welfare Exclusion Act.

This bill would clarify the Tax Code so that spending by Native American tribes on health care, housing, education, care for the elderly and disabled, and other programs for the good of the tribe will be excluded from taxes.

These programs were traditionally tax-exempt, but in recent years the IRS has informally reinterpreted the rules in order to tax more and more of these programs. Simultaneously, the agency has subjected tribes to expensive and intrusive audits.

With their unique history of tribal sovereignty, Native Americans should not be subjected to arbitrary tax enforcement. This bill would put tribes on par with State and local governments and would end unwarranted intrusions into tribal self-government. It is broadly supported across the country and was actually given a zero score by the Joint Tax Committee.

Thus, I urge my colleagues to support the Tribal General Welfare Exclusion Act, and I will be submitting a more detailed statement for the RECORD that will provide clarity, context, and congressional intent for this legislation.

Mr. Speaker, considering a committee report will not accompany H.R. 3043, which is being considered by the House today, I take this opportunity as the author of the legislation to provide some context and congressional intent.

Under current law, taxpayers must generally include all items of income in computing gross income. Internal Revenue Service (IRS) guidance has established a general welfare exclusion under which payments made to individuals by governmental entities pursuant to legislatively provided social benefit programs for the promotion of the general welfare are not included in the recipient's gross income. To qualify under the general welfare exclusion, payment (1) must be made under a government program; (2) must be made for the promotion of general welfare; and (3) must not be made as compensation for services.

In evaluating Indian tribal government programs under the general welfare exclusion, including the second prong of this test (''for the

promotion of general welfare''), the IRS has frequently insisted that tribal benefits be based on individualized determinations of financial need. This stipulation prevents the general welfare exclusion from covering programs designed to provide substantially equal benefits to all qualifying members of a tribe or to provide benefits based on determinations of needs that are not financial in nature. These needs would include health coverage programs, education and cultural programs, elder programs, and housing programs.

Under IRS guidance released in June 2014, however, the IRS will conclusively presume that payments from Indian tribes to tribal members and their spouses and dependents will qualify under the general welfare exclusion without a determination of need if certain requirements are met. Under Revenue Procedure 2014–35, the payments (1) must be made pursuant to a specific Indian tribal government program with written guidelines; (2) must not discriminate in favor of the tribe's governing body and be made available to all qualifying members of the tribe; (3) must not be compensation for services; and (4) must not be lavish or extravagant. In addition, only certain types of programs that meet the procedural requirements will qualify for the conclusive presumption. The Revenue Procedure lists 23 such non-exclusive qualifying programs covering housing, education, elder care, health care, culture, and other welfare projects. Taxpayers may apply the rules retroactively to file for refunds for any open tax years.

The provisions in H.R. 3043 would codify this IRS guidance, specifically applying the general welfare exclusion to Indian tribes and payments received by tribal members, their spouses and children. The bill mandates that tribal government benefits would qualify for exclusion under the general welfare doctrine so long as the benefits (1) are provided pursuant to a specific Indian tribal government program; (2) are available to all tribal members (including spouses and dependents) who meet the government program's guidelines; (3) are not lavish or extravagant; and (4) are not compensation for services.

The provisions in H.R. 3043 also require that the tribal program be ''for the promotion of general welfare,'' but would not limit its application through conclusive presumption to specific types or examples of tribal programs. I expect that the IRS will apply this requirement in a manner that is no less favorable than the safe harbor approach in Revenue Procedure 2014–35, and that the IRS will not interpret the statute as requiring individualized determinations of financial need where a tribal government has established a program consistent with the statute. In construing the individual statutory requirements, including a determination of whether a program is ''for the promotion of general welfare'', it is expected that the IRS will develop regulations that are no less favorable to tribes than Revenue Procedure 2014–35, including no limitation of a tribe's ability to address community needs and to make benefits available to all eligible tribal members. This is based on the legislative purpose of the bill as well as the specific statutory construction provision in Section 2 (c) of the bill, which states that ''deference shall be given to Indian tribal governments for the programs administered and authorized by the tribe to benefit the general welfare of the tribal community.''

Provisions in H.R. 3043 also would require the Treasury Department to (1) establish a Tribal Advisory Committee to advise the IRS and Treasury on matters relating to taxation of Indians; (2) establish and provide training and education for IRS agents and tribal financial officers about the new provisions; and (3) suspend audits and examinations of Indian tribal governments and tribal members related to the general welfare exclusion until this education has been provided.

Concerns linger that the IRS may not fully understand the role that general welfare programs play in maintaining tribal culture and tradition, and that these issues should be addressed through government-to-government consultation rather than through tribal or member audits that may deter tribes from preserving culture and tradition or pursuing self-determination. It is intended that the Tribal Advisory Committee address these concerns and work with tribes on a government-to-government basis. This would be accomplished by appointing qualified tribal leaders and in the alternative, qualified tribal financial officers to the Tribal Advisory Committee. Such qualified individuals would have intimate knowledge of federal Indian law and policy, as well as the financial and community needs of Indian tribes. These qualifications would enhance the Department's administration of federal tax policies affecting tribal governments while ensuring that treaty rights and principles of tribal self-governance are properly balanced with federal tax policy.

The provisions in H.R. 3043 codifying the IRS guidance concerning the general welfare exclusion would be effective for tax years for which the period of limitations is open as of the date of enactment. Taxpayers would have one additional year from the date of enactment to file for a refund with respect to any such open tax year. And, the bill would provide the IRS with discretion to waive any interest and penalties under the Code for any tribe or tribal member in connection with the general welfare exclusion.

Mr. Speaker, I appreciate the opportunity to provide clarity, context, and congressional intent for this legislation.

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

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that my time be controlled by the gentleman from Wisconsin (Mr. KIND).

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 3043.

I was an original cosponsor of this legislation.

I commend my friend and colleague from California, a member of the Ways and Means Committee, for his leadership on this issue.

We are trying to correct a wrong interpretation with the IRS that will treat Native Americans like we do other sovereign entities in this country. That is why this legislation would codify existing IRS practice and bring crucial permanence and clarity to tribes across the country. It levels the playing field for tribal governments, treating them more like State governments, and it also respects tribal culture, traditions, and practices.

The bill excludes from taxation income received on tribal general welfare programs, many of which are identical to the tax-exempt Federal and State programs in the areas of health care, education, housing, eldercare, emergency assistance, cultural programs, burial assistance, and legal aid, and provides necessary deference and flexibility to these tribal governments so that they can develop programs and determine priorities that promote the general welfare in their own communities.

According to the Joint Committee on Taxation, this legislation doesn't cost taxpayers a cent—it has no budgetary impact—so we are not adding to the deficit.

This bill is supported by numerous national organizations, including business and tribal organizations, regional tribal and intertribal organizations, and a multitude of State-based tribal governments.

I want to just take a moment to thank the Ho-Chunk Nation of Wisconsin, the Oneida Tribe of Wisconsin, and the National Congress of American Indians for working tirelessly on this issue. My staff and I greatly appreciate their assistance in getting this in order for tonight.

I encourage my colleagues to support this legislation.

I, again, thank my friend for his leadership, and I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, I too would like to thank the gentleman for making this truly one of the few bipartisan bills that has no opposition, where we come together for the right reasons to get something done for the benefit of all of our communities, especially our tribal communities.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REED).

Mr. REED. Mr. Speaker, I would like to thank the gentleman for yielding.

Mr. Speaker, I rise tonight in support of H.R. 3043, the Tribal General Welfare Exclusion Act of 2013.

First, I would like to thank Congressman NUNES for his hard work on this legislation. Without his leadership, this bill would not have made it as far as it has today.

I would also like to thank the Ways and Means chairman, DAVE CAMP, for his support throughout this process, and all my colleagues on the other side of the aisle that have joined in the effort to get this legislation passed and considered this evening.

This legislation codifies, Mr. Speaker, the proper tax treatment of certain services provided by the tribe for education, public safety, to promote its culture, and to provide for the general welfare of the tribe. This is an issue of fair treatment of taxpayers—in this case, Native American taxpayers, such as those who live in the sovereign Seneca Nation in western New York, in my

home district, the 23rd Congressional District of New York.

This legislation will ensure that the unique legal relationship and tax issues with regard to members of the Indian Nations and tribal governments are recognized and respected by the IRS going forward.

I urge my colleagues to join us and pass this legislation tonight. It is only fair that we do the right thing by these Native American taxpayers.

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

Mr. Speaker, I don't have any further requests for time on this, but I would like, at this time, to have the following documents inserted into the RECORD: a letter of support for H.R. 3043 from the Ho-Chunk Nation, which is in my congressional district in western Wisconsin; a letter of support from the Oneida Tribe of Indians of Wisconsin in Oneida, Wisconsin; and a letter of support from the Midwest Alliance of Sovereign Tribes, which is headquartered in Gresham, Wisconsin.

HO-CHUNK NATION LEGISLATURE,
September 9, 2014.

Re Tribal Welfare General Exclusion Act (H.R. 3043).

Hon. RON KIND,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE KIND: I am writing on behalf of the Ho Chunk Nation (Nation) to thank you for your co-sponsorship of the Tribal Welfare General Exclusion Act (H.R. 3043), a bi-partisan bill introduced by Representative Nunes and 54 other Members of the House. The Nation is reliably informed that House leadership is interested in bringing this bill to the floor during the very short September 2014 session.

As you know, tribal members across the country have been harassed by the IRS seeking to force them to include in calculations of gross income the value of tribally-provided programs and services. This legislation is necessary to clarify that various programs and services provided by Indian tribal governments to their tribal members are not characterized as income for purposes of computing taxable income by the federal Internal Revenue Service (IRS).

To be excluded under H.R. 3043, tribally-provided welfare benefits must be available to any tribal member under established guidelines, are for the promotion of general welfare, are not lavish or extravagant, and are not compensation for services. The bill would also establish a Tribal Advisory Committee to provide education and training to IRS officials and staff and to help enforce internal revenue laws in Indian country.

H.R. 3043 is strongly supported by the National Congress of American Indians, the Native American Finance Officers Association, Indian tribes across the country, and the U.S. Chamber of Commerce. The Joint Committee on Taxation has determined that, if enacted, H.R. 3043 ''would have a negligible effect on Federal fiscal revenues.''

For all of these reasons, we respectfully urge you to communicate your support for H.R. 3043 to Chairman Camp and Ranking Member Levin as well as with Republican and Democrat leadership. Thank you for your longstanding support for the Nation and, indeed, for tribal communities across the country, and your kind consideration of this request.

Sincerely,

JON GREENDEER,
President.
HEATHER CLOUD,
Vice President.

ONEIDA TRIBE OF INDIANS OF WISCONSIN, BUSINESS COMMITTEE,
September 4, 2014.

Hon. RON KIND,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN KIND: I hope this letter finds you doing well. First, I commend you for your support and thank you for your co-sponsorship of H.R. 3043 (the Tribal General Welfare Exclusion Act), a bill to address certain inequities in the tax code relative to the delivery of basic general welfare programs to our members. Second, we have been made aware of an effort by the bill's primary sponsor, Congressman Devin Nunes, that he is working with the Majority's leadership and Chairman Camp to consider H.R. 3043 on the Suspension Calendar sometime this month. Your support of such an effort would be critical to securing the votes necessary for the passage of this bill. I am asking that you do what you can to help in this effort.

While the Obama Administration has done an outstanding job in addressing many of the concerns of Indian Country by releasing Revenue Procedure 2014–35 earlier this year, that determination is not a permanent solution to our GWE concerns. Additionally, the Procedure provides no reforms to the way the IRS does business on Indian lands, does not require IRS agents to receive training or education in federal Indian law or the U.S. trust obligations to Tribes and individual Indians, and does not give Tribal leaders a voice in the Administrative process at the Department of Treasury. Only with the adoption of statutory changes will Indian Country find a full level of assurance that the benefits we extend to our Tribal members will not be met with invasive audits and potential financial ruin. The bill you have co-sponsored brings us that level of assurance.

Again, thank you for all of your efforts to help Indian Country achieve basic fairness under our nation's tax code. Your continued support on this issue is greatly appreciated.

Sincerely,

MELINDA J. DANFORTH,
Vice Chairwoman.

MIDWEST ALLIANCE OF SOVEREIGN TRIBES,
September 16, 2014.

Re Reform the IRS in Indian Country—Vote YES on H.R. 3043.

Hon. RON KIND,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE KIND: We write on behalf of the Midwest Alliance of Sovereign Tribes to thank you and ask that you please educate others on why the should vote ''YES'' on H.R. 3043, the Tribal General Welfare Exclusion Act, when the bill comes to the House floor for a vote. And we thank you in advance for co-sponsoring this bill!

Federal Indian affairs policy is grounded in the history and course of dealings between the U.S. and Indian tribes. Tribes ceded or had taken hundreds of millions of acres of our homelands to help build this Nation. In return, the U.S. made solemn promises to provide for the health, education, and general welfare of Indian people. Sadly, federal programs and services designed to meet these promises have been unfunded or underfunded for decades. As a result, tribal governments are stepping in to meet these shortfalls by directly providing programs and services to our tribal citizens. Instead of fostering these acts of Indian self-determination, the IRS has targeted Indian tribes for audits, seeking to impose federal income taxes on tribal government programs and services.

Tribal leaders nationwide raised concerns with these targeted IRS intrusions of Indian self-determination. H.R. 3043 will implement long-needed reforms of the work of the Internal Revenue Service (IRS) in Indian Country and clarify that federally recognized tribal government programs and services provided to our citizens are not subject to federal income taxation. Passage of this bill will help align federal tax laws with federal Indian law and policy, strengthen Indian self-determination, and respect the local decisions of tribal governments to improve our communities. On September 17, 2013, the Joint Committee on Taxation (JCT) ruled that H.R. 3043 ''would have a negligible effect on federal fiscal revenues.''

For these reasons, we again urge you to ask others to vote ''YES'' on H.R. 3043 as introduced when the bill comes to the House floor for a vote. We appreciate your consideration of this important request.

Sincerely,

SCOTT R. VELE,
Executive Director.

Mr. KIND. Mr. Speaker, since I have no further speakers, I ask my colleagues to support this bipartisan piece of legislation tonight, and I yield back the balance of my time.

Mr. NUNES. Mr. Speaker, I would like to thank the gentleman from Wisconsin.

At this time, Mr. Speaker, we have one final speaker left. I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Speaker, I thank Mr. NUNES for doing this. Thank you for the bipartisan support from everyone, and particularly in the Ways and Means Committee.

This is one of those sort of semijoyous moments where we actually get to do something that is good legislation and good policy, and sometimes you desperately wish around here we had more of this.

Being from Arizona, I have 22 tribes in my State. As a much younger man in the legislature, I actually chaired the Indian Affairs Committee in my State legislature, and we spent years working with our communities to become self-sufficient, to maximum their sovereignty and respect it. So many of my tribes in Arizona now are actually engaging in activities to bolster their population, to provide them the basic benefits that you and I would receive from our city council, from our county, from our State. The clarification this provides just puts them on equal footings with what happens in our other communities and for those who live off reservation. That is why this is such good legislation. It is rational, it makes sense, and continues to incentivize the right direction, the right sovereignty, the right approach for our Native American people in this country.

With that, Mr. NUNES, thank you for doing this.

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

I would like to thank the gentleman from Arizona for his kind words.

Mr. Speaker, in closing, I want to say a special thanks to Chairman DAVE CAMP, Ranking Member LEVIN, all the Ways and Means staff that worked on this legislation. This is legislation that has been around for several years. And especially I would like to thank Damon Nelson from my staff, who has been on this doggedly since he found out the injustice that was being done to tribes across America. So I would like to thank him for his special support for doing the important work that our staff does to get something like this across the finish line.

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

Mr. COLE. Mr. Speaker, I rise to support H.R. 3043, the Tribal General Welfare Exclusion Act. H.R. 3043 would align federal Indian affairs policy with federal tax policy. H.R. 3043 would require field agents to receive training and education on federal Indian law and the government's treaty and trust obligations to Native Americans to ensure that their actions in the field follow the law and IRS policy. It would do so by clarifying that tribal government programs and services that aid the general welfare of the tribe are not subject to federal income taxation. It also establishes a Tribal Advisory Committee within the Treasury Department. Additionally, the Joint Committee on Taxation has determined the bill would do this at little to no cost to the federal government.

