United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, TUESDAY, DECEMBER 2, 2014 No. 145

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 2, 2014.

I hereby appoint the Honorable CHRIS STEWART 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.

SPECIAL IMMIGRANT VISA PROGRAM

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

Mr. BLUMENAUER. Mr. Speaker, one of our responsibilities in this Congress is to protect the men and women from Iraq and Afghanistan who put their lives on the line to assist the United States.

Thousands of Afghans and Iraqis who helped us as guides, as interpreters, must not be left to the tender mercies of al Qaeda, the Taliban, and others with long memories who seek to punish those who helped us.

Yesterday's Wall Street Journal had a front-page story about an Iraqi family that is caught in the bureaucratic pipeline for the families seeking safety after years of service and now facing intense threats against them.

There was a recent HBO feature by comedian John Oliver on his program, ''Last Week Tonight,'' that, in graphic, satirical, somewhat profane terms, captured the essence of the bureaucratic nightmare faced by thousands in Iraq and Afghanistan. They and their family members are at risk of being assaulted, kidnapped, tortured, raped, or killed simply because they were there helping Americans.

We are seeing some progress. I deeply appreciate the tireless efforts of Chairman BUCK MCKEON, Ranking Member ADAM SMITH, and their staff, the work on the National Defense Authorization Act, which will help us uphold commitments to our Afghan allies.

However, all of us in Congress have a responsibility, and there is an opportunity for all of us to step up and help this desperate situation. Over the last 7 years, it has been a battle to have America honor its obligations by effectively implementing this Special Immigrant Visa program authorized by Congress to help those who helped us to escape.

We are seeing the results of many on this floor who encourage the State Department to more aggressively implement this Special Immigration Visa program. The Afghan program went from an embarrassing 32 visas for all of 2012 to an average of 400 each month this year. This is due to enhanced oversight and pressure and cooperation from Congress. The program is now functioning at a level that almost allows us to keep our promises to our allies.

One thing we all can do is to join me and my colleague, ADAM KINZINGER, who has been a tireless champion for justice for these Afghan and Iraqi nationals, in directing a letter to our friends on the Appropriations Committee asking that they, like last year, authorize urgently needed Afghan SIVs in the end-of-the-year appropriations package that we will soon have here on the floor.

We have stepped up before, but we need to avoid this Special Immigrant Visa roulette so that these people are not in limbo, or, worse, resigned to the hell inflicted on them by the Taliban in Afghanistan.

Even with the leadership of the Armed Services Committee, we will still fall short of upholding our commitments for a need as great as 9,000 visas for Afghanistan alone. That is why our appropriators must help shoulder the responsibility, and they need to hear from us, every Member of Congress.

It is our moral obligation to take action to protect, not just those people, but the security interests of the United States. It is not just their innocent lives that are at stake. Think about the trust that is going to be necessary when we need help in the future from foreign nationals for our soldiers, our diplomats, and our aid workers.

Let's sign the letter. Let's all detail someone on every staff to pay attention to this issue. Add our voices. It is being done by the Armed Services Committee. Help the Appropriations Committee in this next critical step.

It should not be left to a comedian like John Oliver, God bless him, to carry this banner alone. Sign the letter, speak out, take up the cause.

We must not fail those who are at risk only because they believed our promises and they helped Americans in some of the most difficult circumstances we have ever asked our soldiers, diplomats, and aid workers to face.

This is a failure we can avoid, and we can end this Congress on a positive

note that can make everybody feel better as we approach the holiday season.

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 6 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GARDNER) at noon.

PRAYER

Reverend Dr. David Gray, Bradley Hills Presbyterian Church, Bethesda, Maryland, offered the following prayer:

Gracious God, Your love is never ending. In these hallowed Halls, Your sovereign spirit comes to us, calms us, calls us, and infuses us with Your grace.

Give us strength this day to look outside ourselves for the opportunities which come from connection and collaboration. Give us faith to bring our best selves and to seek Your will. Give us confidence that solutions can be found and problems solved.

Grant us gratitude for the trust placed in us, for the privilege of living in this free land, and for Your presence here with us. Allow us to rest in and rely on Your hope-filled spirit.

Loving God, we ask Your blessing upon this body and all who gather here. Help us to receive Your assurance, Your encouragement, Your wisdom, and Your inspiration for the tasks to which we have been called. We pray this day.

Amen.

THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS 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.

WELCOMING REVEREND DR. DAVID GRAY

The SPEAKER pro tempore. Without objection, the gentleman from Ohio (Mr. TURNER) is recognized for 1 minute.

There was no objection.

Mr. TURNER. Mr. Speaker, I am honored to welcome my good friend Pastor David Gray as our guest chaplain today.

Born in Dayton, Ohio, Pastor Gray grew up active in the Presbyterian church and has gone on to lead a distinguished life of service.

Holding both a law degree and a doctorate of ministry, Pastor Gray is a former public servant, having served as a staffer in the Senate and a true spiritual leader that has helped numerous individuals and families grow in their relationship with God.

Currently, Pastor Gray serves as the head pastor at Bradley Hills Church and resides in Bethesda, Maryland, with his wife, Bridget, and their four children.

On behalf of the United States Congress and the people of his hometown in my district of the 10th Congressional District of Ohio, I want to thank Pastor Gray for his commitment to his faith and for opening the House today with his prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

CALIFORNIA ABORTION MANDATE

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

Mr. PITTS. Mr. Speaker, we have seen this administration casually ignore the law when it comes to immigration, EPA regs, and ObamaCare. Now, we are going to see whether they ignore the law when it comes to forcing churches in California to pay for abortion.

For many years now, Congress has included language in the appropriations bills that prohibits States from forcing health insurance plans to cover elective abortion: the Weldon amendment, named for my good friend and former colleague, Dr. Dave Weldon of Florida.

Now, the State of California has issued a bureaucratic edict that every health insurance plan in California regulated by the State must pay for the procedure, and this includes even plans purchased by churches, religious schools, and charities.

HHS must not hesitate to protect the right of Americans to prevent their health care dollars from going to something they find to be profoundly immoral. The agency is required to inform the State of California of this violation and remind them that they risk the loss of Federal funds.

There doesn't need to be any delay from HHS. This is exactly why the Weldon amendment was created.

FUNDING FOR ALZHEIMER'S DISEASE RESEARCH

(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, I rise today in support of funding for Alzheimer's disease research.

Alzheimer's is a particularly devastating disease both for the patients and their families. Families watch their loved ones effectively disappear before their eyes. There are currently more than 5 million Americans suffering from this disease, with one American being diagnosed every 67 seconds.

We must take preventive actions to address the growing population of Alzheimer's patients in this country. In the fiscal year 2015 appropriations process, I urge my colleagues to support increased funding for this research. This research will help find ways to prevent, treat, and even slow the progression of the disease, helping to ease the burden on patients, caregivers, and the Medicare system.

Congress must continue its commitment to fight against Alzheimer's by providing this crucial funding.

ECONOMY

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

Ms. FOXX. Mr. Speaker, many North Carolina families know all too well of the struggle to find a job and pay the bills. Some are facing these challenges right now, and we all have family members, neighbors, or friends who are facing hard choices to make ends meet. Back home, I am often asked what Congress is doing to help people back to work and restore opportunity for everyone.

For the last 2 years, the House has passed numerous pieces of legislation to encourage job growth and strengthen America's standing in the global economy. We have also passed bills that would decrease energy costs, that would allow workers to have more flexibility in order to spend time with their families, and that would increase transparency in how tax dollars are spent.

While Congress cannot create prosperity, we can work to ensure entrepreneurs and employers aren't crushed under red tape. The 114th Congress is a fresh opportunity to help put more Americans back to work and to improve our economy. I look forward to working with the new majority in the Senate to accomplish those goals.

CONGRESS HAS YET TO TAKE UP THE BIG QUESTIONS FACING THE AMERICAN PEOPLE

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

Mr. KILDEE. Mr. Speaker, here we are just a few days short of the end of the 113th Congress, and this Congress has yet to take up the big questions facing the American people.

We are 10 days away from a budget deadline, and there is still talk among some on the other side of using the sanctity of the budget—the economy of this country—as a tool to fight against actions taken by this President that the Congress, itself, is unwilling to take up.

Rather than taking up unemployment insurance, for example, despite the fact that we have seen a significant reduction in unemployment across the country—in my home State, unemployment is still above 7 percent—we haven't taken that up.

Instead of taking up the jobs program, like our Make It In America agenda, which would reenergize our manufacturing sector, we have set that aside and haven't taken it up.

Instead of taking up the very subject that has driven some to threaten to shut down government—comprehensive immigration reform—we haven't even seen a bill come to the floor of the House—not the Senate bill, not another bill—that even the Republicans, themselves, could put together.

While we talk a good game about being willing to take on these big questions, when it comes time to put something on the floor for us to legislate, to vote on, we see no action at all.

UNESCO

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, when UNESCO admitted a nonexistent State of Palestine to its membership, it did so knowing U.S. law prohibits funding to any entity at the U.N. that grants the PLO the same status as other member states.

The members of UNESCO also knew that admitting the so-called Palestine would have a negative impact on the future of the Israeli-Palestinian peace process; yet they enthusiastically welcomed Abu Mazen at UNESCO.

The only explanation for UNESCO's willingness to allow these consequences to pass is that its members view the delegitimizing of Israel as its mission. They view helping Abu Mazen to unilaterally establish the de facto recognition for a Palestinian state as a worthy means to an end.

We must not only block any attempt by the administration to restore funding to this entity which clearly has an agenda opposite to America's interests, but we must also work to block Abu Mazen's attempts at the U.N. to bypass his obligations to Israel by continuing his unilateral statehood scheme.

HONORING THE LIFE OF FORMER CONGRESSMAN JOHN KREBS

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

Mr. COSTA. Mr. Speaker, it is with sadness that I rise today to honor the life of former Congressman John Krebs. John was a close friend and a mentor.

As a young immigrant to the United States from Tel Aviv, John was able to live the American Dream and much more. He serves as an inspiration for all of those who knew him.

John served in the United States House of Representatives from 1975 to 1979. One of his proudest legislative accomplishments was incorporating the Mineral King Valley into the Sequoia National Park.

In 2009, President Obama recognized John for his efforts, and he signed legislation establishing the John Krebs Wilderness area which covers 40,000 acres within Mineral King Valley.

Mr. Krebs was a community leader and was active in the Democratic Party, playing key roles in both local and statewide campaigns throughout California.

John will be greatly missed by his wife, Hanna; by his son, Daniel, and his wife, Susan; by his daughter, Karen, and her husband, John; and by his grandchildren, Elizabeth, Caroline, Jack, Clay, and Peter.

John's strong values, work ethic, and compassion for others were evident to all who knew him and were fortunate to work with him. It is with great respect that I ask my colleagues in the United States House of Representatives to honor the life of former Congressman John Krebs, my good friend.

IN MEMORY OF EDWIN TUBBS

(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, the community of Coudersport, Potter County, Pennsylvania, will honor Private Edwin Franklin Tubbs, an American hero who sacrificed his life in defense of our Nation during the Vietnam war.

Private Tubbs was deployed to Vietnam on December 4, 1968. Just 5 weeks later, on January 12, 1969, he was fatally wounded as he set down his rifle to assist a friend who was injured on the battlefield.

With the dedication of the Private Edwin Tubbs Memorial at the West Chestnut Street Bridge, followed by one more dedication later this year, Potter County will have memorialized all nine of the county's Vietnam war casualties with specifically named bridges.

On behalf of this community, I offer my thoughts and prayers as we reflect on the unique life and selfless service of Private Tubbs. While there is nothing that can be done or said to eliminate the sense of loss felt by family members and friends, today's dedication is one small token of appreciation for this hero's honored service to our country.

ASSURING A NEW ERA BETWEEN CITIZENS AND POLICE

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

Ms. NORTON. Mr. Speaker, a new generation of young people of every race is demonstrating nonviolently to make sure that the larger meaning of the Michael Brown tragedy is not lost.

His death has become much more than a moment of anguish. Michael Brown has crystallized the painful experience that had found no outlet until now: the routine stops of Black men by police in the streets of our country because of the color of their skin.

The body-mounted cameras, announced by the President yesterday, are a good and practical beginning. Let's hope that local communities will use this tragedy to assure a new era of genuine collaboration that citizens need with the police who serve and protect them.

□ 1215

NUCLEAR NEGOTIATIONS WITH IRAN

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

Mrs. WAGNER. Mr. Speaker, I come to the floor today to speak about one of our greatest national security challenges: the threat of a nuclear-armed Iran.

I am deeply troubled by the Obama administration's recent 7-month extension of nuclear negotiations with Iran. The extension means that Iran will continue to have access to $700 million a month in sanctions relief.

Every day that we continue these talks is another day given to Iran to develop a nuclear weapon. A nuclear-armed Iran would start a new arms race in the Middle East and pose an intolerable threat to the national security of the United States and our allies, especially Israel.

The House has passed H.R. 850, the Nuclear Iran Prevention Act, which would increase sanctions on the Iranian regime. Now it is time for the United States Senate to do its part and pass legislation that would impose additional sanctions on Iran.

HANDS UP; DON'T SHOOT

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

Mr. AL GREEN of Texas. Mr. Speaker, on Sunday, November 30, we had a seminal moment occur in the history of our country. When those football players came out and held their hands up, they were speaking to the masses; and they were using these words, ''Hands up; don't shoot,'' in this symbolism.

I believe so strongly in what they have done that I will have flags flown over the Capitol of the United States of America in honor of each of those players, and I will pay for the flags with my personal U.S. dollars.

I also want to mention something that happened this morning on the Morning Joe show. The question was posed: ''What is wrong with these people? Don't they know that this is a lie?'' meaning what happened in Ferguson in terms of the hands up; don't shoot.

I want to tell you what is wrong with these people. These people refuse to accept an invidious whitewash. I will say more about this tomorrow when I will have 5 minutes around 10 a.m. or sometime shortly thereafter, because I want the American people to know that there are some people who are willing to take a stand.

WE MUST ACT NOW TO INCREASE SANCTIONS ON IRAN

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

Mr. MARCHANT. Mr. Speaker, I rise today to call attention to the administration's recent decision to extend talks with Iran into 2015. Iran is simply stalling and buying time, time that we and our closest ally in the region, Israel, do not have.

Many months ago, when sanctions were starting to have an impact on Iran, the administration relaxed them. All we have to show for these weakened sanctions is months of stalled talks.

It is long overdue to increase the pressure on Iran. I call for new and immediate sanctions with the teeth to force Iran to give up its nuclear ambitions. Without new pressures, Iran won't see any reason to change its current course. Congress must act now in increasing sanctions to prevent Iran from developing nuclear weapons.

DELIVERING RESULTS TO THE AMERICAN PEOPLE

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, yesterday a reporter asked me to comment on whether Speaker BOEHNER will be able to make his mark in the next Congress, with the largest House majority for his party since 1929. My thoughts: stand and deliver. If the Speaker wants to work, there is nothing stopping him. Democrats stand ready to work with him to tackle many of the challenges facing American families.