The Constitution clearly states that the federal government shall provide for the general welfare of the people. The IRS excludes a broad array of government services including, but not limited to, education, public safety, court system, social services, public works, health services, housing authority, parks and recreation, cultural resources, and museums. Through treaties and executive order, Indian tribes ceded hundreds of million of acres of their homelands to the United States. In return, the U.S. made promises to provide for the health, education and general welfare of Native communities. Sadly, we have fallen short in meeting these solemn obligations. In recent years, Indian tribal governments have stepped in to cover these shortfalls in federal obligations by offering tribal government programs and services to meet the needs of their communities. To be clear, these are governments providing government services for their citizens.

Instead of fostering these acts of tribal government self-determination, over the past decade, some IRS field agents have targeted tribes for audits and investigations seeking to tax tribal citizens for benefits derived from these programs and services. Field agent decision-making has been at best inconsistent and arbitrary. Activities allowed in one audit have been challenged in another. Field agents have conversely given wide deference to federal and state government programs that provide for the general welfare of their citizens. In doing so, they have exempted general welfare programs from taxation, an exception known as a "general welfare exclusion."

H.R. 3043 will codify and better align federal tax policy with Indian affairs policy and ensure that IRS policies that recognize appropriate tribal government actions are actually being implemented in the field.

Mr. Speaker, with that, I urge passage of H.R. 3043, the Tribal General Welfare Exclusion Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. NUNES) that the House suspend the rules and pass the bill, H.R. 3043.

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.

PRESERVING WELFARE FOR NEEDS NOT WEED ACT

Mr. REICHERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4137) to prohibit assistance provided under the program of block grants to States for temporary assistance for needy families from being accessed through the use of an electronic benefit transfer card at any store that offers marijuana for sale.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4137

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 "Preserving Welfare for Needs Not Weed Act".

SEC. 2. PROHIBITION ON USE OF ELECTRONIC BENEFIT TRANSFER CARD TO ACCESS TANF ASSISTANCE AT ANY STORE THAT OFFERS MARIJUANA FOR SALE.

(a) PROHIBITION.—Section 408(a)(12)(A) of the Social Security Act (42 U.S.C. 608(a)(12)(A)) is amended—

(1) by striking "or" at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting "; or"; and

(3) by adding at the end the following:

"(iv) any establishment that offers marihuana (as defined in section 102(16) of the Controlled Substances Act) for sale.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 2 years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. REICHERT) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. REICHERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today to urge support of H.R. 4137, the Preserving Welfare for Needs Not Weed Act.

Federal welfare benefits are an important means for many individuals and families to get critical assistance for basic necessities until they get back on their feet.

Shockingly, as a result of recent State laws legalizing recreational marijuana in Colorado and also in my home State of Washington, we are seeing new abuses of these benefits. In these States, a person can walk into one of the newly opened pot shops and use their welfare benefit card to pay for pot.

These are Federal tax dollars meant for basic necessities and, instead, they are being used to purchase something that is illegal under Federal law. It is exactly this misuse of tax dollars that this bill is designed to stop.

This bill, which I introduced earlier this year as chairman of the Ways and Means Subcommittee on Human Resources—the subcommittee with jurisdiction over the program that we are talking about tonight and that is being abused—will block access to welfare cash in stores selling marijuana.

Mr. Speaker, I know firsthand the struggles that families can go through during my hard times from my own childhood growing up, and from what I witnessed as a law enforcement professional for 33 years. From the time I was a cop on the street in King County Washington through my days as the sheriff there, I witnessed how too often a lack of a job, living in a crime-ridden neighborhood, and using drugs tore families apart.

□ 2115

In some ways, things have even gotten worse today. For instance, we had millions of long-term unemployed struggling to get back to work during the so-called Obama recovery.

To make ends meet, many turned to benefits like TANF, which is the Temporary Assistance for Needy Families. The TANF program provides millions of low-income Americans temporary assistance to help adults transition to work and support their children while they are doing that. TANF is a flexible grant to States, but it also includes rules to ensure that our tax dollars are being spent appropriately.

Sadly, a disturbing number of people were spending welfare benefits in liquor stores, casinos, and even strip clubs. In 2012, Congress passed a law that required States to block welfare benefits from being accessed in those places, and President Obama, rightly, signed it into law.

Since then, both Washington State and Colorado have legalized marijuana, opening up a new loophole—the "pot shop loophole," as I call it—which the bill before us would close, along with the other shops that I mentioned before that are already closed to the use of your welfare benefit card, like liquor stores, casinos, and strip clubs. This bill just adds "pot shops" to that list.

This isn't an idle concern. A report examining welfare transactions in Colorado revealed over $5,000 in welfare benefits were accessed in stores selling marijuana in the first month such stores were open. With other States considering legislation to legalize

marijuana, it is important that we close this ''pot shop loophole'' now before it expands.

This bill simply says that when it comes to spending welfare benefits—money taxpayers provide to low-income parents to help support their children—we are drawing a line. Taxpayer-funded welfare benefits must be spent on children's and families' needs and not on weed.

I encourage all Members to support this simple commonsense fix so that welfare funds are used as they were intended, to support the needs of low-income families and children and not to support drug use.

This legislation builds on good policy this Chamber has already crafted and passed in the last Congress. It has no cost, according to the Congressional Budget Office, and, most importantly, Mr. Speaker, it is the right thing to do.

I reserve the balance of my time.

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

As mentioned, this bill is designed to prevent individuals from using their TANF Electronic Benefit Transfer cards in establishments that sell marijuana. This restriction would add to a current law on prohibition of EBT transactions in casinos, liquor stores, and adult entertainment clubs.

While it is important that benefits under TANF be used only to support the basic needs of struggling families, I think it is regrettable that this legislation is coming to the House floor without any markup, hearings, or discussion within our committee.

Such discussions usually raise questions that are worth examining before legislation is considered on the floor.

I reserve the balance of my time.

Mr. REICHERT. Mr. Speaker, I would inquire of Mr. LEVIN as to whether or not he has any speakers on his side.

Mr. LEVIN. Mr. Speaker, I have one.

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

Mr. LEVIN. It is now my pleasure to yield 5 minutes to the gentleman from Texas (Mr. DOGGETT), the ranking member of the Subcommittee on Human Resources.

Mr. DOGGETT. I thank the gentleman.

Mr. Speaker, the Needs not Weeds Act is a pretty catchy title. I think it could fit on a bumper sticker. In fact, perhaps it already has.

Unfortunately, Mr. Speaker, this proposal has only a little to do with weeds and nothing whatsoever to do with the needs of our neighbors who are trying to move out of poverty and into the middle class of America, the people that are down there on the bottom economic rung that are trying to climb up another rung or two. This Congress is indifferent to their needs. You might say their hopes have just gone up in smoke.

On the very day that we are considering this proposal, we are being called upon by the same folks to approve a companion Republican resolution that once again cuts resources for Temporary Assistance for Needy Families, indeed, not one, but two cuts, a cut of $14 million each year from the TANF contingency fund on which about a third of the States have relied on for assistance in this recession to help people find jobs and provide other services and an additional $15 billion cut annually from TANF research funding.

Those are the dollars that permit us to determine whether our tax dollars are being spent effectively in developing new approaches for job training and other services.

You have got to wonder what these Republicans are smoking. How can they tout their supposed commitment to preventing waste and, at the same time, insist on eliminating the very dollars that are designed to prevent waste and help us determine whether our tax dollars are being spent efficiently and effectively?

From my experience in this Congress, I understand that facts will be ignored by Republicans when they conflict with Republican ideology, but, in this case, abandoning any research concerning how our tax dollars are being spent makes no sense; indeed, it makes no dollars and cents.

Mr. Speaker, these nearly $30 million in cuts continue the Republican effort to reduce the real purchasing power and dollars available for Temporary Assistance for Needy Families. They follow a prior cut of over $300 million in employment assistance and cash benefits through the TANF program.

This is all amidst the growing inequality in this Nation. We have the lowest level of poor families receiving direct cash assistance from Temporary Assistance for Needy Families in almost 50 years. In my own State of Texas, only about one in every 24 children receive TANF assistance directly, and, when they get it, they don't get very much.

This is the 50th anniversary of Lyndon Johnson's war on poverty. Isn't it time that we renew that effort in a meaningful, reformed way, instead of waging war on those who are in poverty?

Time and time again, my Republican colleagues have refused to enact a long-term reauthorization of the Temporary Assistance for Needy Families program; instead, they favor these short-term extensions like this 3-month extension that we are considering in the continuing resolution.

Each of those short-term extensions offers them an opportunity to stereotype the poor, the old welfare Cadillac image. Just blame the poor for being poor.

I support every reasonable effort to reduce fraud and abuse. I don't oppose this bill. What I oppose is dealing with the peripheral instead of tackling the substantive problem of helping folks climb out of poverty into the middle class.

As was mentioned, on one of these short-term TANF extensions, we previously focused on prohibiting poor people from the evil of withdrawing their funds from a strip club or casino. I supported that.

This one will prevent them from using their TANF cards at a place that sells marijuana. Well, perhaps in December, when we are back on the next extension, we can prohibit them from using their funds and withdrawing them at a massage parlor or a Cadillac dealer or maybe with the space aliens out in Area 51 in New Mexico.

I meet with these families. I have met with them in San Antonio, Lockhart, San Marcos, and Austin. For the most part, they are hardworking families. In many cases, they have hit a bad bump in the road. Today's bill does nothing to address the tattered safety net that we have in this country which is increasingly more hole than net.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. DOGGETT. Each year, we do less and less for those who struggle while the gap continues to widen between those who have little or nothing and those who are incredibly wealthy.

I believe that poverty should be viewed as a major national problem that needs resolution by us working together, not a weapon to just score more political points at election time.

I think the real poverty that is at stake this week is the poverty of cooperation, the poverty of seeking a bipartisan answer to the struggles of so many American families.

As long as this Congress ignores the hard work of developing solutions to help those in our communities that are most disadvantaged, we will have less as a Nation to celebrate.

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

As the gentleman from Texas has just given his speech, I want to say to him that I applaud what he has said. It is late. It is 9:30 at night. It is hard to know who is listening, but the words expressed by Mr. DOGGETT need to be heard.

In addition to the reduction in TANF funding, including for research, I think we should also be reminded at this late hour that, because of the unwillingness of Republicans in this U.S. House to follow the bipartisan lead in the Senate, I think more than 3 million people who lost their jobs through no fault of their own, who are looking for work, have essentially been out in the cold.

□ 2130

I guess some of them have applied for TANF. But when you look at the data that Mr. DOGGETT has put forth, I think we need to take a look, whatever is the hour of the day or night, at what has been happening in terms of the addressing of poverty in this country. So I am glad we have had this discussion.

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

Mr. REICHERT. Mr. Speaker, after listening to my colleague's comments, Mr. DOGGETT's a little earlier, there are a lot of things that Mr. DOGGETT said that I agree with, and I know he knows that.

We have known each other for a while. He is the ranking member on the Human Resources Subcommittee, and we have been working together on lots of legislation that help address foster care and families and welfare and food stamps and aid to needy families.

Those are things that he knows that I care about passionately. And I know that the Republican party, even though tonight you may not think so, cares about people passionately and wants to solve these issues to help our most needy find employment, find an opportunity and hope in this country to provide for their family. That is what both sides I think really want.

As my colleague knows, we spent hours earlier today debating the continuing resolution for 2015. That debate will continue tomorrow.

The reason we are not debating TANF reauthorization right now is because the CR includes a provision that will extend the TANF program at the Congressional Budget Office baseline level through December 11 of this year. So that bill, not the one before us, provides for the extension of the program that the gentleman had earlier talked about.

I would also like to point out a letter that is dated July 31, 2014, date stamped, to Senator SESSIONS from Secretary Burwell. And it says, in just the first paragraph, Mr. Speaker:

> Thank you for your letter to former Secretary Kathleen Sebelius expressing concern that Temporary Assistance for Needy Families cash assistance is being used to create an increase in drug dependency. I am aware of the media reports related to individuals withdrawing cash at Automated Teller Machines (ATMs) located in establishments selling marijuana in Colorado, which has legalized the use of marijuana. I agree that any inappropriate expenditure of public funds is a cause for concern and should be addressed immediately.

This is a commonsense fix so welfare funds are used as intended to help needy families temporarily, to help them find jobs, get back on their feet, provide for their families.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. REICHERT) that the House suspend the rules and pass the bill, H.R. 4137.

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.

IMPROVING MEDICARE POST-ACUTE CARE TRANSFORMATION ACT OF 2014

Mr. BRADY of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4994) to amend title XVIII of the Social Security Act to provide for standardized post-acute care assessment data for quality, payment, and discharge planning, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4994

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 ''Improving Medicare Post-Acute Care Transformation Act of 2014'' or the ''IMPACT Act of 2014''.

SEC. 2. STANDARDIZATION OF POST-ACUTE CARE DATA.

(a) IN GENERAL.—Title XVIII of the Social Security Act is amended by adding at the end the following new section:

''SEC. 1899B. STANDARDIZED POST-ACUTE CARE (PAC) ASSESSMENT DATA FOR QUALITY, PAYMENT, AND DISCHARGE PLANNING.

''(a) REQUIREMENT FOR STANDARDIZED ASSESSMENT DATA.—

''(1) IN GENERAL.—The Secretary shall—

''(A) require under the applicable reporting provisions post-acute care providers (as defined in paragraph (2)(A)) to report—

''(i) standardized patient assessment data in accordance with subsection (b);

''(ii) data on quality measures under subsection (c)(1); and

''(iii) data on resource use and other measures under subsection (d)(1);

''(B) require data described in subparagraph (A) to be standardized and interoperable so as to allow for the exchange of such data among such post-acute care providers and other providers and the use by such providers of such data that has been so exchanged, including by using common standards and definitions, in order to provide access to longitudinal information for such providers to facilitate coordinated care and improved Medicare beneficiary outcomes; and

''(C) in accordance with subsections (b)(1) and (c)(2), modify PAC assessment instruments (as defined in paragraph (2)(B)) applicable to post-acute care providers to—

''(i) provide for the submission of standardized patient assessment data under this title with respect to such providers; and

''(ii) enable comparison of such assessment data across all such providers to whom such data are applicable.

''(2) DEFINITIONS.—For purposes of this section:

''(A) POST-ACUTE CARE (PAC) PROVIDER.—The terms 'post-acute care provider' and 'PAC provider' mean—

''(i) a home health agency;

''(ii) a skilled nursing facility;

''(iii) an inpatient rehabilitation facility; and

''(iv) a long-term care hospital (other than a hospital classified under section 1886(d)(1)(B)(iv)(II)).

''(B) PAC ASSESSMENT INSTRUMENT.—The term 'PAC assessment instrument' means—

''(i) in the case of home health agencies, the instrument used for purposes of reporting and assessment with respect to the Outcome and Assessment Information Set (OASIS), as described in sections 484.55 and 484.250 of title 42, the Code of Federal Regulations, or any successor regulation, or any other instrument used with respect to home health agencies for such purposes;

''(ii) in the case of skilled nursing facilities, the resident's assessment under section 1819(b)(3);

''(iii) in the case of inpatient rehabilitation facilities, any Medicare beneficiary assessment instrument established by the Secretary for purposes of section 1886(j); and

''(iv) in the case of long-term care hospitals, the Medicare beneficiary assessment instrument used with respect to such hospitals for the collection of data elements necessary to calculate quality measures as described in the August 18, 2011, Federal Register (76 Fed. Reg. 51754–51755), including for purposes of section 1886(m)(5)(C), or any other instrument used with respect to such hospitals for assessment purposes.

''(C) APPLICABLE REPORTING PROVISION.—The term 'applicable reporting provision' means—

''(i) for home health agencies, section 1895(b)(3)(B)(v);

''(ii) for skilled nursing facilities, section 1888(e)(6);

''(iii) for inpatient rehabilitation facilities, section 1886(j)(7); and

''(iv) for long-term care hospitals, section 1886(m)(5).