In many ways, our economy has shown incredible resilience of late. GDP and job growth are up, but, unfortunately, many still don't feel like things are getting any better. It is long past time that we come together and enact policies that will help hard-working families instead of pandering to special interests.

This election saw the worst voter turnout in 72 years because Americans didn't think we could get anything done for them. Let's show that we can. I hope we will use the remaining weeks in this Congress to show that we are capable of delivering results to the American people.

ACHIEVING BETTER LIFE EXPERIENCE ACT

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

Mr. YODER. Mr. Speaker, I rise today in strong support of the Achieving Better Life Experience Act, commonly known as the ABLE Act.

In our Nation, we believe that everyone should have the opportunity to realize their dreams, that each American should be able to have the tools and capabilities to build a bright future. Yet millions of families in our country struggle with the challenges of raising children with special needs like autism and Down syndrome.

The ABLE Act doesn't put more burdens on the government or grow bureaucratic Federal programs; rather, it provides families with the opportunity to invest their own earnings in the care for their disabled children, like education, transportation, and other tools that help prepare their children for a future of independent living, without having to be taxed on those savings. These flexible savings tools will help families maintain greater financial security as they strive to raise their children to contribute to society in productive ways.

Mr. Speaker, I am proud to join my colleagues in the House to stand up for these families, like Rachel Mast and her family in Kansas, to ensure that we do everything to fight for their future, too.

TERRORISM RISK INSURANCE ACT

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, after 9/11, this Congress came together, and we came together to put our economy back on track. We passed TRIA, the Terrorism Risk Insurance Act.

Now TRIA is set to expire in just 4 weeks, and we desperately need a long-term reauthorization of this important economic tool that has brought stability to businesses and to our economy. We cannot kick the can down the road again by pushing a short-term extension of TRIA.

In fact, just last night, 45 Republicans signed a letter opposing a short-term extension of TRIA. All of the Democrats already oppose an extension of a short-term reauthorization of TRIA. This united position should take the issue off the table.

While some Members have insisted that the House can't waive the CutGo rule to pass TRIA, I think it is important to note that the House has waived it 18 times; and we traditionally waive it for emergency spending, which is what TRIA is: spending in the wake of a terrorist attack.

Please come together and pass a long-term reauthorization for our economic growth.

POLICE TRAINING

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

Ms. JACKSON LEE. Mr. Speaker, in the wake of Trayvon Martin's tragic death, the Nation waits. Young people wait. I could give a long litany. But certainly Michael Brown has galvanized us from north to south, from east to west.

I stand with the young men, among many others, of the St. Louis Rams and the young people that I have seen taking to the streets nonviolently, peacefully. Today I rise to thank them and to applaud them as Americans deserving of honor and respect. But they wait. So I believe that it is important that we work with those who are assigned and in uniform to protect and serve.

As a member of the House Judiciary Committee, I have stood alongside law enforcement, but now it is important that we realize that the system is not cracked but broken. There must be a complete overhaul of the training of local police in the nooks and crannies of America. There must be a reform of the system which provides the funding to local jurisdictions simply by traffic stops and foot citations. That is what geared Officer Wilson in the wrong direction. And finally, Mr. Speaker, there must be training to protect officers but to know when to use deadly force.

Deadly force was not warranted; it was not required in the life and the loss of Michael Brown. There must be solutions, Mr. Speaker, for those young people that are out in the streets protesting. We cannot have a lopsided justice system.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2014.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 2, 2014 at 11:03 a.m.:

That the Senate passed without amendment H.R. 2203.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on 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.

PEST MANAGEMENT RECORDS MODERNIZATION ACT

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5714) to permit commercial applicators of pesticides to create, retain, submit, and convey pesticide application-related records, reports, data, and other information in electronic form.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5714

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 ''Pest Management Records Modernization Act''.

SEC. 2. USE OF ELECTRONIC RECORDS BY COMMERCIAL APPLICATORS OF PESTICIDES TO COMPLY WITH RECORDKEEPING AND REPORTING REQUIREMENTS.

Section 1491 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 136i–1) is amended by adding at the end the following new subsection:

''(h) ELECTRONIC RECORDKEEPING AND REPORTING.—Notwithstanding any contrary provision of Federal, State, or local law, commercial applicators of pesticides, including commercial applicators of restricted use pesticides, may create, retain, submit, and convey a pesticide application-related record, report, data, or other information in electronic form in order to satisfy any requirement for such creation, retention, submission, or conveyance, respectively, under any Federal, State, or local law.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman Pennsylvania (Mr. THOMPSON) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 5714.

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

There was no objection.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I want to thank my good friend from Minnesota (Mr. WALZ) for being here to help with this bill today. I also want to thank my good friend and colleague from Oregon, Representative KURT SCHRADER, for his leadership on this important piece of legislation.

I rise today in support of H.R. 5714, the Pest Management Records Modernization Act.

Under the current law, the United States Department of Agriculture requires businesses that apply pesticides to maintain and provide access to records on their use, including the product name, amount, approximate date of application, and the location of application of each pesticide used.

While most States allow pesticide applicator businesses to convey information electronically to customers as a way to comply with consumer information requirements, a few States still require that the information be provided in paper or hard copy format. The challenge posed to the industry is not the longstanding consumer information requirements themselves but, rather, the very limited transmission options in certain States.

Today, businesses in virtually all sectors of the economy are going paperless as a way to save costs, increase efficiencies, and, yes, fulfill the range of local, State, and Federal regulatory requirements in a timely and proficient manner. Unfortunately, the transition to a paperless office for many pest management and other pesticide applicator businesses is more difficult than anticipated because of the decades-old State consumer information requirements that mandate transmission of such documents be via paper or hard copy. These requirements are especially disruptive for paperless companies that operate in multiple States, some of which permit electronic conveyance of the required information and others that don't.

The USDA permits records to be retained and conveyed electronically for restricted use pesticide applications. Unfortunately, the overwhelming majority of treatments performed by pest management professionals are general use pesticides.

The Pest Management Records Modernization Act is a commonsense change to existing law that will allow commercial applicators of pesticides to create, retain, and submit pesticide application-related records, reports, and other information in electronic form.

As a member of the House Agriculture Committee, I am proud to be an original cosponsor of H.R. 5714, the Pest Management Records Modernization Act.

I urge my colleagues to support passage of this bipartisan legislation, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself as much time as I may consume.

I want to thank my friend from Pennsylvania for his remarks and for clearly stating this commonsense piece of legislation and for his support of it.

I, too, would like to thank the gentleman from Oregon (Mr. SCHRADER). He is the author of this piece of legislation. Something we have come to expect from Mr. SCHRADER is a commonsense, bipartisan piece of legislation.

□ 1230

H.R. 5714, the Pest Management Records Modernization Act, is pro-small business and pro-consumer. It improves the ability of pest management companies to communicate important information with their customers related to the products they use.

As you heard from the gentleman from Pennsylvania, most States require pest management and other applicator companies to provide customers with information related to pest treatments, either automatically or upon request. Most of the requirements are implemented and enforced by State departments of agriculture, which are the State pesticide regulatory agency in 40 States. The required information is typically information directly from the pesticide label. The overwhelming majority of treatments performed by pest management professionals involve general use pesticides.

Right now about 45 States permit electronic conveyance of this information directly to consumers. In fact, in the last 2 years, the States of California, Georgia, Wisconsin, Kansas, and Arizona have recognized the need to update their respective laws related to disclosure and passed legislation or taken administrative actions permitting electronic conveyance of pesticide application information.