''(D) PAC PAYMENT SYSTEM.—The term 'PAC payment system' means—

''(i) with respect to a home health agency, the prospective payment system under section 1895;

''(ii) with respect to a skilled nursing facility, the prospective payment system under section 1888(e);

''(iii) with respect to an inpatient rehabilitation facility, the prospective payment system under section 1886(j); and

''(iv) with respect to a long-term care hospital, the prospective payment system under section 1886(m).

''(E) SPECIFIED APPLICATION DATE.—The term 'specified application date' means the following:

''(i) QUALITY MEASURES.—In the case of quality measures under subsection (c)(1)—

''(I) with respect to the domain described in subsection (c)(1)(A) (relating to functional status, cognitive function, and changes in function and cognitive function)—

''(aa) for PAC providers described in clauses (ii) and (iii) of paragraph (2)(A), October 1, 2016;

''(bb) for PAC providers described in clause (iv) of such paragraph, October 1, 2018; and

''(cc) for PAC providers described in clause (i) of such paragraph, January 1, 2019;

''(II) with respect to the domain described in subsection (c)(1)(B) (relating to skin integrity and changes in skin integrity)—

''(aa) for PAC providers described in clauses (ii), (iii), and (iv) of paragraph (2)(A), October 1, 2016; and

''(bb) for PAC providers described in clause (i) of such paragraph, January 1, 2017;

''(III) with respect to the domain described in subsection (c)(1)(C) (relating to medication reconciliation)—

''(aa) for PAC providers described in clause (i) of such paragraph, January 1, 2017; and

''(bb) for PAC providers described in clauses (ii), (iii), and (iv) of such paragraph, October 1, 2018;

''(IV) with respect to the domain described in subsection (c)(1)(D) (relating to incidence of major falls)—

''(aa) for PAC providers described in clauses (ii), (iii), and (iv) of paragraph (2)(A), October 1, 2016; and

''(bb) for PAC providers described in clause (i) of such paragraph, January 1, 2019; and

''(V) with respect to the domain described in subsection (c)(1)(E) (relating to accurately communicating the existence of and providing for the transfer of health information and care preferences)—

''(aa) for PAC providers described in clauses (ii), (iii), and (iv) of paragraph (2)(A), October 1, 2018; and

''(bb) for PAC providers described in clause (i) of such paragraph, January 1, 2019.

''(ii) RESOURCE USE AND OTHER MEASURES.—In the case of resource use and other measures under subsection (d)(1)—

''(I) for PAC providers described in clauses (ii), (iii), and (iv) of paragraph (2)(A), October 1, 2016; and

''(II) for PAC providers described in clause (i) of such paragraph, January 1, 2017.

''(F) MEDICARE BENEFICIARY.—The term 'Medicare beneficiary' means an individual entitled to benefits under part A or, as appropriate, enrolled for benefits under part B.

''(b) STANDARDIZED PATIENT ASSESSMENT DATA.—

''(1) REQUIREMENT FOR REPORTING ASSESSMENT DATA.—

''(A) IN GENERAL.—Beginning not later than October 1, 2018, for PAC providers described in clauses (ii), (iii), and (iv) of subsection (a)(2)(A) and January 1, 2019, for PAC providers described in clause (i) of such subsection, the Secretary shall require PAC providers to submit to the Secretary, under the applicable reporting provisions and through the use of PAC assessment instruments, the standardized patient assessment data described in subparagraph (B). The Secretary shall require such data be submitted with respect to admission and discharge of an individual (and may be submitted more frequently as the Secretary deems appropriate).

''(B) STANDARDIZED PATIENT ASSESSMENT DATA DESCRIBED.—For purposes of subparagraph (A), the standardized patient assessment data described in this subparagraph is data required for at least the quality measures described in subsection (c)(1) and that is with respect to the following categories:

''(i) Functional status, such as mobility and self care at admission to a PAC provider and before discharge from a PAC provider.

''(ii) Cognitive function, such as ability to express ideas and to understand, and mental status, such as depression and dementia.

''(iii) Special services, treatments, and interventions, such as need for ventilator use, dialysis, chemotherapy, central line placement, and total parenteral nutrition.

''(iv) Medical conditions and comorbidities, such as diabetes, congestive heart failure, and pressure ulcers.

''(v) Impairments, such as incontinence and an impaired ability to hear, see, or swallow.

''(vi) Other categories deemed necessary and appropriate by the Secretary.

''(2) ALIGNMENT OF CLAIMS DATA WITH STANDARDIZED PATIENT ASSESSMENT DATA.—To the extent practicable, not later than October 1, 2018, for PAC providers described in clauses (ii), (iii), and (iv) of subsection (a)(2)(A), and January 1, 2019, for PAC providers described in clause (i) of such subsection, the Secretary shall match claims data with assessment data pursuant to this section for purposes of assessing prior service use and concurrent service use, such as antecedent hospital or PAC provider use, and may use such matched data for such other uses as the Secretary determines appropriate.

''(3) REPLACEMENT OF CERTAIN EXISTING DATA.—In the case of patient assessment data being used with respect to a PAC assessment instrument that duplicates or overlaps with standardized patient assessment data within a category described in paragraph (1), the Secretary shall, as soon as practicable, revise or replace such existing data with the standardized data.

''(4) CLARIFICATION.—Standardized patient assessment data submitted pursuant to this subsection shall not be used to require individuals to be provided post-acute care by a specific type of PAC provider in order for such care to be eligible for payment under this title.

''(c) QUALITY MEASURES.—

''(1) REQUIREMENT FOR REPORTING QUALITY MEASURES.—Not later than the specified application date, as applicable to measures and PAC providers, the Secretary shall specify quality measures on which PAC providers are required under the applicable reporting provisions to submit standardized patient assessment data described in subsection (b)(1) and other necessary data specified by the Secretary. Such measures shall be with respect to at least the following domains:

''(A) Functional status, cognitive function, and changes in function and cognitive function.

''(B) Skin integrity and changes in skin integrity.

''(C) Medication reconciliation.

''(D) Incidence of major falls.

''(E) Accurately communicating the existence of and providing for the transfer of health information and care preferences of an individual to the individual, family caregiver of the individual, and providers of services furnishing items and services to the individual, when the individual transitions—

''(i) from a hospital or critical access hospital to another applicable setting, including a PAC provider or the home of the individual; or

''(ii) from a PAC provider to another applicable setting, including a different PAC provider, a hospital, a critical access hospital, or the home of the individual.

''(2) REPORTING THROUGH PAC ASSESSMENT INSTRUMENTS.—

''(A) IN GENERAL.—To the extent possible, the Secretary shall require such reporting by a PAC provider of quality measures under paragraph (1) through the use of a PAC assessment instrument and shall modify such PAC assessment instrument as necessary to enable the use of such instrument with respect to such quality measures.

''(B) LIMITATION.—The Secretary may not make significant modifications to a PAC assessment instrument more than once per calendar year or fiscal year, as applicable, unless the Secretary publishes in the Federal Register a justification for such significant modification.

''(3) ADJUSTMENTS.—

''(A) IN GENERAL.—The Secretary shall consider applying adjustments to the quality measures under this subsection taking into consideration the studies under section 2(d) of the IMPACT Act of 2014.

''(B) RISK ADJUSTMENT.—Such quality measures shall be risk adjusted, as determined appropriate by the Secretary.

''(d) RESOURCE USE AND OTHER MEASURES.—

''(1) REQUIREMENT FOR RESOURCE USE AND OTHER MEASURES.—Not later than the specified application date, as applicable to measures and PAC providers, the Secretary shall specify resource use and other measures on which PAC providers are required under the applicable reporting provisions to submit any necessary data specified by the Secretary, which may include standardized assessment data in addition to claims data. Such measures shall be with respect to at least the following domains:

''(A) Resource use measures, including total estimated Medicare spending per beneficiary.

''(B) Discharge to community.

''(C) Measures to reflect all-condition risk-adjusted potentially preventable hospital readmission rates.

''(2) ALIGNING METHODOLOGY ADJUSTMENTS FOR RESOURCE USE MEASURES.—

''(A) PERIOD OF TIME.—With respect to the period of time used for calculating measures under paragraph (1)(A), the Secretary shall, to the extent the Secretary determines appropriate, align resource use with the methodology used for purposes of section 1886(o)(2)(B)(ii).

''(B) GEOGRAPHIC AND OTHER ADJUSTMENTS.—The Secretary shall standardize measures with respect to the domain described in paragraph (1)(A) for geographic payment rate differences and payment differentials (and other adjustments, as applicable) consistent with the methodology published in the Federal Register on August 18, 2011 (76 Fed. Reg. 51624 through 51626), or any subsequent modifications made to the methodology.

''(C) MEDICARE SPENDING PER BENEFICIARY.—The Secretary shall adjust, as appropriate, measures with respect to the domain described in paragraph (1)(A) for the factors applied under section 1886(o)(2)(B)(ii).

''(3) ADJUSTMENTS.—

''(A) IN GENERAL.—The Secretary shall consider applying adjustments to the resource use and other measures specified under this subsection with respect to the domain described in paragraph (1)(A), taking into consideration the studies under section 2(d) of the IMPACT Act of 2014.

''(B) RISK ADJUSTMENT.—Such resource use and other measures shall be risk adjusted, as determined appropriate by the Secretary.

''(e) MEASUREMENT IMPLEMENTATION PHASES; SELECTION OF QUALITY MEASURES AND RESOURCE USE AND OTHER MEASURES.—

''(1) MEASUREMENT IMPLEMENTATION PHASES.—In the case of quality measures specified under subsection (c)(1) and resource use and other measures specified under subsection (d)(1), the provisions of this section shall be implemented in accordance with the following phases:

''(A) INITIAL IMPLEMENTATION PHASE.—The initial implementation phase, with respect to such a measure, shall, in accordance with subsections (c) and (d), as applicable, consist of—

''(i) measure specification, including informing the public of the measure's numerator, denominator, exclusions, and any other aspects the Secretary determines necessary;

''(ii) data collection, including, in the case of quality measures, requiring PAC providers to report data elements needed to calculate such a measure; and

''(iii) data analysis, including, in the case of resource use and other measures, the use of claims data to calculate such a measure.

''(B) SECOND IMPLEMENTATION PHASE.—The second implementation phase, with respect to such a measure, shall consist of the provision of feedback reports to PAC providers, in accordance with subsection (f).

''(C) THIRD IMPLEMENTATION PHASE.—The third implementation phase, with respect to such a measure, shall consist of public reporting of PAC providers' performance on such measure in accordance with subsection (g).

''(2) CONSENSUS-BASED ENTITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), each measure specified by the Secretary under this section shall be endorsed by the entity with a contract under section 1890(a).

''(B) EXCEPTION.—In the case of a specified area or medical topic determined appropriate by the Secretary for which a feasible and practical measure has not been endorsed by the entity with a contract under section 1890(a), the Secretary may specify a measure that is not so endorsed as long as due consideration is given to measures that have been endorsed or adopted by a consensus organization identified by the Secretary.

''(3) TREATMENT OF APPLICATION OF PRE-RULEMAKING PROCESS (MEASURE APPLICATIONS PARTNERSHIP PROCESS).—

''(A) IN GENERAL.—Subject to subparagraph (B), the provisions of section 1890A shall

apply in the case of a quality measure specified under subsection (c) or a resource use or other measure specified under subsection (d).

''(B) EXCEPTIONS.—

''(i) EXPEDITED PROCEDURES.—For purposes of satisfying subparagraph (A), the Secretary may use expedited procedures, such as ad-hoc reviews, as necessary, in the case of a quality measure specified under subsection (c) or a resource use or other measure specified in subsection (d) required with respect to data submissions under the applicable reporting provisions during the 1-year period before the specified application date applicable to such a measure and provider involved.

''(ii) OPTION TO WAIVE PROVISIONS.—The Secretary may waive the application of the provisions of section 1890A in the case of a quality measure or resource use or other measure described in clause (i), if the application of such provisions (including through the use of an expedited procedure described in such clause) would result in the inability of the Secretary to satisfy any deadline specified in this section with respect to such measure.

''(f) FEEDBACK REPORTS TO PAC PROVIDERS.—

''(1) IN GENERAL.—Beginning one year after the specified application date, as applicable to PAC providers and quality measures and resource use and other measures under this section, the Secretary shall provide confidential feedback reports to such PAC providers on the performance of such providers with respect to such measures required under the applicable provisions.

''(2) FREQUENCY.—To the extent feasible, the Secretary shall provide feedback reports described in paragraph (1) not less frequently than on a quarterly basis. Notwithstanding the previous sentence, with respect to measures described in such paragraph that are reported on an annual basis, the Secretary may provide such feedback reports on an annual basis.

''(g) PUBLIC REPORTING OF PAC PROVIDER PERFORMANCE.—

''(1) IN GENERAL.—Subject to the succeeding paragraphs of this subsection, the Secretary shall provide for public reporting of PAC provider performance on quality measures under subsection (c)(1) and the resource use and other measures under subsection (d)(1), including by establishing procedures for making available to the public information regarding the performance of individual PAC providers with respect to such measures.

''(2) OPPORTUNITY TO REVIEW.—The procedures under paragraph (1) shall ensure, including through a process consistent with the process applied under section 1886(b)(3)(B)(viii)(VII) for similar purposes, that a PAC provider has the opportunity to review and submit corrections to the data and information that is to be made public with respect to the provider prior to such data being made public.

''(3) TIMING.—Such procedures shall provide that the data and information described in paragraph (1), with respect to a measure and PAC provider, is made publicly available beginning not later than two years after the specified application date applicable to such a measure and provider.

''(4) COORDINATION WITH EXISTING PROGRAMS.—Such procedures shall provide that data and information described in paragraph (1) with respect to quality measures and resource use and other measures under subsections (c)(1) and (d)(1) shall be made publicly available consistent with the following provisions:

''(A) In the case of home health agencies, section 1895(b)(3)(B)(v)(III).

''(B) In the case of skilled nursing facilities, sections 1819(i) and 1919(i).

''(C) In the case of inpatient rehabilitation facilities, section 1886(j)(7)(E).

''(D) In the case of long-term care hospitals, section 1886(m)(5)(E).

''(h) REMOVING, SUSPENDING, OR ADDING MEASURES.—

''(1) IN GENERAL.—The Secretary may remove, suspend, or add a quality measure or resource use or other measure described in subsection (c)(1) or (d)(1), so long as, subject to paragraph (2), the Secretary publishes in the Federal Register (with a notice and comment period) a justification for such removal, suspension, or addition.

''(2) EXCEPTION.—In the case of such a quality measure or resource use or other measure for which there is a reason to believe that the continued collection of such measure raises potential safety concerns or would cause other unintended consequences, the Secretary may promptly suspend or remove such measure and satisfy paragraph (1) by publishing in the Federal Register a justification for such suspension or removal in the next rulemaking cycle following such suspension or removal.

''(i) USE OF STANDARDIZED ASSESSMENT DATA, QUALITY MEASURES, AND RESOURCE USE AND OTHER MEASURES TO INFORM DISCHARGE PLANNING AND INCORPORATE PATIENT PREFERENCE.—

''(1) IN GENERAL.—Not later than January 1, 2016, and periodically thereafter (but not less frequently than once every 5 years), the Secretary shall promulgate regulations to modify conditions of participation and subsequent interpretive guidance applicable to PAC providers, hospitals, and critical access hospitals. Such regulations and interpretive guidance shall require such providers to take into account quality, resource use, and other measures under the applicable reporting provisions (which, as available, shall include measures specified under subsections (c) and (d), and other relevant measures) in the discharge planning process. Specifically, such regulations and interpretive guidance shall address the settings to which a patient may be discharged in order to assist subsection (d) hospitals, critical access hospitals, hospitals described in section 1886(d)(1)(B)(v), PAC providers, patients, and families of such patients with discharge planning from inpatient settings, including such hospitals, and from PAC provider settings. In addition, such regulations and interpretive guidance shall include procedures to address—

''(A) treatment preferences of patients; and

''(B) goals of care of patients.

''(2) DISCHARGE PLANNING.—All requirements applied pursuant to paragraph (1) shall be used to help inform and mandate the discharge planning process.