Like businesses in countless sectors of the economy, professional pest management and other pest applicator businesses are going paperless as a way to save costs and increase efficiencies. Going paperless allows businesses to back up and better safeguard data and records in case of a fire, flood, or other disasters. It also makes it easier to prove compliance with various recordkeeping, reporting, and related requirements, plus it has the added advantage of being greener and more environmentally sound.

Unfortunately, the transition to a paperless office for many pest management and other pesticide applicator businesses is more difficult than anticipated because of antiquated State consumer information requirements from the 1970s and '80s that mandated transmission of such documents be via hard copies or paper and do not permit electronic conveyance. These requirements are especially disruptive for companies that have made the transition to paperless that operate in multiple States, some of which permit electronic conveyance and others that don't.

It is important to note H.R. 5714 does not put any new mandates on small businesses but, rather, provides them the ability to electronically convey information in the handful of States that have not yet addressed this in a changing e-commerce environment.

As I have said previously, and as my friend from Pennsylvania stated, H.R. 5714 is commonsense, it is bipartisan, it is pro-consumer, and it is pro-small

business. It deserves our support, and I encourage everyone to make its swift passage possible.

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the gentleman from Minnesota for his remarks and encourage my colleagues to support passage of this important piece of legislative. I have no further comments or speakers on this bill, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 5714.

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.

NO SOCIAL SECURITY FOR NAZIS ACT

Mr. SAM JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5739) to amend the Social Security Act to provide for the termination of social security benefits for individuals who participated in Nazi persecution, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5739

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 ''No Social Security for Nazis Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress enacted social security legislation to provide earned benefits for workers and their families, should they retire, become disabled, or die.

(2) Congress never intended for participants in Nazi persecution to be allowed to enter the United States or to reap the benefits of United States residency or citizenship, including participation in the Nation's Social Security program.

SEC. 3. TERMINATION OF BENEFITS.

(a) IN GENERAL.—Section 202(n)(3) of the Social Security Act (42 U.S.C. 402(n)(3)) is amended to read as follows:

''(3) For purposes of paragraphs (1) and (2) of this subsection—

''(A) an individual against whom a final order of removal has been issued under section 237(a)(4)(D) of the Immigration and Nationality Act on grounds of participation in Nazi persecution shall be considered to have been removed under such section as of the date on which such order became final;

''(B) an individual with respect to whom an order admitting the individual to citizenship has been revoked and set aside under section 340 of the Immigration and Nationality Act in any case in which the revocation and setting aside is based on conduct described in section 212(a)(3)(E)(i) of such Act (relating to participation in Nazi persecution), concealment of a material fact about such conduct, or willful misrepresentation about such conduct shall be considered to have been removed as described in paragraph (1) as of the date of such revocation and setting aside; and

''(C) an individual who pursuant to a settlement agreement with the Attorney General has admitted to conduct described in section 212(a)(3)(E)(i) of the Immigration and Nationality Act (relating to participation in Nazi persecution) and who pursuant to such settlement agreement has lost status as a national of the United States by a renunciation under section 349(a)(5) of the Immigration and Nationality Act shall be considered to have been removed as described in paragraph (1) as of the date of such renunciation.''.

(b) OTHER BENEFITS.—Section 202(n) of such Act (42 U.S.C. 402(n)) is amended by adding at the end the following:

''(4) In the case of any individual described in paragraph (3) whose monthly benefits are terminated under paragraph (1)—

''(A) no benefits otherwise available under section 202 based on the wages and self-employment income of any other individual shall be paid to such individual for any month after such termination; and

''(B) no supplemental security income benefits under title XVI shall be paid to such individual for any such month, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) and payments pursuant to an agreement entered into under section 212(b) of Public Law 93–66''.

SEC. 4. NOTIFICATIONS.

Section 202(n)(2) of the Social Security Act (42 U.S.C. 402(n)(2)) is amended to read as follows:

''(2)(A) In the case of the removal of any individual under any of the paragraphs of section 237(a) of the Immigration and Nationality Act (other than under paragraph (1)(C) of such section) or under section 212(a)(6)(A) of such Act, the revocation and setting aside of citizenship of any individual under section 340 of the Immigration and Nationality Act in any case in which the revocation and setting aside is based on conduct described in section 212(a)(3)(E)(i) of such Act (relating to participation in Nazi persecution), or the renunciation of nationality by any individual under section 349(a)(5) of such Act pursuant to a settlement agreement with the Attorney General where the individual has admitted to conduct described in section 212(a)(3)(E)(i) of the Immigration and Nationality Act (relating to participation in Nazi persecution) occurring after the date of the enactment of the No Social Security for Nazis Act, the Attorney General or the Secretary of Homeland Security shall notify the Commissioner of Social Security of such removal, revocation and setting aside, or renunciation of nationality not later than 7 days after such removal, revocation and setting aside, or renunciation of nationality (or, in the case of any such removal, revocation and setting aside, of renunciation of nationality that has occurred prior to the date of the enactment of the No Social Security for Nazis Act, not later than 7 days after such date of enactment).

''(B)(i) Not later than 30 days after the enactment of the No Social Security for Nazis Act, the Attorney General shall certify to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that the Commissioner of Social Security has been notified of each removal, revocation and setting aside, or renunciation of nationality described in subparagraph (A).

''(ii) Not later than 30 days after each notification with respect to an individual under subparagraph (A), the Commissioner of Social Security shall certify to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that such individual's benefits were terminated under this subsection.''.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to benefits paid for any month beginning after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from California (Mr. BECERRA) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD.

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

There was no objection.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise as chairman of the Ways and Means Subcommittee on Social Security—the committee of jurisdiction over Social Security benefits—in support of the No Social Security for Nazis Act, legislation I introduced along with Ranking Member XAVIER BECERRA.

The world must never forget the 6 million Jews and other innocents murdered in the Holocaust. America has worked hard to prevent Nazis from entering the country and reaping the benefits of U.S. citizenship, including Social Security. Social Security is an earned benefit. Hardworking Americans pay a portion of their wages for promises of future benefits. However, it is a benefit that was never intended for those who participated in the horrific acts of the Holocaust.

Under the Social Security Act, Social Security benefits are terminated when individuals are deported due to participating in Nazi persecutions. Some individuals whom the Department of Justice identified as Nazi persecutors were denaturalized or voluntarily renounced their citizenship and left the country to avoid formal deportation proceedings. However, due to a loophole, certain Nazi persecutors have continued to receive Social Security benefits. Today we will put an end to this loophole.

The bill amends the law to stop benefit payments to those denaturalized due to participation in Nazi persecutions or who voluntarily renounced their citizenship as part of a settlement with the Attorney General related to participating in Nazi persecution.

The bill also makes sure that these individuals do not receive spousal benefits due to a marriage to a Social Security beneficiary.

Lastly, the bill requires the Attorney General to certify to the Ways and Means Committee and Finance Committee that Social Security has been notified of all those whose benefits should be terminated due to participation in Nazi persecutions. It also requires the Commissioner of Social Security to certify that benefits were terminated.

This legislation is currently cosponsored by over 47 Members of the Congress. Also, letters of support have been received from some of the following organizations: The Association of Mature American Citizens, B'nai B'rith International, Jewish Federations of North America, J Street, National Committee to Preserve Social Security and Medicare, Republican Jewish Coalition, Strengthen Social Security Coalition, and the Zionist Organization of America.

Mr. Speaker, I insert these letters in the RECORD as well.