''(3) CLARIFICATION.—Such regulations shall not require an individual to be provided post-acute care by a specific type of PAC provider in order for such care to be eligible for payment under this title.

''(j) STAKEHOLDER INPUT.—Before the initial rulemaking process to implement this section, the Secretary shall allow for stakeholder input, such as through town halls, open door forums, and mail-box submissions.

''(k) FUNDING.—For purposes of carrying out this section, the Secretary shall provide for the transfer to the Centers for Medicare & Medicaid Services Program Management Account, from the Federal Hospital Insurance Trust Fund under section 1817 and the Federal Supplementary Medical Insurance Trust Fund under section 1841, in such proportion as the Secretary determines appropriate, of $130,000,000. Fifty percent of such amount shall be available on the date of the enactment of this section and fifty percent of such amount shall be equally proportioned for each of fiscal years 2015 through 2019. Such sums shall remain available until expended.

''(l) LIMITATION.—There shall be no administrative or judicial review under sections 1869 and 1878 or otherwise of the specification of standardized patient assessment data required, the determination of measures, and the systems to report such standardized data under this section.

''(m) NON-APPLICATION OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly referred to as the 'Paperwork Reduction Act of 1995') shall not apply to this section and the sections referenced in subsection (a)(2)(B) that require modification in order to achieve the standardization of patient assessment data.''.

(b) STUDIES OF ALTERNATIVE PAC PAYMENT MODELS.—

(1) MEDPAC.—Using data from the Post-Acute Payment Reform Demonstration authorized under section 5008 of the Deficit Reduction Act of 2005 (Public Law 109–171) or other data, as available, not later than June 30, 2016, the Medicare Payment Advisory Commission shall submit to Congress a report that evaluates and recommends features of PAC payment systems (as defined in section 1899B(a)(2)(D) of the Social Security Act, as added by subsection (a)) that establish, or a unified post-acute care payment system under title XVIII of the Social Security Act that establishes, payment rates according to characteristics of individuals (such as cognitive ability, functional status, and impairments) instead of according to the post-acute care setting where the Medicare beneficiary involved is treated. To the extent feasible, such report shall consider the impacts of moving from PAC payment systems (as defined in subsection (a)(2)(D) of such section 1899B) in existence as of the date of the enactment of this Act to new post-acute care payment systems under title XVIII of the Social Security Act.

(2) RECOMMENDATIONS FOR PAC PROSPECTIVE PAYMENT.—

(A) REPORT BY SECRETARY.—Not later than 2 years after the date by which the Secretary of Health and Human Services has collected 2 years of data on quality measures under subsection (c) of section 1899B, as added by subsection (a), the Secretary shall, in consultation with the Medicare Payment Advisory Commission and appropriate stakeholders, submit to Congress a report, including—

(i) recommendations and a technical prototype, on a post-acute care prospective payment system under title XVIII of the Social Security Act that would—

(I) in lieu of the rates that would otherwise apply under PAC payment systems (as defined in subsection (a)(2)(D) of such section 1899B), base payments under such title, with respect to items and services furnished to an individual by a PAC provider (as defined in subsection (a)(2)(A) of such section), according to individual characteristics (such as cognitive ability, functional status, and impairments) of such individual instead of the post-acute care setting in which the individual is furnished such items and services;

(II) account for the clinical appropriateness of items and services so furnished and Medicare beneficiary outcomes;

(III) be designed to incorporate (or otherwise account for) standardized patient assessment data under section 1899B; and

(IV) further clinical integration, such as by motivating greater coordination around a single condition or procedure to integrate hospital systems with PAC providers (as so defined).

(ii) recommendations on which Medicare fee-for-service regulations for post-acute care payment systems under title XVIII of the Social Security Act should be altered (such as the skilled nursing facility 3-day

stay and inpatient rehabilitation facility 60 percent rule);

(iii) an analysis of the impact of the recommended payment system described in clause (i) on Medicare beneficiary cost-sharing, access to care, and choice of setting;

(iv) a projection of any potential reduction in expenditures under title XVIII of the Social Security Act that may be attributable to the application of the recommended payment system described in clause (i); and

(v) a review of the value of subsection (d) hospitals (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)), hospitals described in section 1886(d)(1)(B)(v) of such Act (42 U.S.C. 1395ww(d)(1)(B)(v)), and critical access hospitals described in section 1820(c)(2)(B) of such Act (42 U.S.C. 1395i–4(c)(2)(B)) collecting and reporting to the Secretary standardized patient assessment data with respect to inpatient hospital services furnished by such a hospital or critical access hospital to individuals who are entitled to benefits under part A of title XVIII of such Act or, as appropriate, enrolled for benefits under part B of such title.

(B) REPORT BY MEDPAC.—Not later than the first June 30th following the date on which the report is required under subparagraph (A), the Medicare Payment Advisory Commission shall submit to Congress a report, including recommendations and a technical prototype, on a post-acute care prospective payment system under title XVIII of the Social Security Act that would satisfy the criteria described in subparagraph (A).

(3) MEDICARE BENEFICIARY DEFINED.—For purposes of this subsection, the term ''Medicare beneficiary'' has the meaning given such term in section 1899B(a)(2) of the Social Security Act, as added by subsection (a).

(c) PAYMENT CONSEQUENCES UNDER THE APPLICABLE REPORTING PROVISIONS.—

(1) HOME HEALTH AGENCIES.—Section 1895(b)(3)(B)(v) of the Social Security Act (42 U.S.C. 1395fff(b)(3)(B)(v)) is amended—

(A) in subclause (I), by striking ''subclause (II)'' and inserting ''subclauses (II) and (IV)'';

(B) in subclause (II), by striking ''For 2007'' and inserting ''Subject to subclause (V), for 2007'';

(C) in subclause (III), by inserting ''and subclause (IV)(aa)'' after ''subclause (II)''; and

(D) by adding at the end the following new subclauses:

''(IV) SUBMISSION OF ADDITIONAL DATA.—

''(aa) IN GENERAL.—For the year beginning on the specified application date (as defined in subsection (a)(2)(E) of section 1899B), as applicable with respect to home health agencies and quality measures under subsection (c)(1) of such section and measures under subsection (d)(1) of such section, and each subsequent year, in addition to the data described in subclause (II), each home health agency shall submit to the Secretary data on such quality measures and any necessary data specified by the Secretary under such subsection (d)(1).

''(bb) STANDARDIZED PATIENT ASSESSMENT DATA.—For 2019 and each subsequent year, in addition to such data described in item (aa), each home health agency shall submit to the Secretary standardized patient assessment data required under subsection (b)(1) of section 1899B.

''(cc) SUBMISSION.—Data shall be submitted under items (aa) and (bb) in the form and manner, and at the time, specified by the Secretary for purposes of this clause.

''(V) NON-DUPLICATION.—To the extent data submitted under subclause (IV) duplicates other data required to be submitted under subclause (II), the submission of such data under subclause (IV) shall be in lieu of the submission of such data under subclause (II). The previous sentence shall not apply insofar as the Secretary determines it is necessary to avoid a delay in the implementation of section 1899B, taking into account the different specified application dates under subsection (a)(2)(E) of such section.''.

(2) INPATIENT REHABILITATION FACILITIES.—Section 1886(j)(7) of the Social Security Act (42 U.S.C. 1395ww(j)(7)) is amended—

(A) in subparagraph (A)(i), by striking ''subparagraph (C)'' and inserting ''subparagraphs (C) and (F)'';

(B) in subparagraph (C), by striking ''For fiscal year 2014 and each subsequent rate year'' and inserting ''Subject to subparagraph (G), for fiscal year 2014 and each subsequent fiscal year'';

(C) in subparagraph (E), by inserting ''and subparagraph (F)(i)'' after ''subparagraph (C)''; and

(D) by adding at the end the following new subparagraphs:

''(F) SUBMISSION OF ADDITIONAL DATA.—

''(i) IN GENERAL.—For the fiscal year beginning on the specified application date (as defined in subsection (a)(2)(E) of section 1899B), as applicable with respect to inpatient rehabilitation facilities and quality measures under subsection (c)(1) of such section and measures under subsection (d)(1) of such section, and each subsequent fiscal year, in addition to such data on the quality measures described in subparagraph (C), each rehabilitation facility shall submit to the Secretary data on the quality measures under such subsection (c)(1) and any necessary data specified by the Secretary under such subsection (d)(1).

''(ii) STANDARDIZED PATIENT ASSESSMENT DATA.—For fiscal year 2019 and each subsequent fiscal year, in addition to such data described in clause (i), each rehabilitation facility shall submit to the Secretary standardized patient assessment data required under subsection (b)(1) of section 1899B.

''(iii) SUBMISSION.—Such data shall be submitted in the form and manner, and at the time, specified by the Secretary for purposes of this subparagraph.

''(G) NON-DUPLICATION.—To the extent data submitted under subparagraph (F) duplicates other data required to be submitted under subparagraph (C), the submission of such data under subparagraph (F) shall be in lieu of the submission of such data under subparagraph (C). The previous sentence shall not apply insofar as the Secretary determines it is necessary to avoid a delay in the implementation of section 1899B, taking into account the different specified application dates under subsection (a)(2)(E) of such section.''.

(3) LONG-TERM CARE HOSPITALS.—Section 1886(m)(5) of the Social Security Act (42 U.S.C. 1395ww(m)(5)) is amended—

(A) in subparagraph (A)(i), by striking ''subparagraph (C)'' and inserting ''subparagraphs (C) and (F)'';

(B) in subparagraph (C), by striking ''For rate year'' and inserting ''Subject to subparagraph (G), for rate year'';

(C) in subparagraph (E), by inserting ''and subparagraph (F)(i)'' after ''subparagraph (C)''; and

(D) by adding at the end the following new subparagraphs:

''(F) SUBMISSION OF ADDITIONAL DATA.—

''(i) IN GENERAL.—For the rate year beginning on the specified application date (as defined in subsection (a)(2)(E) of section 1899B), as applicable with respect to long-term care hospitals and quality measures under subsection (c)(1) of such section and measures under subsection (d)(1) of such section, and each subsequent rate year, in addition to the data on the quality measures described in subparagraph (C), each long-term care hospital (other than a hospital classified under subsection (d)(1)(B)(iv)(II)) shall submit to the Secretary data on the quality measures under such subsection (c)(1) and any necessary data specified by the Secretary under such subsection (d)(1).

''(ii) STANDARDIZED PATIENT ASSESSMENT DATA.—For rate year 2019 and each subsequent rate year, in addition to such data described in clause (i), each long-term care hospital (other than a hospital classified under subsection (d)(1)(B)(iv)(II)) shall submit to the Secretary standardized patient assessment data required under subsection (b)(1) of section 1899B.

''(iii) SUBMISSION.—Such data shall be submitted in the form and manner, and at the time, specified by the Secretary for purposes of this subparagraph.

''(G) NON-DUPLICATION.—To the extent data submitted under subparagraph (F) duplicates other data required to be submitted under subparagraph (C), the submission of such data under subparagraph (F) shall be in lieu of the submission of such data under subparagraph (C). The previous sentence shall not apply insofar as the Secretary determines it is necessary to avoid a delay in the implementation of section 1899B, taking into account the different specified application dates under subsection (a)(2)(E) of such section.''.

(4) SKILLED NURSING FACILITIES.—

(A) IN GENERAL.—Paragraph (6) of section 1888(e) of the Social Security Act (42 U.S.C. 1395yy(e)) is amended to read as follows:

''(6) REPORTING OF ASSESSMENT AND QUALITY DATA.—

''(A) REDUCTION IN UPDATE FOR FAILURE TO REPORT.—

''(i) IN GENERAL.—For fiscal years beginning with fiscal year 2018, in the case of a skilled nursing facility that does not submit data, as applicable, in accordance with subclauses (II) and (III) of subparagraph (B)(i) with respect to such a fiscal year, after determining the percentage described in paragraph (5)(B)(i), and after application of paragraph (5)(B)(ii), the Secretary shall reduce such percentage for payment rates during such fiscal year by 2 percentage points.

''(ii) SPECIAL RULE.—The application of this subparagraph may result in the percentage described in paragraph (5)(B)(i), after application of paragraph (5)(B)(ii), being less than 0.0 for a fiscal year, and may result in payment rates under this subsection for a fiscal year being less than such payment rates for the preceding fiscal year.

''(iii) NONCUMULATIVE APPLICATION.—Any reduction under clause (i) shall apply only with respect to the fiscal year involved and the Secretary shall not take into account such reduction in computing the payment amount under this subsection for a subsequent fiscal year.

''(B) ASSESSMENT AND MEASURE DATA.—

''(i) IN GENERAL.—A skilled nursing facility, or a facility (other than a critical access hospital) described in paragraph (7)(B), shall submit to the Secretary, in a manner and within the timeframes prescribed by the Secretary—

''(I) subject to clause (iii), the resident assessment data necessary to develop and implement the rates under this subsection;

''(II) for fiscal years beginning on or after the specified application date (as defined in subsection (a)(2)(E) of section 1899B), as applicable with respect to skilled nursing facilities and quality measures under subsection (c)(1) of such section and measures under subsection (d)(1) of such section, data on such quality measures under such subsection (c)(1) and any necessary data specified by the Secretary under such subsection (d)(1); and

''(III) for fiscal years beginning on or after October 1, 2018, standardized patient assessment data required under subsection (b)(1) of section 1899B.

''(ii) USE OF STANDARD INSTRUMENT.—For purposes of meeting the requirement under clause (i), a skilled nursing facility, or a facility (other than a critical access hospital) described in paragraph (7)(B), may submit the resident assessment data required under section 1819(b)(3), using the standard instrument designated by the State under section 1819(e)(5).

''(iii) NON-DUPLICATION.—To the extent data submitted under subclause (II) or (III) of clause (i) duplicates other data required to be submitted under clause (i)(I), the submission of such data under such a subclause shall be in lieu of the submission of such data under clause (i)(I). The previous sentence shall not apply insofar as the Secretary determines it is necessary to avoid a delay in the implementation of section 1899B, taking into account the different specified application dates under subsection (a)(2)(E) of such section.''.

(B) FUNDING FOR NURSING HOME COMPARE WEBSITE.—Section 1819(i) of the Social Security Act (42 U.S.C. 1395i–3(i)) is amended by adding at the end the following new paragraph:

''(3) FUNDING.—The Secretary shall transfer to the Centers for Medicare & Medicaid Services Program Management Account, from the Federal Hospital Insurance Trust Fund under section 1817 a one-time allocation of $11,000,000. The amount shall be available on the date of the enactment of this paragraph. Such sums shall remain available until expended. Such sums shall be used to implement section 1128I(g).''.

(d) IMPROVING PAYMENT ACCURACY UNDER THE PAC PAYMENT SYSTEMS AND OTHER MEDICARE PAYMENT SYSTEMS.—

(1) STUDIES AND REPORTS OF EFFECT OF CERTAIN INFORMATION ON QUALITY AND RESOURCE USE.—

(A) STUDY USING EXISTING MEDICARE DATA.—

(i) STUDY.—The Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall conduct a study that examines the effect of individuals' socioeconomic status on quality measures and resource use and other measures for individuals under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) (such as to recognize that less healthy individuals may require more intensive interventions). The study shall use information collected on such individuals in carrying out such program, such as urban and rural location, eligibility for Medicaid under title XIX of such Act (42 U.S.C. 1396 et seq.) (recognizing and accounting for varying Medicaid eligibility across States), and eligibility for benefits under the supplemental security income (SSI) program. The Secretary shall carry out this paragraph acting through the Assistant Secretary for Planning and Evaluation.

(ii) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under clause (i).

(B) STUDY USING OTHER DATA.—

(i) STUDY.—The Secretary shall conduct a study that examines the impact of risk factors, such as those described in section 1848(p)(3) of the Social Security Act (42 U.S.C. 1395w–4(p)(3)), race, health literacy, limited English proficiency (LEP), and Medicare beneficiary activation, on quality measures and resource use and other measures under the Medicare program (such as to recognize that less healthy individuals may require more intensive interventions). In conducting such study the Secretary may use existing Federal data and collect such additional data as may be necessary to complete the study.

(ii) REPORT.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under clause (i).

(C) EXAMINATION OF DATA IN CONDUCTING STUDIES.—In conducting the studies under subparagraphs (A) and (B), the Secretary shall examine what non-Medicare data sets, such as data from the American Community Survey (ACS), can be useful in conducting the types of studies under such paragraphs and how such data sets that are identified as useful can be coordinated with Medicare administrative data in order to improve the overall data set available to do such studies and for the administration of the Medicare program.

(D) RECOMMENDATIONS TO ACCOUNT FOR INFORMATION IN PAYMENT ADJUSTMENT MECHANISMS.—If the studies conducted under subparagraphs (A) and (B) find a relationship between the factors examined in the studies and quality measures and resource use and other measures, then the Secretary shall also provide recommendations for how the Centers for Medicare & Medicaid Services should—

(i) obtain access to the necessary data (if such data is not already being collected) on such factors, including recommendations on how to address barriers to the Centers in accessing such data; and

(ii) account for such factors—

(I) in quality measures, resource use measures, and other measures under title XVIII of the Social Security Act (including such measures specified under subsections (c) and (d) of section 1899B of such Act, as added by subsection (a)); and

(II) in determining payment adjustments based on such measures in other applicable provisions of such title.

(E) FUNDING.—There are hereby appropriated to the Secretary from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) and the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t) (in proportions determined appropriate by the Secretary) to carry out this paragraph $6,000,000, to remain available until expended.

(2) CMS ACTIVITIES.—

(A) IN GENERAL.—Taking into account the relevant studies conducted and recommendations made in reports under paragraph (1) and, as appropriate, other information, including information collected before completion of such studies and recommendations, the Secretary, on an ongoing basis, shall, as the Secretary determines appropriate and based on an individual's health status and other factors—

(i) assess appropriate adjustments to quality measures, resource use measures, and other measures under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) (including measures specified in subsections (c) and (d) of section 1899B of such Act, as added by subsection (a)); and

(ii) assess and implement appropriate adjustments to payments under such title based on measures described in clause (i).

(B) ACCESSING DATA.—The Secretary shall collect or otherwise obtain access to the data necessary to carry out this paragraph through existing and new data sources.

(C) PERIODIC ANALYSES.—The Secretary shall carry out periodic analyses, at least every 3 years, based on the factors referred to in subparagraph (A) so as to monitor changes in possible relationships.

(D) FUNDING.—There are hereby appropriated to the Secretary from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) and the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t) (in proportions determined appropriate by the Secretary) to carry out this paragraph $10,000,000, to remain available until expended.

(3) STRATEGIC PLAN FOR ACCESSING RACE AND ETHNICITY DATA.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall develop and report to Congress on a strategic plan for collecting or otherwise accessing data on race and ethnicity for purposes of specifying quality measures and resource use and other measures under subsections (c) and (d) of section 1899B of the Social Security Act, as added by subsection (a), and, as the Secretary determines appropriate, other similar provisions of, including payment adjustments under, title XVIII of such Act (42 U.S.C. 1395 et seq.).

SEC. 3. HOSPICE CARE.

(a) HOSPICE SURVEY REQUIREMENT.—

(1) IN GENERAL.—Section 1861(dd)(4) of the Social Security Act (42 U.S.C. 1395x(dd)(4)) is amended by adding at the end the following new subparagraph:

''(C) Any entity that is certified as a hospice program shall be subject to a standard survey by an appropriate State or local survey agency, or an approved accreditation agency, as determined by the Secretary, not less frequently than once every 36 months beginning 6 months after the date of the enactment of this subparagraph and ending September 30, 2025.''.

(2) FUNDING.—For purposes of carrying out subparagraph (C) of section 1861(dd)(4) of the Social Security Act (42 U.S.C. 1395x(dd)(4)), as added by paragraph (1), there shall be transferred from the Federal Hospital Insurance Trust Fund under section 1817 of such Act (42 U.S.C. 1395i) to the Centers for Medicare & Medicaid Services Program Management Account—

(A) $25,000,000 for fiscal years 2015 through 2017, to be made available for such purposes in equal parts for each such fiscal year; and

(B) $45,000,000 for fiscal years 2018 through 2025, to be made available for such purposes in equal parts for each such fiscal year.

(b) HOSPICE PROGRAM ELIGIBILITY RECERTIFICATION TECHNICAL CORRECTION TO APPLY LIMITATION ON LIABILITY OF BENEFICIARY RULES.—Section 1879 of the Social Security Act (42 U.S.C. 1395pp) is amended by adding at the end the following new subsection:

''(i) The provisions of this section shall apply with respect to a denial of a payment under this title by reason of section 1814(a)(7)(E) in the same manner as such provisions apply with respect to a denial of a payment under this title by reason of section 1862(a)(1).''.

(c) REVISION TO REQUIREMENT FOR MEDICAL REVIEW OF CERTAIN HOSPICE CARE.—Section 1814(a)(7) of the Social Security Act (42 U.S.C. 1395f(a)(7)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), in the matter preceding clause (i), by inserting ''(and, in the case of clause (ii), before the date of enactment of subparagraph (E))'' after ''2011''; and

(3) by adding at the end the following new subparagraph:

''(E) on and after the date of enactment of this subparagraph, in the case of hospice care provided an individual for more than 180 days by a hospice program for which the number of such cases for such program comprises more than a percent (specified by the Secretary) of the total number of all cases of

individuals provided hospice care by the program under this title, the hospice care provided to such individual is medically reviewed (in accordance with procedures established by the Secretary); and''.

(d) UPDATE OF HOSPICE AGGREGATE PAYMENT CAP.—Section 1814(i)(2)(B) of the Social Security Act (42 U.S.C. 1395f(i)(2)(B)) is amended—

(1) by striking ''(B) For purposes'' and inserting ''(B)(i) Except as provided in clause (ii), for purposes''; and

(2) by adding at the end the following:

''(ii) For purposes of subparagraph (A) for accounting years that end after September 30, 2016, and before October 1, 2025, the 'cap amount' is the cap amount under this subparagraph for the preceding accounting year updated by the percentage update to payment rates for hospice care under paragraph (1)(C) for services furnished during the fiscal year beginning on the October 1 preceding the beginning of the accounting year (including the application of any productivity or other adjustment under clause (iv) of that paragraph).

''(iii) For accounting years that end after September 30, 2025, the cap amount shall be computed under clause (i) as if clause (ii) had never applied.''.

(e) MEDICARE IMPROVEMENT FUND.—Section 1898 of the Social Security Act (42 U.S.C. 1395iii) is amended—

(1) by amending the heading to read as follows: ''**MEDICARE IMPROVEMENT FUND**'';

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

''(a) ESTABLISHMENT.—The Secretary shall establish under this title a Medicare Improvement Fund (in this section referred to as the 'Fund') which shall be available to the Secretary to make improvements under the original Medicare fee-for-service program under parts A and B for individuals entitled to, or enrolled for, benefits under part or enrolled under part B including adjustments to payments for items and services furnished by providers of services and suppliers under such original Medicare fee-for-service program.'';

(3) in subsection (b)(1), by striking ''during'' and all that follows and inserting ''during and after fiscal year 2020, $195,000,000.''; and

(4) in subsection (b)(2), by striking ''from the Federal'' and all that follows and inserting ''from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund in such proportion as the Secretary determines appropriate.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BRADY) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of the IMPACT Act. This bill has a clever name and it will do what it says; it will have a positive impact on the Medicare program.

Much work has been done to investigate how to improve care for seniors, and last June, the Ways and Means Health Subcommittee held a hearing on care delivery after a hospitalization, or what we call post-acute care. Much like the IMPACT Act, the hearing was bipartisan and focused on post-acute reforms that the President advanced in his annual budget.

It has been over a decade since meaningful changes have been made in the care of Medicare patients after hospitalization is paid.

We have recently made progress. Site-neutral payments for long-term care hospitals and a value-based readmission program for nursing homes have been signed into law. These changes are a positive step in the right direction.

Talks of broader reform have been ongoing as concerns of the impact of the solvency of the major source of funding for this care, the Medicare hospital insurance ''HI'' trust fund, persist.

The Medicare trustees have explicitly told us the trajectory of spending from the HI trust fund is unsustainable. The trustees' current estimate is that the HI trust fund will be insolvent by 2030.

Since 2008, the trust fund has been spending more money than it has been taking in. No wonder the HI trust fund has not met the trustees' formal test of short-range adequacy since 2003.

This is a major problem. The HI trust fund is a ticking time bomb.

The IMPACT Act is not the full solution, but it is a vital step on the path toward the solution. The IMPACT Act lays the foundation for future reform.

The act establishes standard data and metrics across all of Medicare's post-hospitalization settings, including nursing homes and rehabilitation facilities. This important information will allow Congress to make future reforms armed with the facts.

We all owe it to the seniors across America to catapult the Medicare program into the 21st century, and that is exactly what this bill does.

Caring for our seniors after they are in the hospital is important, and we need to ensure the trust fund is solvent to allow us to continue to provide this care to our children and grandchildren.

This is just plain, good, commonsense policy. I am voting in favor of the IMPACT Act, and I urge my colleagues to do the same.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair understands that this bill is being considered as amended.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I shall consume.

This legislation is truly a bipartisan effort. I congratulate Mr. BRADY and all of my colleagues on both sides of the aisle on the committee who worked on this. And I think Mr. BRADY would like to join me, I am sure, in thanking the staff for their very considerable work on this.

The Affordable Care Act is making major strides towards improving our health care system, including moving toward accountable, quality-driven care. This legislation furthers this quality effort in the post-acute care space.

It is also the first step towards modernizing post-acute care payments to Medicare providers. The current lack of apples-to-apples quality and patient assessment data in post-acute settings makes it difficult to evaluate the quality and cost effectiveness of these providers.

This bipartisan, bicameral legislation, crafted with my colleagues on the Ways and Means and Senate Finance Committees, requires post-acute providers to report common data elements across settings, including patient assessments of function and mobility and quality and resource use measures. Over time, this data will enable health care providers, patients, and their families to determine the best post-acute setting for that patient's particular condition and preferences.

The legislation also asks the Secretary and MEDPAC to provide suggestions and models for how Congress may reform post-acute care payments in the future.

As we continue to strive for quality and value in the Medicare program, it is important we do not discourage providers from caring for complex patient populations. That is why this legislation directs the Secretary to study the effect of individual socioeconomic status, health literacy, English language proficiency, and other factors on quality and research use measurement, and then incorporate those findings into value-based performance programs.

Lastly, the IMPACT Act ensures quality within the hospice benefit by requiring that providers are surveyed by an appropriate accrediting agency at least once every 3 years.

Overall, the IMPACT Act is supported by a multitude of stakeholder organizations. So I encourage my colleagues to vote ''yes'' and to take this important step—and I want to underline that—this important step towards modernizing vital post-acute care.

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

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REED), a key member of the Ways and Means Committee and a champion for affordable health care.

Mr. REED. I thank the gentleman from Texas for yielding.

Mr. Speaker, I rise tonight in strong support of the IMPACT Act, H.R. 4994. In particular, I would direct my comments tonight in regards to the provisions that deal with hospice care in America. I thank the ranking member, Mr. LEVIN, a friend who has stood with

us in regards to this act, and I echo his support and request for support for its passage this evening.

When we drafted the Hospice Opportunities for Supporting Patients with Integrity and Care Evaluations, otherwise known as the HOSPICE, Act, I was glad to bring those issues to the forefront in the debate that has been incorporated in the IMPACT Act tonight.

To me, hospice care is the right thing to do for our fellow Americans that face those hard decisions as we deal with health care at the end of our lives.

To me, the HOSPICE Act and the provisions in the IMPACT Act go to ensure that there is quality care when it comes to hospice care for our fellow Americans.

These reforms are necessary. They are the right thing to do, and they will ensure that hospice in America is done in a quality, well-conducted manner for all of our fellow Americans.

I would like to thank my coauthor on this, Mr. MIKE THOMPSON from California, with his bipartisan support, and with my colleague on the other side joining us in regards to these reforms to hospice care across America.

Mr. Speaker, I ask my colleagues to support this legislation.

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

I will close just briefly to reiterate, this is a product of months and months of work across the aisle, our staffs working together many, many hours, I think, probably at various hours of the day and night, maybe even as late as it is tonight on other days. So I think we should be proud of this product, and I hope all of us will support it.

I thank Mr. BRADY for his work on this.

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

Mr. BRADY of Texas. Mr. Speaker, I yield myself as much time as I may consume to close.

The bill began with an open letter to stakeholders, as Ranking Member LEVIN said. Following our bipartisan call to action, we received over 70 comments in response to our letter asking for specific recommendations to improve care for seniors.

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There were three central themes that stakeholders urged us to pursue, and they are very simple:

One, create a common measure set with standardized data to assess the quality of health care, the way it is delivered;

Two, carefully research and study Medicare's post-acute settings to inform future payment and delivery system reform;

And then third, place an emphasis on informing the patient and team of caregivers during the discharge planning process in order to more effectively coordinate care.

The IMPACT Act achieves these important objectives.

Support for IMPACT comes from hospitals, nursing homes, home health care providers, leading quality groups like the National Quality Forum, and leading beneficiary advocates. I would like to highlight a few:

From the National Home Care and Hospice Association:

''We are very supportive of the goals behind the IMPACT Act and fully support the development of a uniform patient assessment and discharge planning process.''

From the American Academy of Physical Medicine and Rehabilitation, which represents rehab physicians:

''The presence of these quality measures will ensure that patients are receiving the best possible care in the most appropriate setting.''

Finally, from the National Coalition on Health Care, which represents many Medicare beneficiary organizations:

''With this information, payers, providers, consumers, and family caregivers can work together to identify the best care setting for each individual, and policymakers can begin the challenging work of implementing broader reform to Medicare's post-acute system.''

On behalf of Chairman DAVE CAMP, I want to thank the ranking member, Mr. LEVIN, and his staff for all of their good work and thank Senator WYDEN and Senator HATCH in joining us in this bipartisan, bicameral effort.

It is time to support our seniors and improve the Medicare program on which they rely. I urge my colleagues to join me and vote ''yes.''

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

Mr. WAXMAN. Mr. Speaker, there is an old saying, "you get what you pay for." This is true in medicine as in many other fields, and it is why federal healthcare payment policies are so important.

The Affordable Care Act made important reforms in this area. We established many new programs to move us away from a healthcare system that rewards volume over value, such as the Hospital Value Based Purchasing program, the Physician Value-Based Payment Modifier, the Medicare Shared Savings Program or ACOs, and the many new payment models being tested under the Center for Medicare and Medicaid Innovation (CMMI).

Although we have yet to pass final legislation, the bipartisan, bicameral Sustainable Growth Rate (SGR) physician payment reform policies we adopted in the House earlier this year would make valuable additional reforms.

And the bill before us, the Improving Medicare Post-Acute Care Transformation Act of 2014, would take another crucial step toward the modernization of Medicare payments to healthcare providers.

Post-acute care providers, such as nursing homes, long-term care hospitals, and home health agencies are the logical next providers to undergo payment and delivery system transformations. There is tremendous variation in healthcare spending across post-acute care settings. And there is only inconclusive evidence to support which patients should receive which services in which settings of care.

Before we revamp how providers are paid in these settings, we must ensure we have the information we need to make informed decisions. Comprehensive and reliable quality and outcomes data must be collected and analyzed before we can implement payment reforms, such as equalized payments across settings or bundled payments.

And that is exactly what this bill does. It gathers the data we need to compare quality across different post-acute care providers, improve hospital and post-acute care discharge planning, and understand how to appropriately account for socio-economic status in payment and quality performance. This information will help us improve the payment and delivery systems for post-acute care, thereby ensuring Medicare beneficiaries receive the right high-quality care, in the right setting, at the right time.

I am pleased to see this important bipartisan effort to reform post-acute care move forward, which will lead to improved quality, improved outcomes, and lower healthcare costs. I urge my colleagues to vote for its swift passage.

Mr. McDERMOTT. Mr. Speaker, I rise today in support of H.R. 4994, the IMPACT Act. This bipartisan, bicameral legislation makes several small changes to improve post-acute care quality measures and reporting systems in Medicare.