AMERICAN JEWISH COMMITTEE,
GLOBAL JEWISH ADVOCACY,
Washington, DC, November 24, 2014.

DEAR CHAIRMAN JOHNSON AND RANKING MEMBER BECERRA, I write on behalf of AJC, the global Jewish advocacy organization, to urge your support of legislation to deny federal benefits to individuals who participated in Nazi persecution. There are two House measures that seek to accomplish this: the Nazi Social Security Benefits Termination Act of 2014, introduced by Representatives Carolyn Maloney, Leonard Lance, and Jason Chaffetz, and the No Social Security for Nazis Act, introduced by Representatives Sam Johnson and Xavier Becerra.

For many years, Nazi extermination camp personnel and others who found refuge in the United States after World War II—individuals who perpetrated some of the worst crimes known to humanity, including the execution of millions of innocent civilians—have received various benefits, including Social Security payments, from the United States government. While the number of Nazi recipients of Social Security payments may not be large, the continuance of this practice is an intolerable insult to those, living and dead, who suffered at the hands of the Nazis, is an affront to American taxpayers, and contradicts our nation's core values.

The Nazi Social Security Benefits Termination Act will deny receipt of federal benefits to those who were accused of taking part in Nazi criminal acts and were either stripped of their citizenship or voluntarily renounced it. The No Social Security for Nazis Act amends the Social Security Act to cease payments to those stripped of U.S. citizenship as a result of participation in Nazi activities, and those who voluntarily renounced citizenship due to such participation.

The United States should not be lending material support to individuals whose crimes were so egregious that a new word had to be coined to describe them: genocide. On behalf of AJC, I urge you to support legislation to deny federal benefits to individuals who participated in Nazi persecution.

Thank you for considering our views on this important matter.

Respectfully,

JASON ISAACSON.

ASSOCIATION OF
MATURE AMERICAN CITIZENS,
November 20, 2014.

Hon. SAM JOHNSON,
House of Representatives, Longworth House Office Building, Washington, DC.
Hon. ORRIN HATCH,
U.S. Senate, Hart Senate Office Building, Washington, DC.
Hon. XAVIER BECERRA,
House of Representatives, Longworth House Office Building, Washington, DC.
Hon. RON WYDEN,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR REPRESENTATIVES JOHNSON AND BECERRA AND SENATORS HATCH AND WYDEN, on behalf of the 1.2 million members of AMAC, the Association of Mature American Citizens, I am writing in strong support of the ''No Social Security for Nazis Act.'' This critical bipartisan, bicameral bill is needed to address a loophole in the law that has enabled Holocaust perpetrators to wrongly collect Social Security benefits at the expense of American taxpayers and seniors.

The World must never forget the atrocities committed by the Nazis or the millions of innocent Jews that were callously murdered during the Holocaust. For that reason, Congress has a responsibility to ensure that war criminals no longer benefit from U.S. government programs. Therefore, the ''No Social Security for Nazis Act'' justly amends the Social Security Act and puts an end to Nazis receiving Social Security payouts.

On a broader scale, AMAC believes it is imperative for Congress to continue to protect Social Security for rightful beneficiaries. Mature Americans and seniors overwhelmingly depend on Social Security to help supplement their retirement income; yet, according to the Trustees of Social Security, the program remains at risk of becoming insolvent by 2030. Clearly, Social Security cannot sustain its current fiscal path without comprehensive reform. AMAC strongly urges Congress to take immediate action to save Social Security and to guarantee its existence for future generations of hard-working Americans.

Although Social Security as a whole is in need of real legislative attention, AMAC is proud to see Congress working together on this particular issue to right a terrible wrong. Thanks to your concern for this significant matter, AMAC is pleased to support the ''No Social Security for Nazis Act.''

Sincerely,

DAN WEBER,
President and Founder of AMAC.

B'NAI B'RITH INTERNATIONAL,
November 24, 2014.

Hon. SAM JOHNSON,
Washington, DC.
Hon. XAVIER BECERRA,
Washington, DC.

DEAR CHAIRMAN JOHNSON AND RANKING MEMBER BECERRA: On behalf of B'nai B'rith International's hundreds of thousands of members and supporters, we write to express our support for your bill, H.R. 5739, the ''No Social Security for Nazis Act.'' This bill, which amends the Social Security Act, will end Social Security payments to Nazi perpetrators who denaturalized and left the country many years ago as a result of their Nazi pasts. This important change in the law will treat this subgroup of Nazis in the same way as deported Nazis—who are already barred from receiving Social Security benefits.

We appreciate the deliberation and care that has gone into this process, and the many members of both houses of Congress who have worked in recent weeks to address this issue. The ''No Social Security for Nazis Act'' will accomplish our shared goal of ending the payments while amending the Social Security statute directly, thereby ensuring that the many facets of social security benefit access are treated properly.

Although Social Security is an earned benefit for American workers, this change would apply only to individuals who misrepresented their pasts when entering this country and applying for citizenship. Nazi perpetrators should not be allowed to continue to benefit from the lies they told long ago. Those who have so defiled the most basic of social contracts should not be allowed to receive these benefits any longer. We believe this step is necessary and appropriate, and encourage both houses of Congress to take up these bills expeditiously. We thank you for your leadership on this matter and urge each Member of Congress to join you in quickly enacting this legislation.

Sincerely,

ALLAN J. JACOBS,
President.
DANIEL S. MARIASCHIN,
Executive Vice President.

THE JEWISH FEDERATIONS®
OF NORTH AMERICA,
November 24, 2014.

Hon. SAM JOHNSON,
Chairman;
Hon. XAVIER BECERRA,
Ranking Member, Committee on Ways and Means Social Security Subcommittee, Washington, DC.

DEAR CHAIRMAN JOHNSON AND RANKING MEMBER BECERRA: We write to express our support for your leadership in introducing H.R. 5739, legislation that would terminate Social Security benefits for Nazi persecutors who receive such benefits because of a loophole in current law.

The Jewish Federations of North America (''JFNA'') is the national organization that represents 153 Jewish Federations, and 300 independent network communities that are the umbrella fundraising organization as well as the central planning and coordinating body for an extensive network of Jewish health, education, and social service agencies. The JFNA system raises and allocates funds for almost one thousand affiliated agencies that provide needed services to almost one million individuals throughout the country. As an organization that has been a tireless advocate to secure and provide needed support for the over 100,000 Holocaust survivors in the U.S, JFNA applauds your efforts to end benefits for war criminals that persecuted millions of innocents during the Holocaust.

It is encouraging that so many of your colleagues have joined in your effort to close this egregious loophole in current law. We will urge all of our partners in the Jewish community to work with you to ensure that H.R. 5739 is enacted during this legislative session.

Sincerely yours,

WILLIAM C. DAROFF,
Senior Vice President for Public Policy and Director of the Washington Office.

J STREET.

J Street applauds the introduction of the No Social Security for Nazis Act (H.R. 5739), led by Chairman Sam Johnson (R–TX–3) and Ranking Member Xavier Becerra (D–CA–34), which would change the Social Security Act to prevent those who participated in Nazi persecution from receiving social security benefits. We commend the strong bipartisan support for the bill and urge its swift passage by Congress.

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE,
Washington, DC, November 20, 2014.

Hon. SAM JOHNSON,
Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN JOHNSON: On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and Medicare, I am writing to express our support of your bill, H.R. 5739, the ''No Social Security for Nazis Act.''

This bill amends the Social Security Act to close a loophole that allows some Nazis who gained U.S. citizenship through fraud and deception to continue receiving Social Security benefits even though they have been stripped of their citizenship and have been removed from our country. While the individuals who will be affected by this bill worked and contributed to Social Security, they gained the right to do so by lying on their applications for citizenship about the nature of their roles in the Nazi holocaust during World War II.

These war criminals should not be allowed to continue to reap the fruits of their dishonesty, and on behalf of all of our members, we commend you for your leadership in bringing this travesty to an end. We urge all Members of Congress to join you in enacting this important legislation.

Sincerely,

MAX RICHTMAN,
President and CEO.

REPUBLICAN JEWISH COALITION,
Washington, DC, November 24, 2014.

Hon. SAM JOHNSON,
Chairman, House Subcommittee on Social Security, House of Representatives, Washington, DC.

DEAR CHAIRMAN JOHNSON: I'm writing to thank you for introducing H.R. 5732, the No Social Security for Nazis Act, and to encourage you and your colleagues on the House Ways and Means committee to press for enactment of legislation to close this newly discovered loophole in current law this year.

As you've noted, during prior Congresses, action had been taken to cancel Social Security benefits for individuals determined to have participated in Nazi war crimes. In light of recent news reports detailing how a number of individuals in this category have maneuvered to maintain their access to benefits, it is clear that a fix is needed.

H.R. 5732 ensures that Nazi war criminals who voluntarily renounced their citizenship and left the country prior to an impending deportation action cannot retain Social Security benefits they would otherwise have lost and blocks such individuals' access to spousal benefits.

We are encouraged by the breadth of bipartisan support for remedial legislation targeting this loophole. On behalf of the Republican Jewish Coalition's 40,000 members, I salute you for your leadership in quickly moving to solve the problem that has recently come to light.

Sincerely,

NOAH SILVERMAN,
Congressional Affairs Director, Republican Jewish Coalition.

STRENGTHEN SOCIAL SECURITY,
Washington, DC.

HOUSE COMMITTEE ON WAYS AND MEANS,
House of Representatives, Longworth Building, Washington, DC.

DEAR CHAIRMAN CAMP, RANKING MEMBER LEVIN, CHAIRMAN JOHNSON, AND RANKING MEMBER BECERRA: The Strengthen Social Security Coalition, which is comprised of over 350 national and statewide organizations including women's, labor, veterans, aging, and civil rights groups appreciate your timely introduction of the No Social Security for Nazi's Act (H.R. 5739).

It is under unfortunate extraordinary circumstances that a group of individuals involved in Nazi persecutions have been receiving Social Security benefits. These war criminals should never have been allowed to enter the United States and should never have received Social Security benefits. The bipartisan legislation that has been introduced presents a solution for this extraordinary circumstance and respects the hard work and contribution of Americans who have earned their benefits. Thank you for defending the Social Security benefits that have been earned by the American people.

Sincerely,

ERIC KINGSON,
Coalition Co-Chair.
NANCY ALTMAN,
Coalition Co-Chair.

ZIONIST ORGANIZATION OF AMERICA,
Washington, DC, November 20, 2014.

Hon. SAM JOHNSON,
Ways and Means Social Security Subcommittee Chairman, Longworth House Office Building, Washington, DC.

CONGRESSMAN JOHNSON: The Zionist Organization of America (ZOA), the oldest and one of the largest pro-Israel organizations in the United States, strongly supports H.R. 5739, the No Social Security for Nazis Act. It is a travesty that through the loophole of passive enforcement, deported aliens who have been found to have lied about their wartime activities continue to receive Social Security from the US government. We applaud the bi-partisan group of Congressmen and their Senate counterparts who are seeking to close this loophole during the November and December congressional sessions before Congress adjourns for the year.

The process to identify those who participated in the World War II persecution of Jews was legally rigorous, but ultimately failed to achieve all of its objectives as long as the Nazis who fraudulently entered our country following the war continue to benefit during their advanced years from the fraud they committed against our country. This legislation will repair this defect. The ZOA urges its adoption in both houses of Congress and the swift signing into law of the prohibition of Social Security Payments to those found to be part of the Nazi atrocity machinery.

The ZOA commends Members of Congress of both parties who support this legislation.

MORTON KLEIN,
National President, Zionist Organization of America.

Mr. SAM JOHNSON of Texas. For many years a loophole has allowed those who perpetrated horrific crimes against humanity to receive benefits paid by the United States Government. While the number of Nazi recipients of Social Security benefits may be few now, allowing payments to continue is an inexcusable insult to those who suffered at the hands of the Nazis.

Mr. Speaker, I urge all Members of the House to vote ''yes'' and pass the No Social Security to Nazis Act today so the Senate can take action soon and that the President can sign it into law without delay.

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

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

Let me begin, Mr. Speaker, by thanking my colleague, but, more importantly, my dear friend, Mr. SAM JOHNSON from Texas, for the work that he did to move so quickly working with his able staff to try to make sure we had a bill come before us. I also want to make sure that I salute the staff on this side of the aisle for the work they did in partnership to make sure that we could quickly put a bill on the floor of this House that could address what all of us agree is a glaring omission.

And so I am pleased to stand here to say, Mr. Speaker, that we have a bill that not only will take care of those dollars that Americans contributed to Social Security on a daily basis as they go to work and pay into the system, but it also will protect the dollars that so many Americans now rely on to receive their benefits.

Today, Mr. Speaker, 160 million Americans work and pay into Social Security. They know that because they do that their families will be protected if they happen to die or if they happen to become disabled or if they decide to retire. Now, for most of the 58 million Americans who are already retired or currently receiving Social Security benefits of some sort, that Social Security benefit is the most important source of income for them.

One of the greatest privileges we have as Americans living here in the U.S. is the opportunity to work and earn this Social Security protection for ourselves and for our families.

We recently learned, as Mr. JOHNSON has mentioned, that Nazi war criminals and collaborators slipped through a loophole in our laws and began receiving Social Security benefits. The record is clear: Congress never intended for the perpetrators of the Holocaust—the systematic, bureaucratic, state-sponsored murder of more than 6 million Jews and millions of other innocents—to be allowed to enter the U.S., let alone to participate in Social Security. It has been our longstanding policy that when Nazi persecutors who came under false pretenses are discovered that they be deported and stripped of all their privileges of U.S. citizenship and residency, including, of course, Social Security.

I am pleased to be here today because today what we are saying is we are ready to act. This legislation will tightly close the loophole that allows some individuals to use and retain Social Security benefits even after their Holocaust crimes have been proven and their citizenship has been revoked. As the chairman has mentioned, and as we are trying to make clear today, it is critically important that we make everyone aware that when you work for Social Security, you have earned it, and only then will you get it. So when someone comes in, uses a loophole, tries to take advantage, and then believes that they can get away with it, we want to be able to act quickly and make it clear that it will never happen again. We want those safeguards to be in place for everyone who has been working hard and paying into Social

Security for years and years. They are the ones that own it, not people who have defrauded our government.

Like past Congresses, we believe that we must act quickly because the issue of the Holocaust is not unresolved in our minds. We know what we must do to anyone who perpetrated those heinous acts. We must act as quickly as we can. And so, Mr. Speaker, I say with a great deal of pride and friendship that I stand with the chairman of the Social Security Subcommittee today, Mr. SAM JOHNSON, to urge my colleagues to join us in closing this loophole now before Social Security has to pay another dime to a Nazi war criminal.

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

Mr. SAM JOHNSON of Texas. Thank you, Mr. BECERRA. I appreciate your remarks.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACK), a member of the Committee on Ways and Means.

Mrs. BLACK. Mr. Speaker, I thank my colleague for yielding to me.