This bill will lay the groundwork for future changes that will reform how Medicare pays for post-acute care.

This bill has support across the post-acute care community, including providers and beneficiaries.

This bill is budget neutral. In short, this is an innocuous bill.

Yet, the bottom line is this:

Congress must do more than pass small, innocuous bills. My constituents in Seattle—and constituents from coast to coast—are coping with a list of growing challenges.

Yet, this Congress is content to push the urgent work of tackling these challenges to another day.

Seniors, patients and doctors need Congress to find a permanent fix for the flawed Sustainable Growth Rate formula in Medicare.

American seniors deserve greater safety and security, but Congress' most recent SGR patch—thrown together last Spring—expires in March.

By then, Congress—just like the 17 times before—will be up against an urgent deadline and flailing to find a permanent solution.

American families need Congress to reauthorize the Children's Health Insurance Program.

More than 8 million children and pregnant women access affordable health coverage through CHIP.

But federal funding faces a cliff next year, and this Congress isn't doing anything about it.

America needs a reenergized primary care workforce.

By 2020, our nation's health system will be staggered by a shortage of 45,000 primary care doctors.

But this Congress isn't talking about extending Medicaid payment parity before it expires in December.

This Congress isn't talking about reauthorizing the National Health Service Corps.

And this Congress certainly isn't talking about new ideas like R–DOCS—a program, modeled on our military's ROTC program, to train and place new primary care doctors where they are needed most.

Yes, we might pass legislation like the IMPACT Act this week. But the American people demand and deserve bolder action and bigger results from their Congress.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 4994, as amended.

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

A motion to reconsider was laid on the table.

AIR PASSENGER FEE LIMITATIONS

Mr. HUDSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5462) to amend title 49, United States Code, to provide for limitations on the fees charged to passengers of air carriers.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5462

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

SECTION 1. LIMITATION ON FEES CHARGED TO PASSENGERS OF AIR CARRIERS.

(a) IN GENERAL.—Subsection (c) of section 44940 of title 49, United States Code, is amended to read as follows:

''(c) LIMITATION ON FEE.—

''(1) AMOUNT.—Fees imposed under subsection (a)(1) shall be $5.60 per one-way trip in air transportation or intrastate air transportation that originates at an airport in the United States, except that the fee imposed per round trip shall not exceed $11.20.

''(2) DEFINITION OF ROUND TRIP.—In this subsection, the term 'round trip' means a trip on an air travel itinerary that terminates or has a stopover at the origin point (or co-terminal).''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to a trip in air transportation or intrastate air transportation that is purchased on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HUDSON) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. HUDSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

I rise in strong support of H.R. 5462, a bill I introduced to address executive overreach affecting the traveling public.

Specifically, this bill would lower fees for certain airline passengers by clarifying congressional intent and setting a mandatory cap on the fees that TSA collects for round trips.

Since 9/11, aviation user fees have helped to defray security costs and ensure that our vital transportation network remains safe. However, when the Bipartisan Budget Act increased these fees, TSA took the language to mean that it was authorized to collect an even higher amount than Congress intended, and it eliminated its own long-standing cap on round trip fees.

Bipartisan Members of the House and Senate, including the authors of the Bipartisan Budget Act, agree that TSA is not authorized to collect these higher fees from travelers, which will add $60 to $70 million annually to the cost of air travel.

H.R. 5462 looks to correct this overreach and save American taxpayers from having to shell out millions of dollars in extra fees. Reducing the burden on airline passengers benefits everyone—from helping families save money when taking a vacation to cutting costs for our small businesses whose employees travel for work.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 5462.

At the outset, I would like to commend the chairman of the Subcommittee on Transportation Security, Representative HUDSON, for the bipartisan approach he has taken with this legislation. I know that Mr. THOMPSON and Mr. RICHMOND have joined him on this legislation, and I have as well.

H.R. 5462 seeks to remove any confusion about a key provision of the Bipartisan Budget Act of 2013 as enacted into law in December 2013. Section 601 of that law provided for the aviation security fee that the Transportation Security Administration collects to increase to $5.60 per one-way trip.

We know that since 9/11 this department was created, and the fees have been utilized to continue to protect the homeland, fees that are assessed on the airlines and utilized by the Transportation Security Administration, but we are attempting to make sure that the process is fair. The language did not specifically cap the fee for a round trip ticket, but common sense would tell us that Congress intended the passenger fee for a round trip to be twice that of a one-way trip, or $11.20.

Regrettably, TSA has missed this intent, resulting in some passengers being assessed excessive fees.

We have the responsibility here in the United States Congress to provide the kind of oversight that treats the Transportation Security Administration fairly: providing them with resources; ensuring that they are protecting the traveling public; ensuring that their TSOs are trained; and, as well, acknowledging the important work that they do. But we have, likewise, a responsibility to the traveling public, and we must balance that with making sure that the fees that are assessed are not excessive.

The legislation before us today clarifies that the passenger security fee should be capped for a round trip at twice the rate assessed for a one-way trip.

Mr. Speaker, for the better part of 5 months, the Committee on Homeland Security and others in Congress have been engaged in a back-and-forth with TSA on this issue. It is my sincere hope that, with this guidance and the enactment of this legislation, this will resolve this issue, once and for all, for the American flying public. Again, as I indicated, it is important to be balanced and fair.

Simply put, this straightforward, bipartisan legislation will ensure that passengers are no longer charged air transportation fees above and beyond what Congress envisioned and intended.

Let me again thank Chairman HUDSON for his leadership on this issue and for the give-and-take that has gone on.

I do want to add two points to my closing remarks as I urge my colleagues to support H.R. 5462 so that TSA can no longer charge passenger security fees above and beyond what is reasonable and what Congress has intended.

I think it is important—and I know Mr. HUDSON will agree with me—the work of the Transportation Security Administration and the improvement of training that we have seen in TSO officers in the line of defense, if you will, that they serve in the Nation's airports.

I want to acknowledge an incident that allegedly occurred, or occurred, with a FAM officer in Nigeria. I want to express to the Federal Air Marshals my concern for that issue and that incident. To the particular air marshal who was in the line of duty and his having been attacked with a hypodermic needle, we express our concern, and we are pleased that there are continued negotiations regarding the process of those FAMs going through international airports.

Lastly, I would say—and I hope that we will engage in this discussion—I know Chairman HUDSON is having a number of meetings. We are all aware, on the backdrop on the debate we will have tomorrow on ISIL, of the potential of the impact on the homeland. We know that we have about 100 American passport individuals who have left for the foreign fighters.

I am looking to introduce in very short order legislation that indicates No Fly for Foreign Fighters Act of 2014, which gives greater details and assessment of the No Fly List, the watch list, to make sure that those with American passports who have gone to the fight cannot be on our airlines; so I am looking forward to working with the committee on this issue.

I only offer that, Mr. Speaker, because of the important work of the Transportation Security Subcommittee, and the responsibility that we have here on the securing of the

homeland really is a strong component of the Transportation Security Subcommittee.

You have been a leader along with the ranking member. I look forward to working with you, and I believe that the Homeland Security Committee and the Homeland Security Department are key factors in securing the homeland in the backdrop of this new threat of ISIL as all of the other committees work together on making sure that Americans are safe.

I conclude by asking my colleagues to support H.R. 5462 and to support the idea of a fair and balanced assessment on passenger security fees.

Mr. Speaker, at the outset, I would like to commend the Chairman of the Subcommittee on Transportation Security, Representative HUDSON, for the bipartisan approach he has taken with this legislation.

H.R. 5462 seeks to remove any confusion about a key provision of the ''Bipartisan Budget Act of 2013,'' As enacted into law in December 2013.

Section 601 of that law provided for the aviation security fee that Transportation Security Administration collects to increase to $5.60 per one-way trip.

The language did not specifically cap the fee for a round-trip ticket but common sense would tell us that Congress intended the passenger fee for a round-trip to be twice that of a one-way trip or $11.20.

Regrettably, TSA has missed this intent, resulting in some passengers being assessed excessive fees.

The legislation before us today clarifies that the passenger security fee should be capped for a round-trip at twice the rate assessed for a one-way trip.

Mr. Speaker, for the better part of five months, the Committee on Homeland Security and others in Congress have been engaged in back-and-forth with TSA on this issue.

It is my sincere hope that enactment of this legislation will resolve this issue, once and for all, for the American flying public. Mr. Speaker, simply put, this straightforward, bipartisan, legislation will ensure that passengers are no longer charged air transportation fees above and beyond what Congress envisioned and intended.

I urge all Members to support H.R. 5462 so that TSA can no longer charge passengers security fees above and beyond what is reasonable and what Congress intended.

I yield back the balance of my time.

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

I would like to thank Ranking Member RICHMOND, Chairman MCCAUL, Ranking Member THOMPSON, and Ranking Member JACKSON LEE for their work on this issue, and I appreciate the comments the gentlewoman had tonight. I would echo that I appreciate the bipartisan nature in which she works on issues on the Homeland Security Committee. I appreciate the relationship we have had. I respect the gentlewoman very much. I appreciate the advice that she has given me, and I appreciate the cooperation under which we have worked throughout this Congress.

I think this product that we bring to the floor today is an example of bipartisanship of the best kind—where we can come together, Republicans and Democrats, and work for the betterment of the American people. I thank the gentlewoman for that very much.

Mr. Speaker, I would also like to submit a letter from the airline industry in support of this bipartisan bill.

SEPTEMBER 16, 2014.

Hon. MIKE MCCAUL,
House of Representatives,
Washington, DC.
Hon. RICHARD HUDSON,
House of Representatives,
Washington, DC.
Hon. BENNIE THOMPSON,
House of Representatives,
Washington, DC.
Hon. CEDRIC RICHMOND,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN MCCAUL, CHAIRMAN HUDSON, RANKING MEMBER THOMPSON AND CONGRESSMAN RICHMOND: On behalf of Airlines for America (A4A), I am writing to reiterate our strong support for H.R. 5462 that would require the Transportation Security Administration (TSA) to cap the September 11th Security Fee ($5.60 per one-way trip) for a round-trip at twice that of a one-way trip (i.e., $11.20).

In an effort to streamline the passenger security fee and eliminate a ''per-enplanement'' fee structure, Congress applied a flat fee of $5.60 per one-way trip under the Bipartisan Budget Act of 2013 (Pub. L. 113–67). The intent was to simplify the fee assessment and cap the passenger security fee for a round-trip at twice that of a one-way trip, as has been TSA's long-held policy. Unfortunately, when TSA implemented the higher fee on July 21, 2014, the agency eliminated the round-trip cap.

While the Act simplified the fee structure, Congress otherwise intended to leave the pre-existing regulatory structure in place. This is unmistakably clear from the limited revisions to the statute. Congressional intent has been emphatically underscored by the Members of Congress who were responsible for drafting these revisions, House Budget Committee Chairman Paul Ryan (R–WI) and Senate Budget Committee Chairwoman Patty Murray (D–WA), in a letter to TSA an Administrator John Pistole (May 6, 2014). This change was made against the backdrop of the existing cap on the fee for a round-trip that was twice the maximum one-way fee.

Under H.R. 5462, which would require TSA to honor the round-trip cap, passenger security fees would be limited to $5.60 per one-way trip and $11.20 per round-trip. Airlines and their passengers are already paying more than their fair share of federal taxes and fees. The passenger security fee increase that took effect in July will cost airline passengers—who paid a near-record $2 billion in aviation security taxes in 2013—over $1.2 billion annually or $12.6 billion over the next decade. As a result of the passenger security fee increase, government-imposed taxes and fees now constitute $63, or 21 percent, of the cost of a typical $300 domestic round-trip ticket. To add insult to injury, eliminating the round-trip cap will result in airline passengers paying about $60 million more per year than Congress intended.

Thank you for your leadership and for fighting for the traveling public on this important issue. We stand ready to help ensure swift, bipartisan approval of H.R. 5462 by the House.

Sincerely,

NICHOLAS E. CALIO.

Mr. HUDSON. As the chairman of the Transportation Security Subcommittee, I am committed to finding commonsense solutions that reduce taxes and make air travel more accessible, leading to more frequent trips, increased tourism, and more dollars invested in our local economies.

I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I strongly support H.R. 5462, and I am proud to be an original cosponsor of this important bipartisan legislation. This bill clarifies Congressional intent on the matter of security fees incurred by airline passengers and corrects the Transportation Security Administration's misinterpretation of the Bipartisan Budget Act's minor modifications to these fees.

TSA should not collect additional passenger security fees beyond what Congress has authorized. H.R. 5462 is common sense, bipartisan legislation to clarify the fee structure that Congress intended and protect the traveling public from millions of dollars in excess charges on their flights.

I applaud Subcommittee Chairman HUDSON, as well as Ranking Member THOMPSON and Ranking Member RICHMOND for working together on a bipartisan basis to address this problem. I urge my colleagues to support this bill.

Mr. RYAN of Wisconsin. Mr. Speaker, earlier this year, the Transportation Security Administration (TSA) ignored the clear Congressional intent of the Bipartisan Budget Act (P.L. 113–67) (BBA) and began collecting aviation security fees beyond the round-trip limitation that has existed since the Aviation Security Act of 2001. TSA had every opportunity to work with Congress to adjust the fee collection structure, but they unfortunately chose to ignore both the intent of the BBA and the concerns of individual members.

H.R. 5462 re-institutes the round-trip cap through statute, ensuring that passengers will not be made to pay a security fee in excess of what is authorized by Congress. Because the Congressional Budget Office has updated its baseline projection to incorporate TSA's incorrect implementation of the BBA, H.R. 5462 has a cost. However, passage of the bill will return security fee receipts to the level originally estimated by the CBO upon passage of the BBA.

I thank my colleague, Mr. HUDSON, for introducing this bill and I fully support its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HUDSON) that the House suspend the rules and pass the bill, H.R. 5462.

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. HUDSON. 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.

FIGHTING EBOLA

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I thought it was extremely important to rise today to congratulate the President on recognizing the crucialness of the fight against this horrific disease Ebola in Africa.

I have been in Africa over the last 4 or 5 months. Ebola is devastating to the West African countries. They have been fighting on their own, but it has been recognized that they do not have the infrastructure to be able to contain the disease. We are sending 3,000 of our men and women of the United States military but, as equally important, we are providing for the self-made hospital containers that can be utilized to provide the infrastructure for these countries to be able to fight Ebola.

There is no medical system existing now because everyone is fighting, and therefore everyone is, in essence, ensuring that the illness is not taken care of. This is a crisis. We need to be engaged, and we need to fight against Ebola so it can be extinguished and the people in Africa can get back to their lives again.

□ 2200

THE ISLAMIC STATE

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

Mr. GOHMERT. Mr. Speaker, I was in agreement with the President going after IS but not with people we can't trust.

Andy McCarthy has a great article here entitled, ''But They Were Really Moderate Beheadings,'' pointing out that the people the President wants to support actually are guilty of beheadings themselves. But apparently they are moderate beheadings.

It is also important to note that Hezbollah has released a statement saying that President Obama is not determined enough to confront IS. And they said: ''Those who delve deeper into the American stance will notice that Americans accept IS in our region while trying to prevent it from spreading to their country.''

This is not the way to go. These people cannot be trusted. It is time for us to either help the Kurds—since Turkey is not willing to face this crisis by putting boots on the ground and actually fighting IS for us, then arm the Kurds. I know the Turks are afraid of that. But we are more concerned about IS.

Help the Kurds. And let's wipe out IS but not with free Syrians we can't trust.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CAPITO (at the request of Mr. MCCARTHY of California) for today on account of a death in the family.

Mr. RUSH (at the request of Ms. PELOSI) for today.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4197. An act to amend title 5, United States Code, to extend the period of certain authority with respect to judicial review of Merit Systems Protection Board decisions relating to whistleblowers, and for other purposes.