Mr. Speaker, for many today, the heinous acts of the Nazi party in the World War II era are a story relegated to the history books and museums. But the fact is some of these war criminals are still alive, and they are even getting a monthly check from Uncle Sam.

An Associated Press investigation found that dozens of Nazi suspects have collected Social Security benefits due to a loophole in our laws. And the cost to the taxpayers has reportedly reached into the millions.

Seniors in my district already have concerns about the future of Social Security. The last thing that they want to see is their government using scarce taxpayer dollars for this purpose. That is why I was proud to cosponsor Congressman SAM JOHNSON's No Social Security for Nazis Act, legislation to cut off benefits to anyone stripped of their U.S. citizenship related to their participation in Nazi crimes.

No act of Congress could ever make right the atrocities of the Holocaust or bring justice to its 6 million victims. But ending the flow of the payments to those human rights violators would sure be a step in the right direction.

Mr. Speaker, I thank the gentleman from Texas for his good work on this issue and this bipartisan measure and look forward to voting in support.

Mr. BECERRA. Mr. Speaker, we are expecting another speaker, but I reserve the balance of my time and let the gentleman from Texas proceed if he has another speaker.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. LANCE).

□ 1245

Mr. LANCE. Mr. Speaker, I rise today to urge passage of H.R. 5739, the No Social Security for Nazis Act, which will correct an injustice of two generations and right a terrible wrong in the name of the lives that were lost as a result of the Holocaust.

To think Nazis are receiving Social Security benefits derived from tax receipts of the American people is sickening and morally wrong. Today, Congress will move to put an end to it.

This effort was originally championed in the 1990s by my predecessor from the district I have the honor of serving, the late Congressman Bob Franks, and I am proud to continue his effort and see this legislation pass on the floor of the House today.

The United States, including my home State of New Jersey, stands in solidarity with the Jewish people, the State of Israel, and the decades-long struggle for peace in the world following the Nazi atrocities.

This action is yet another step in demonstrating that our resolve for justice is unyielding and our commitment to pursue what is right continues even 70 years after World War II.

I thank my colleague, Congresswoman CAROLYN MALONEY of New York City, for her leadership on this issue and for asking me to cosponsor the original bill that she had initiated. I also thank Congressman SAM JOHNSON and the Ways and Means Committee for taking up this effort.

The world can never forget the hate and intolerance of the 1930s and 1940s that claimed the lives of millions of people of the Jewish faith and forever scarred the face of mankind. Let this effort be another chapter in the healing that has brought vigor to the pursuit of justice, attention and care to all human suffering and the work toward a world of greater understanding and peace.

When given the chance to put an end to an egregious practice, we must act. I urge passage today of this important piece of legislation.

Mr. BECERRA. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), who has been very active on this issue.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding, and I thank my friend and colleague on the other side of the aisle, LEONARD LANCE, for coming to New York, for working in meetings, and for advancing this issue before the Social Security Administration and also the Justice Department.

Mr. Speaker, for decades, former Nazis complicit in war crimes have been given monthly Social Security benefit checks due to a loophole in the law. It is an outrage that began at the end of World War II, when thousands of Nazis fled to the United States.

Many lied about their past, so that they could become American citizens, take jobs, and try to just blend in, but most were eventually identified and deported, and some were tried for their crimes; however, dozens were never formally deported. If a former Nazi left the U.S. on his own before a final order of removal was issued, the law allowed him to keep receiving his Social Security benefits.

As the author of the Nazi War Crimes Disclosure Act of 1998, which opened up all of the files of the CIA on the Nazis and what they were doing in the United States and in Europe, I have been working on this issue for decades.

In 1991, I cowrote a bill to close this loophole by creating a new legal process to terminate benefits. Earlier this year, I wrote the Social Security Administration, seeking more information on former Nazis who continue to receive Social Security benefits. They will be issuing a report to me and others on exactly how much money is involved.

After an investigative report by the Associated Press revealed new details of Nazis receiving Social Security benefits, I wrote to the IG of the Justice Department and have had meetings with them and the Social Security Administration to investigate exactly how this all occurred.

I also worked with my colleagues, Republican Congressmen LEONARD LANCE of New Jersey and JASON CHAFFETZ of Utah, to craft the Nazi Benefits Termination Act of 2014. It was supported by editorials across this Nation. We received a total of 19 editorials in support of our bill.

In the interest of time, I will just put in the RECORD roughly five of them because I think it is important that across this Nation, from the South, the West, the East, the North, all of them have come out strongly in support of not spending one taxpayer dime to support Nazis.

The Ways and Means Committee took on this same effort. Our bills are similar, and either would be sufficient to address the problem. Both would affirmatively declare individuals who have been denaturalized or renounced citizenship on the grounds of participation in Nazi persecution ineligible for Social Security benefits.

I urge my colleagues to end this outrage, close this loophole, and send a message that when we say we will never forget, we mean we will never forget and that we will stop this terrible abuse of taxpayer money going to Social Security benefits for Nazis.

I commend all of my colleagues who have worked on this important issue.

[From mydailynews.com]

NO SSNS FOR THE SS

A search for some small measure of justice will go on as long as Nazi war criminals remain alive and unpunished. Never mind that almost seven decades have passed since they participated in the Holocaust. Never mind that they are well up in years, perhaps approaching 100.

The outrage is that some of the guilty are living out their last days with the help of Social Security payments sent out by Uncle Sam.

After World War II, former SS death camp guards and others made their way to America in the hope of leaving their crimes behind. Rather than fight to boot the group, the government made odious deals: If they left the country, they would keep their Social Security benefits.

As reported by the Associated Press, troops who worked in the camps, a rocket scientist

accused of using slave labor to do his research, a Polish Nazi collaborator who facilitated the murder of thousands of Jews and others fled and kept their cash.

At least four are still alive—and collecting. Rep. Carolyn Maloney said she will draft legislation to strip benefits from Nazis.

Better late than never.

[From the Dallas Morning News, Oct. 22, 2014]

SHAMEFUL SOCIAL SECURITY BENEFITS FOR EXPELLED NAZIS

Jakob Denzinger gets about $1,500 a month in Social Security payments, but the 90-year-old retiree isn't a typical senior citizen.

He's a former Auschwitz guard and one-time Ohio businessman who is now living comfortably overseas on U.S. Social Security benefits. His monthly check is nearly twice the take-home pay of an average worker in Croatia, where he lives. This for a man who patrolled one of the Nazi regime's most infamous death camps. It is an outrageous affront; Congress should no longer tolerate it.

An Associated Press investigation published over the weekend found that the U.S. Justice Department secretly used the promise of continued retirement payments to persuade dozens of Nazi suspects in the U.S. to leave. If they agreed to go quietly, or fled before deportation, as Denzinger did in 1989, they could retain their benefits. In return, the Justice Department's Office of Special Investigations avoided messy deportation hearings and increased the number of former Nazis it expelled.

Just how many Nazis cashed in isn't known. However, its stomach-turning to know that Nazi war criminals are receiving retirement benefits, just like your father or grandfather who fought to end the Nazi reign of terror. No accountability. Just a quiet retirement with a steady stream of government checks for Hitler's henchmen.

Americans deserve answers. The AP traces the program to 1979 and says at least 38 of 66 suspected Nazis removed from the country since then kept receiving their retirement benefits. By March 1999, the AP reports, 28 suspected Nazi criminals living overseas had amassed $1.5 million in Social Security benefits. That's probably just the tip of the iceberg, but Social Security and Justice Department officials aren't talking.