H.R. 5134. An act to extend the National Advisory Committee on Institutional Quality and Integrity and the Advisory Committee on Student Financial Assistance for one year.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 276. An act to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 17, 2014, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7126. A letter from the FSA Regulatory Review Group Director, Department of Agriculture, transmitting the Department's ''Major'' final rule — Margin Protection Program for Dairy and Dairy Product Donation Program (RIN: 0560-AI23) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7127. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Animal Welfare; Importation of Live Dogs [Docket No.: APHIS-2009-0053] (RIN: 0579-AD23) received August 19, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7128. A letter from the Assistant Secretary for Civil Rights, Department of Agriculture, transmitting the Department's final rule — Nondiscrimination in Programs or Activities Conducted by the United States Department of Agriculture (RIN: 0503-AA52) received August 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7129. A letter from the Acting Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Allegheny County, PA, et al. [Docket ID: FEMA-2014-0002] [Internal Agency Docket No.: FEMA-8347] received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7130. A letter from the Acting Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Pike County, IN, et al. [Docket ID: FEMA-2014-0002] [Internal Agency Docket No.: FEMA-8345] received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7131. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Manufactured Housing Program Fee: Final Fee Increase [Docket No.: FR-5721-F-02] (RIN: 2502-AJ19) received September 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7132. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Removal of Emergency Homeowners' Loan Program Regulations [Docket No.: FR-5795-F01] (RIN: 2502-AJ24) received August 19, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7133. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule — Asset-Backed Securities Disclosure and Registration (RIN: 3235-AK37) received September 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7134. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act (RIN: 1210-AB67) received August 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7135. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's final rule — Acquisition Regulations (RIN: 0991-AB87) received August 19, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7136. A letter from the Chief, Broadband Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands [WT Docket No. 03-66] (RM-11614) received August 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7137. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Light Load Handling System and Refueling Cavity Design [NRC-2013-0148] received August 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7138. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustment and Trimester Total Allowable Catch Area Closure for the Common Pool Fishery [Docket No.: 140106011-4338-02] (RIN: 0648-XD357) received August 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7139. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No.: 130925836-4174-02] (RIN: 0648-XD375) receiced August 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7140. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reappointment of the 2014 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl Deep-Water and Shallow-Water Fishery Categories [Docket No.: 130925836-4174-02] (RIN: 0648-XD361) received August 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7141. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 12814338-21711-02] (RIN: 0648-BE39) received August 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7142. A letter from the Deputy Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Gray's Reef National Marine Sanctuary Regulations and Management Plan [Docket No.: 130817310-4485-02] (RIN: 0648-BD60) received August 19, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7143. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trimester Total Allowable Catch Area Closure for the Common Pool Fishery and Possession Limit Adjustment [Docket No.: 14010611-4338-02] (RIN: 0648-XD418) received August 19, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7144. A letter from the Chief, Office of Regulatory Affairs, Department of Justice, transmitting the Department's final rule — Elimination of Firearms Transaction Record, ATF Form 4473 (Low Volume) (2008R-21P) [Docket No. ATF-19F; AG Order No. 3451-2014] (RIN: 1140-AA34) received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7145. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Vessel Documentation Renewal Fees [Docket No.: USCG-2010-0990] (RIN: 1625-AB56) received August 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7146. A letter from the Chairman, Surface Transportation Board, Department of Transportation, transmitting the Department's final rule — Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services — 2014 Update [Docket No.: EP 542 (Sub-No. 22)] received August 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7147. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0122; Directorate Identifier 2014-NM-002-AD; Amendment 39-17938; AD 2014-16-14] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7148. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0544; Directorate Identifier 2012-NM-057-AD; Amendment 39-17935; AD 2014-16-11] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7149. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Nabb, IN [Docket No.: FAA-2014-0368; Airspace Docket No. 13-AGL-26] received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7150. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment and Revocation of Jet Routes; Northeast United States [Docket No.: FAA-2014-0104; Airspace Docket No. 13-AEA-4] received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7151. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Grand Rapids, MI [Docket No.: FAA-2014-0501; Airspace Docket No. 14-AGL-11] (RIN: 2120-AA66) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7152. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Modification and Establishment of Air Traffic Service (ATS) Routes in the Vicinity of Huntingburg, IN [Docket No.: FAA-2013-0990; Airspace Docket No. 13-AGL-8] (RIN: 2120-AA66) received September 2, 2014, pursuant to U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7153. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Orders of Compliance, Cease and Desist Orders, Orders of Denial, and Other Orders [Docket No.: FAA-2014-0505; Amdt. No. 13-36] (RIN: 2120-AK43) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7154. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Repair Stations [Docket No.: FAA-2006-26408; Amdt. No. 145-30] (RIN: 2120-AJ61) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7155. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited Airplanes [Docket No.: FAA-2014-0616; Directorate Identifier 2014-CE-018-AD; Amendment 39-17954; AD 2014-17-01] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7156. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0236; Directorate Identifier 2013-NM-184-AD; Amendment 39-17937; AD 2014-16-13] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7157. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0175; Directorate Identifier 2014-NM-014-AD; Amendment 39-17957; AD 2014-17-04] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7158. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2012-1327; Directorate Identifier 2012-NE-47-AD; Amendment 39-17934; AD 2014-16-10] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7159. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0129; Directorate Identifier 2013-NM-105-AD; Amendment 39-17931; AD 2014-16-07] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7160. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0120; Directorate Identifier 2013-NM-056-AD; Amendment 39-17932; AD 2014-16-08] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7161. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0250; Directorate Identifier 2013-NM-165-AD; Amendment 39-17930; AD 2014-16-06] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7162. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1158; Directorate Identifier 2011-NM-232-AD; Amendment 39-17501; AD 2013-13-13] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7163. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2014-0219; Directorate Identifier 2014-NE-04-AD; Amendment 39-17939; AD 2014-16-15] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7164. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0468; Directorate Identifier 2012-NM-147-AD; Amendment 39-17924; AD 2014-15-21] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7165. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer) Airplanes [Docket No.: FAA-2014-0531; Directorate Identifier 2014-NM-142-AD; Amendment 39-17940; AD 2014-16-16] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7166. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2013-1068; Directorate Identifier 2013-NM-196-AD; Amendment 39-17923; AD 2014-15-20] (RIN: 2120-AA64)

received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7167. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0121; Directorate Identifier 2013-NM-151-AD; Amendment 39-17928; AD 2014-16-04] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7168. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) (Airbus Helicopters) Helicopters [Docket No.: FAA-2014-0034; Directorate Identifier 2013-SW-006-AD; Amendment 39-17948; AD 2014-16-24] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7169. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2013-1065; Directorate Identifier 2011-NM-230-AD; Amendment 39-17915; AD 2014-15-13] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7170. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2014-0511; Directorate Identifier 2014-CE-023-AD; Amendment 39-17953; AD 2014-15-51] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7171. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Airplanes [Docket No.: FAA-2014-0077; Directorate Identifier 2013-CE-021-AD; Amendment 39-17941; AD 2014-16-17] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7172. A letter from the Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Servicemembers' Group Life Insurance and Veterans' Group Life Insurance Information Access (RIN: 2900-AO42) received August 19, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7173. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Amendment to the List of CBP Preclearance Offices in Foreign Countries: Addition of Abu Dhabi, United Arab Emirates [CBP Dec. 14-09] received August 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7174. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Material Advisor Penalty for Failure to Furnish Information Regarding Reportable Transactions [TD 9686] (RIN: 1545-BF59) received August 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7175. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Foreign tax credit guidance under section 901(m) [Notice 2014-45], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7176. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Segregation Rule Effective Date [TD 9685] (RIN: 1545-BM18) received August 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7177. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Concise General Statement Concerning 2014 National Pool (Revenue Procedure 2014-52) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7178. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Dixon V. Commissioner, 141 T.C. No. 3 (2013) (AOD 2014-01) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7179. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Procedures for Automatic Change in Method of Accounting under the Retail Inventory Method (Rev. Proc. 2014-48; RP-120878-14) received August 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7180. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Retail Inventory Method [TD 9688] received August 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7181. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Debt That Is a Position in Personal Property That Is Part of a Straddle [TD 9691] (RIN: 1545-BL24) received August 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7182. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Guidance Regarding Dispositions of Tangible Depreciable Property [TD 9689] (RIN: 1545-BL52) received August 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7183. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; FY 2015 Hospice Wage Index and Payment Rate Update; Hospice Quality Reporting Requirements and Process and Appeals for Part D Payment for Drugs for Beneficiaries Enrolled in Hospice [CMS-1609-F] (RIN: 0938-AS10) received August 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7184. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Fiscal Year 2015 Rates; Quality Reporting Requirements for Specific Providers; Reasonable Compensation Equivalents for Physician Services in Excluded Hospitals and Certain Teaching Hospitals; Provider Administrative Appeals and Judicial Review; Enforcement Provision for Organ Transplant Centers; and Electronic Health Record (EHR) Incentive Program [CMS-1607-F and CMS-1599-F3] (RINs: 0938-AS11; 0938-AR12; and 0938-AR53) received August 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 727. A resolution providing for consideration of the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes; providing for consideration of the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes; and providing for proceedings during the period from September 22, 2014, through November 11, 2014 (Rept. 113–601). Referred to the House Calendar.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 24. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes, with an amendment (Rept. 113–602 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 5169. A bill to amend title 5, United States Code, to enhance accountability within the Senior Executive Service, and for other purposes (Rept. 113–603). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 24 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COLLINS of Georgia:

H.R. 5475. A bill to amend title 38, United States Code, to improve the care provided by the Secretary of Veterans Affairs to newborn children; to the Committee on Veterans' Affairs.

By Mr. HASTINGS of Washington:

H.R. 5476. A bill to modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes; to the Committee on Natural Resources.

By Mr. MESSER:

H.R. 5477. A bill to amend the Internal Revenue Code of 1986 to encourage the use of 529 plans and Coverdell education savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently

determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. LABRADOR, Mr. AMASH, Mr. MCCLINTOCK, Mr. MORAN, and Mr. CONYERS):

H.R. 5478. A bill to amend title 10, United States Code, to direct the Secretary of Defense to make certain limitations on the transfer of personal property to Federal and State agencies, and for other purposes; to the Committee on Armed Services.

By Mr. BENTIVOLIO:

H.R. 5479. A bill to amend the Fair Credit Reporting Act to require public disclosure of the method used to calculate consumer credit scores and inclusion of debt settlement agreements in consumer reports; to the Committee on Financial Services.

By Mr. WEBER of Texas (for himself and Mr. SCHWEIKERT):

H.R. 5480. A bill to prohibit the Secretary of Veterans Affairs from obligating or expending funds for alternative energy generation projects unless specifically authorized by law, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ELLMERS (for herself and Mr. MATHESON):

H.R. 5481. A bill to continue the use of a 3-month quarter EHR reporting period for health care providers to demonstrate meaningful use for 2015 under the Medicare and Medicaid EHR incentive payment programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania:

H.R. 5482. A bill to enhance the Office of Personnel Management background check system for the granting, denial, or revocation of security clearances or access to classified information of employees and contractors of the Federal Government; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas (for himself, Mr. HANNA, Mr. BRIDENSTINE, Mr. AMODEI, Mr. ROGERS of Kentucky, Mr. COTTON, Mr. REICHERT, Mrs. LUMMIS, and Mr. POMPEO):

H.R. 5483. A bill to amend title 10, United States Code, to continue the national security exemption from emissions regulations when an excess Department of Defense vehicle covered by the exemption is transferred to a firefighting agency in a State or to any other State agency; to the Committee on Armed Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENISHEK (for himself, Mr. HONDA, Mr. RAHALL, Mr. CONYERS, and Mr. HIGGINS):

H.R. 5484. A bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces, to establish an advisory board on exposure to toxic substances, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 5485. A bill to amend the Higher Education Act of 1965 to require additional reporting on crime and harm that occurs during student participation in programs of study abroad, and for other purposes; to the Committee on Education and the Workforce.

By Ms. ESTY (for herself, Ms. KAPTUR, Mr. HOLT, Mr. HONDA, Mr. THOMPSON of California, Ms. DELAURO, Mr. HINOJOSA, Ms. WASSERMAN SCHULTZ, Ms. SHEA-PORTER, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. LOWENTHAL, Ms. MATSUI, Mr. ELLISON, and Mr. DEUTCH):

H.R. 5486. A bill to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRADY of Texas (for himself and Mr. CROWLEY):

H.R. 5487. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes; to the Committee on Ways and Means.

By Ms. JACKSON LEE:

H.R. 5488. A bill to require a review of the completeness of the Terrorist Screening Database (TSDB) maintained by the Federal Bureau of Investigation and the derivative terrorist watchlist utilized by the Transportation Security Administration, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Ms. KAPTUR, Ms. WILSON of Florida, Ms. NORTON, Mr. CUMMINGS, Mr. LEWIS, Mr. RANGEL, and Ms. SEWELL of Alabama):

H.R. 5489. A bill to provide for youth jobs, and for other purposes; to the Committee on Education and the Workforce.

By Ms. DELAURO (for herself, Mr. WELCH, and Mr. COURTNEY):

H.R. 5490. A bill to require the Commodity Futures Trading Commission to impose fees and assessments to recover the cost of appropriations to the Commission; to the Committee on Agriculture.

By Mr. ENGEL:

H.R. 5491. A bill to establish United States embassies with consular services in the five countries in the Caribbean with which the United States has diplomatic relations but no permanent diplomatic presence: Antigua and Barbuda, Dominica, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself, Mr. CUMMINGS, and Mr. MEADOWS):

H.R. 5492. A bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JOLLY:

H.R. 5493. A bill to amend the Coast Guard Authorization Act of 1989 to expand the Coast Guard Junior Reserve Officers Training Program Pilot Program to include a Coast Guard unit at Pinellas Park High School in Pinellas Park, Florida, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. LEE of California (for herself and Mr. HONDA):

H.R. 5494. A bill to amend the Internal Revenue Code of 1986 to provide the work opportunity tax credit with respect to the hiring of veterans in the field of renewable energy; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 5495. A bill to prohibit the Federal Housing Finance Agency from reducing or limiting the multifamily housing business of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on Financial Services.

By Mr. MCNERNEY (for himself, Mr. NUGENT, Mr. ROONEY, Mr. COSTA, Mr. CÁRDENAS, Mr. JOHNSON of Georgia, and Mr. GEORGE MILLER of California):

H.R. 5496. A bill to require the holder of a subordinate lien on the property that secures a federally related mortgage loan, upon a request by the homeowner for a short sale, to make a timely decision whether to allow the sale; to the Committee on Financial Services.

By Mr. PETERSON:

H.R. 5497. A bill to amend the Internal Revenue Code of 1986 to modify and extend the election to expense the cost of qualified film, television, and theatrical productions; to the Committee on Ways and Means.

By Mr. SARBANES:

H.R. 5498. A bill to establish a demonstration program to facilitate physician reentry into clinical practice to provide primary health services; to the Committee on Energy and Commerce.

By Mr. SWALWELL of California (for himself, Mr. SHERMAN, Mr. COHEN, and Mr. CÁRDENAS):

H.R. 5499. A bill to prohibit contracts that prohibit consumers from making certain public comments on businesses; to the Committee on Energy and Commerce.

By Mr. SCHIFF:

H.J. Res. 125. A joint resolution to authorize the use of United States Armed Forces against the terrorist organization Islamic State of Iraq and the Levant (''ISIL''); to the Committee on Foreign Affairs.

By Mr. GERLACH (for himself, Ms. KAPTUR, and Mr. LEVIN):

H. Res. 726. A resolution strongly supporting the right of the people of Ukraine to freely determine their future, including their country's relationship with other nations and international organizations, without interference, intimidation, or coercion by other countries; to the Committee on Foreign Affairs.

By Mr. GRAVES of Missouri:

H. Res. 728. A resolution expressing support for the designation of a ''Small Business Saturday'' and supporting efforts to increase awareness of the value of locally owned small businesses; to the Committee on Small Business.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COLLINS of Georgia:

H.R. 5475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of our land and naval forces.

By Mr. HASTINGS of Washington:
H.R. 5476.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3
By Mr. MESSER:
H.R. 5477.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1, which states ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States'' and Article I, Section 8, Clause 18, which empowers Congress to ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''
By Mr. JOHNSON of Georgia:
H.R. 5478.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 14 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. BENTIVOLIO:
H.R. 5479.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;''
By Mr. WEBER of Texas:
H.R. 5480.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1 Section 1 and Article 1 Section 9.
''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''
''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''
By Mrs. ELLMERS:
H.R. 5481.
Congress has the power to enact this legislation pursuant to the following:
The Commerce Clause: Article 1, Section 8, Clause 3 of the U.S. Constitution gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''
By Mr. KELLY of Pennsylvania:
H.R. 5482.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 of the United States Constitution.
By Mr. GRIFFIN of Arkansas:
H.R. 5483.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Clause 1, Section 8 of the United States Constitution which reads: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.''
By Mr. BENISHEK:
H.R. 5484.
Congress has the power to enact this legislation pursuant to the following:
The United States Constitution, Article I, Section 8.
By Mr. SEAN PATRICK MALONEY of New York:
H.R. 5485.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution
By Ms. ESTY:
H.R. 5486.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. BRADY of Texas:
H.R. 5487.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Ms. JACKSON LEE:
H.R. 5488.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.
By Mr. CONYERS:
H.R. 5489.
Congress has the power to enact this legislation pursuant to the following:
The principal constitutional authority for this legislation is clause 7 of section 9 of Article I of the Constitution of the United States which states, ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .'' and clause 3 of section 8 of Article I, which provides that, Congress shall have power to ''regulate Commerce with foreign Nations, and among several States, and with the Indian Tribes.'' In addition, clause 1 of section 8 of Article I provides that ''Congress shall have the Power . . . . to pay the Debts and provide for the common Defense and general Welfare of the United States . . .'' and clause 18 of section 8 of Article I that states that Congress shall have power to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power to establish and appropriate funds, to determine its purpose, amount, period of availability, means of access, and to set forth terms and conditions governing its use.
By Ms. DELAURO:
H.R. 5490.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 3 and 18 of the United States Constitution.
By Mr. ENGEL:
H.R. 5491.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. ISSA:
H.R. 5492.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. JOLLY:
H.R. 5493.
Congress has the power to enact this legislation pursuant to the following:
Clause 1, Section 8 of Article 1 of the United States Constitution which reads: ''The Congress shall have the power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all duties and Imposts and Excises shall be uniform throughout the United States.''
By Ms. LEE of California:
H.R. 5494.
Congress has the power to enact this legislation pursuant to the following:
Article I, United States Constitution
By Mrs. CAROLYN B. MALONEY of New York:
H.R. 5495.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, ''The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''
By Mr. MCNERNEY:
H.R. 5496.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the United States Constitution.
By Mr. PETERSON:
H.R. 5497.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Mr. SARBANES:
H.R. 5498.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution
By Mr. SWALWELL of California:
H.R. 5499.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 1, 3, and 18
By Mr. SCHIFF:
H.J. Res. 125.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 139: Ms. MOORE.
H.R. 318: Ms. SINEMA and Mr. SCHWEIKERT.
H.R. 377: Mr. GIBSON.
H.R. 411: Mr. AUSTIN SCOTT of Georgia.
H.R. 713: Mr. KILMER.
H.R. 725: Mr. JOHNSON of Georgia.
H.R. 963: Mr. NOLAN and Mr. PRICE of North Carolina.
H.R. 1070: Mr. RUSH, Mr. VELA, Mr. PIERLUISI, and Ms. BROWN of Florida.
H.R. 1074: Mr. WALDEN.
H.R. 1213: Mr. RUSH.
H.R. 1318: Mr. SENSENBRENNER.
H.R. 1339: Mr. PIERLUISI, Mr. RUPPERSBERGER, and Ms. ROYBAL-ALLARD.

H.R. 1449: Mr. REED.
H.R. 1507: Mr. BERA of California.
H.R. 1508: Mr. GRAYSON.
H.R. 1563: Mr. MURPHY of Pennsylvania, Mr. ROSKAM, and Mr. COLLINS of Georgia.
H.R. 1666: Ms. ROYBAL-ALLARD, Mr. CARTWRIGHT, Mr. GRIMM, Mr. RUPPERSBERGER, and Mr. BARBER.
H.R. 1698: Mr. POCAN.
H.R. 1827: Mr. MCGOVERN and Ms. KUSTER.
H.R. 1838: Mr. BERA of California.
H.R. 1998: Mr. RUIZ.
H.R. 2012: Mr. PERLMUTTER.
H.R. 2073: Mr. KELLY of Pennsylvania.
H.R. 2224: Mr. CONNOLLY.
H.R. 2309: Ms. MENG.
H.R. 2313: Mr. REED.
H.R. 2330: Mr. JOHNSON of Ohio.
H.R. 2453: Mr. DAINES and Mr. BERA of California.
H.R. 2482: Mr. COHEN.
H.R. 2504: Mr. KELLY of Pennsylvania, Mr. STIVERS, and Mr. BERA of California.
H.R. 2523: Mr. COSTA.
H,R. 2638: Mr. O'ROURKE.
H.R. 2692: Mr. GARCIA.
H.R. 2694: Mr. GARCIA.
H.R. 2706: Mr. HOLT.
H.R. 2780: Mr. DELANEY and Ms. SEWELL of Alabama.
H.R. 2831: Ms. KAPTUR and Mrs. NEGRETE MCLEOD.
H.R. 2841: Mr. DAINES.
H.R. 2847: Mr. CONNOLLY.
H.R. 2856: Mr. GUTIÉRREZ, Ms. ROYBAL-ALLARD, Mr. LYNCH, Mrs. NEGRETE MCLEOD, Mr. RUSH, Ms. CASTOR of Florida, Mr. VAN HOLLEN, Ms. CHU, Mr. O'ROURKE, Mr. MURPHY of Florida, Mr. BRADY of Pennsylvania, Ms. LEE of California, Mr. VEASEY, Mr. GARCIA, Ms. VELÁZQUEZ, Mr. MARINO, Mr. WELCH, Mr. FRELINGHUYSEN, Mr. LEVIN, Ms. BORDALLO, Mr. KEATING, Mr. CLAY, and Mr. COHEN.
H.R. 2887: Mr. CONNOLLY.
H.R. 2969: Mr. BRALEY of Iowa.
H.R. 3023: Mr. VALADAO.
H.R. 3043: Mr. ROKITA and Ms. BONAMICI.
H.R. 3116: Mr. RYAN of Ohio.
H.R. 3123: Ms. KAPTUR.
H.R. 3279: Mr. BISHOP of Utah and Mr. THOMPSON of Pennsylvania.
H.R. 3367: Mr. KLINE and Mr. BYRNE.
H.R. 3382: Mr. BISHOP of Utah.
H.R. 3387: Mr. YOHO.
H.R. 3424: Mr. THOMPSON of Pennsylvania.
H.R. 3482: Mr. COTTON.
H.R. 3571: Mr. ROYCE and Mr. SCHNEIDER.
H.R. 3649: Mr. CARTWRIGHT.
H.R. 3662: Mrs. NAPOLITANO and Ms. ESHOO.
H.R. 3698: Mr. HECK of Washington.
H.R. 3708: Ms. HERRERA BEUTLER and Mr. HUDSON.
H.R. 3712: Mrs. NAPOLITANO.
H.R. 3742: Mr. TAKANO, Mr. TIPTON, Mr. AUSTIN SCOTT of Georgia, Ms. CLARKE of New York, and Mr. JOYCE.
H.R. 3833: Mr. JONES.
H.R. 3850: Mrs. NEGRETE MCLEOD and Mr. NADLER.
H.R. 3877: Mr. CARTWRIGHT and Ms. NORTON.
H.R. 3899: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 3992: Mr. MEADOWS.
H.R. 4122: Mr. CARTWRIGHT, Ms. DELAURO, and Mr. BUTTERFIELD.
H.R. 4137: Mr. ADERHOLT and Mr. COLLINS of Georgia.
H.R. 4158: Mr. BILIRAKIS and Mr. HUDSON.
H.R. 4169: Mr. CARTWRIGHT.
H.R. 4190: Mr. TONKO and Mr. REICHERT.
H.R. 4240: Ms. LOFGREN and Mr. VELA.
H.R. 4249: Ms. DELAURO, Mrs. NEGRETE MCLEOD, Mr. NADLER, and Ms. KAPTUR.
H.R. 4351: Mr. BERA of California and Mr. CRAWFORD.
H.R. 4426: Mr. GRIJALVA.
H.R. 4551: Mr. CARTWRIGHT.
H.R. 4578: Mr. COHEN.
H.R. 4580: Mr. HUFFMAN.
H.R. 4582: Ms. DEGETTE and Mr. DOGGETT.
H.R. 4679: Mr. THOMPSON of California, Ms. TSONGAS, and Mr. MCGOVERN.
H.R. 4682: Mr. MARCHANT and Mr. BOUSTANY.
H.R. 4741: Mr. CICILLINE and Mr. BRALEY of Iowa.
H.R. 4778: Mr. COHEN.
H.R. 4793: Mr. CONNOLLY, Mr. SCHOCK, Mr. GRIJALVA, Mr. ELLISON, and Mr. RAHALL.
H.R. 4807: Mr. MILLER of Florida and Mr. BISHOP of Utah.
H.R. 4816: Mr. CICILLINE and Mrs. BEATTY.
H.R. 4857: Mr. BERA of California and Mr. KELLY of Pennsylvania.
H.R. 4876: Ms. NORTON, Ms. EDWARDS, and Ms. BORDALLO.
H.R. 4880: Mr. HONDA, Mr. TAKANO, Ms. GABBARD, Ms. SCHAKOWSKY, Ms. SLAUGHTER, and Ms. TSONGAS.
H.R. 4886: Mr. BARR.
H.R. 4930: Mr. OLSON, Mr. QUIGLEY, Mr. LYNCH, Mr. MULVANEY, and Mr. RYAN of Ohio.
H.R. 4999: Mr. COHEN.
H.R. 5009: Mr. WAXMAN and Mr. COHEN.
H.R. 5059: Mr. JOYCE, Mr. MCGOVERN, Mr. TONKO, Mr. BROUN of Georgia, Mr. MEEKS, Mr. CHABOT, Mr. DELANEY, Mr. QUIGLEY, Ms. LEE of California, Mr. SERRANO, Mr. ELLISON, Mr. RANGEL, Mr. SEAN PATRICK MALONEY of New York, Mr. GRIJALVA, Mr. RYAN of Ohio, Ms. SPEIER, Mr. BUTTERFIELD, Mr. SARBANES, Ms. MOORE, Mr. VELA, Mr. GUTHRIE, Mr. CROWLEY, Mr. THOMPSON of Pennsylvania, Mr. COHEN, Ms. HANABUSA, and Mr. KIND.
H.R. 5069: Mr. CASSIDY.
H.R. 5071: Mr. KIND, Mr. DENHAM, and Mr. STOCKMAN.
H.R. 5083: Mr. MARINO.
H.R. 5098: Mr. ROTHFUS and Mr. KELLY of Pennsylvania.
H.R. 5101: Ms. NORTON and Mr. RANGEL.
H.R. 5107: Mr. ISRAEL and Mr. FRANKS of Arizona.
H.R. 5110: Mr. SOUTHERLAND, Mr. SESSIONS, Mr. OLSON, Mr. REED, and Mr. HUDSON.
H.R. 5119: Mr. SCHOCK and Mrs. ELLMERS.
H.R. 5182: Ms. MATSUI, Mr. GRIJALVA, and Mr. POCAN.
H.R. 5212: Mr. CLAWSON of Florida.
H.R. 5213: Mr. TIPTON, Mrs. LUMMIS, Mr. MEADOWS, Mr. LAMALFA, Mr. MCCAUL, Mr. MARINO, Mr. PETERSON, and Mr. OLSON.
H.R. 5228: Mr. FARR.
H.R. 5229: Ms. NORTON.
H.R. 5242: Mr. HUFFMAN, Mr. NADLER, Mr. HONDA, Mr. DEFAZIO, Ms. MOORE, Mr. SCHIFF, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 5245: Mr. PITTENGER.
H.R. 5253: Mr. SOUTHERLAND.
H.R. 5260: Mr. SCHOCK and Mr. ROYCE.
H.R. 5277: Ms. SHEA-PORTER and Ms. SCHAKOWSKY.
H.R. 5283: Mr. ELLISON, Ms. PINGREE of Maine, Mr. GRIJALVA, and Mr. FARR.
H.R. 5313: Mr. CÁRDENAS.
H.R. 5321: Mr. TERRY.
H.R. 5363: Mr. PETERS of California.
H.R. 5364: Mr. RYAN of Ohio.
H.R. 5370: Mr. HUFFMAN.
H.R. 5391: Ms. CLARK of Massachusetts and Mr. ROE of Tennessee.
H.R. 5403: Mr. QUIGLEY, Mr. KIND, and Mr. ENYART.
H.R. 5405: Mr. FINCHER.
H.R. 5407: Ms. WILSON of Florida, and Mr. HONDA.
H.R. 5418: Mr. KELLY of Pennsylvania.
H.R. 5419: Mr. KELLY of Pennsylvania.
H.R. 5420: Mr. KELLY of Pennsylvania.
H.R. 5431: Mr. THOMPSON of Pennsylvania, Mr. MCGOVERN, Mr. SCHWEIKERT, Mr. ROTHFUS and Mr. RODNEY DAVIS of Illinois.
H.R. 5440: Mr. SAM JOHNSON of Texas.
H.R. 5441: Mr. TERRY, Mr. SMITH of New Jersey, Mr. RIGELL, Mr. LOBIONDO, Mr. DOYLE, and Ms. TITUS.
H.R. 5449: Mr. HANNA and Mr. GIBBS.
H.R. 5456: Ms. FUDGE, Mr. JOYCE, and Mr. QUIGLEY.
H.R. 5458: Mr. TAKANO and Mr. GRIJALVA.
H.R. 5459: Mr. ISRAEL.
H.R. 5460: Mr. GRIFFIN of Arkansas.
H.R. 5462: Mr. CHAFFETZ and Ms. JACKSON LEE.
H.R. 5470: Mr. HIGGINS, Mr. PETERS of Michigan, Mr. COOK, Ms. GABBARD, Mrs. BROOKS of Indiana, and Mr. CLAWSON of Florida.
H.J. Res. 113: Mr. JEFFRIES.
H.J. Res. 119: Mr. CUMMINGS.
H. Res. 72: Ms. LOFGREN.
H. Res. 281: Mr. SALMON, Mr. SIMPSON, Mr. SEAN PATRICK MALONEY of New York, Mr. MCNERNEY, and Mr. SMITH of Missouri.
H. Res. 428: Mr. CLAY.
H. Res. 620: Mr. VARGAS, Mr. CRAWFORD, Mr. FARENTHOLD, Mr. BERA of California, Mr. GOWDY, and Mrs. NEGRETE MCLEOD.
H. Res. 658: Mr. HUFFMAN.
H. Res. 685: Mr. COHEN.
H. Res. 714: Mr. BERA of California.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on the Judiciary in H.R. 2 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. HASTINGS OF WASHINGTON

The provisions that warranted a referral to the Committee on the Natural Resources in H.R. 2 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SHUSTER

The provisions that warranted a referral to the Committee on Transportation and Infrastructure in H.R. 2 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SMITH OF TEXAS

The provisions that warranted a referral to the Committee on the Science, Space, and Technology in H.R. 2 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 4, ''Jobs for America Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on the Judiciary in H.R. 4 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. GRAVES OF MISSOURI

The provisions of H.R. 4, the Jobs for America Act, that warranted a referral to the Committee on Small Business—Title III of Subdivision B of Division III (the Regulatory Flexibility Improvements Act)—do

not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in rule XXI, cl. 9 of the Rules of the House.

OFFERED BY MR. HASTINGS OF WASHINGTON

The provisions that warranted a referral to the Committee on Natural Resources in H.R. 4 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. HENSARLING

The provisions that warranted a referral to the Committee on Financial Services in H.R. 4 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. ISSA

The provisions that warranted a referral to the Committee on Oversight and Government Reform in H.R. 4 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. LUCAS

The provisions that warranted a referral to the Committee on Agriculture in H.R. 4 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 4, the Jobs for America Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SESSIONS

The provisions that warranted a referral to the Committee on Rules in H.R. 4, the Jobs for America Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.