We acknowledge that there is scant appetite in Europe or the United States to bring these aging men to trial. However, neither is there good reason for the U.S. to continue subsidizing their golden years. The deaths of millions should never be forgotten or bought off. With anti-Semitism again on the rise in Europe, sweeping these cases under the rug is the wrong way to signal to the world that we will never forget Nazi atrocities.

Congress turned its back on previous measures to stop payments to keep from offending diplomatic sensibilities or slowing down the Justice Department's expulsion efforts. It's time for this insult to end. A White House spokesman says the president, rightly, wants the benefits stopped, and Rep. Carolyn Maloney, D–N.Y., has called for an inquiry into the actions of Justice Department and Social Security officials; she also plans to introduce legislation to halt the payments.

It is unconscionable to reward those accused of such horrific crimes. Congress should act now to strip them of their benefits.

[From registerguard.com]

The headline on The Associated Press story read like something one would see on the front page of a tabloid newspaper at a supermarket checkout stand: ''Nazis who left U.S. still paid Social Security.'' The difference is, the story apparently is true.

The AP reported Sunday that since 1979 ''dozens of suspected Nazi war criminals and SS guards collected millions of dollars in Social Security benefits after being forced out of the United States.'' The report said at least four of the 38 known beneficiaries are still alive, including a former concentration camp guard who left Arizona and returned to Germany in 2007, just before being stripped of his U.S. citizenship, and a former guard at Auschwitz who fled Ohio in 1989, after learning ''denaturalization'' proceedings were under way against him, and settled in Croatia.

State Department officials said the Justice Department used the continuation of Social Security benefits as a carrot to get the Germans to voluntarily give up their U.S. citizenship, and to avoid lengthy deportation hearings. A spokesman for the Justice Department denied that Social Security payments were thus used.

At the time the Justice Department had a Nazi-hunting unit, the Office of Special Investigations, that was dedicated to expelling as many former Nazis as possible, preferably to countries where they would be prosecuted for war crimes, although only 10 were.

The AP said the payments were made possible by a ''loophole'' in the law but provided no specifics. The Social Security Administration denied an AP request for the number of suspects who received payments and the amounts they received, saying it doesn't track Nazi cases.

On Monday, Rep. Carol Maloney, D–NY, sent letters to the inspectors general of the Justice Department and the Social Security Administration demanding that the Obama administration investigate the payments, which she called a ''gross misuse of taxpayer dollars.'' But the son of the former Auschwitz guard, Jakob Denzinger, told The AP his father had earned the benefit payments and deserves to continue receiving them.

Did the former Nazi guards who simply carried out orders, however immoral or heinous, absolve themselves by becoming upstanding, law-abiding, tax-paying U.S. citizens during the 70 years since World War II ended? Some will say yes but many others would argue their crimes can never be forgiven. For most Americans, knowing that taxpayer-funded retirement benefits are being given to people who surrendered their U.S. citizenship, and who played a direct role in the worst human-caused catastrophe in history, isn't going to sit right. And it shouldn't.

It sounds as if Maloney, who's a high-ranking member of the House Oversight and Government Reform Committee, is bent on closing whatever ''loophole'' has allowed the Social Security payments to continue to be sent overseas. The millions that have already been paid are gone and not likely to be recoverable but the thousands not yet paid could still be withheld. It shouldn't take an act of Congress to scotch such a grievous insult to American taxpayers—but apparently it will.

[From the Sun Sentinel, Nov. 30, 2014]

NAZI CRIMINALS GETTING BENEFITS? YES, IT'S TRUE

Congress has finally found something its members can agree on.

It's important, it's bipartisan and it's hellacious enough to make you wonder how such a practice could have been allowed to continue, with the blessing of the U.S. government, no less.

But now, a group of lawmakers—including Florida Democratic Sen. Bill Nelson—has introduced legislation that would strip suspected Nazi war criminals of the Social Security benefits they've been receiving for having agreed to leave this country and live overseas.

You read that right

Hard as it is to believe, an investigation by the Associated Press found that dozens of Nazi suspects who made their way to the U.S. have been receiving retirement benefits with taxpayer money. And if they agreed to leave the country quietly, or before a deportation action, the Justice Department said they could keep these benefits. That way, the government could avoid ugly deportation hearings and increase the number of former Nazis expelled.

Outrageous? You bet.

And it's been going on for years, with your money.

The AP traced the program to 1979, and said at least 38 of 66 suspected Nazis removed from the country since that time kept receiving retirement benefits. By March 1999, the report said 28 suspected Nazi criminals living overseas had amassed $1.5 million in Social Security benefits. The number is certainly much larger by now.

Now comes the Nazi Social Security Benefits Termination Act, in response to the revelations. Nelson is one of the sponsors of the Senate version. The legislation would end benefits for Nazi suspects who have lost American citizenship. Congress is hoping to get the legislation finalized during the current lame-duck session.

''Our bill will eliminate the loophole that has allowed Nazi war criminals to collect Social Security benefits,'' said Rep. Carolyn Maloney, D–N.Y. She also has called for an inquiry into the actions of Justice Department and Social Security officials.

Remember, we're talking about Nazi war criminals here, people involved in the horrific death camps where millions died.

As an example, Jakob Denzinger, 90, has been getting about $1,500 a month in Social Security payments. He is a former Auschwitz guard and a one-time Ohio businessman. According to the AP, some other recipients of Social Security participated in the liquidation of the Warsaw Ghetto, oversaw the use of slave labor and helped with the round-up and killing of thousands of Jews.

It defies all sensibilities to learn that these payments have been going on for decades. Now that they've come to light, President Obama says he wants them, stopped. The proposed legislation would do just that.

''This legislation is long overdue,'' said Abraham Foxman, national director of the Anti-Defamation League, ''and we are pleased that lawmakers in Congress are taking this seriously.''

A serious investigation also is needed into how this happened to begin with.

[From the Pueblo Chieftain, Oct. 23, 2014]

CLOSING AN ABHORRENT LOOPHOLE

FOR ONCE, we actually do agree with the White House and the Congress.

But it's hard to find fault when the president's spokesman says it's past time to cut off Social Security benefits for former Nazis who are living and aging overseas. Or with Congressional plans to solve the problem.

''Our position is we don't believe these individuals should be getting these benefits,'' White House Spokesman Eric Schultz said Monday.

That's a bit of an understatement. Rather, we find it astounding these suspected murderers and thugs got benefits—much less the millions of taxpayer dollars reported by the Associated Press—in the first place.

As a bit of background, the AP reported last week that dozens of suspected Nazis have collected benefits after being driven out

of the United States. Though their World War II actions led to their departure, they were never convicted of war crimes.

While the exact number of beneficiaries—or the total taxpayer-underwritten benefit they received—has not been released, the list included SS troops who guarded Nazi concentration camps, a rocket scientist accused of using slave labor to advance his research in the Third Reich and a Nazi collaborator who allegedly engineered the arrest and execution of thousands of Jews in Poland, according to the Associated Press.

They fled their home countries after the war and set up residency here.

A legal loophole gave the Justice Department leverage to persuade the Nazi suspects to leave the U.S. If they did, or if they simply fled prior to deportation, they could keep their Social Security benefit, the AP reported.

And in this rare instance, Washington's response has been both swift and appropriate. Rep. Carolyn Maloney of New York—a ranking member of the House Oversight and Government Reform Committee—called on the Obama administration to investigate the payments. The Democrat called them a ''gross misuse of taxpayer dollars.''

And yesterday, Sens. Charles Schumer, D–NY, and Bob Casey, D–PA, announced plans to introduce legislation to close the loophole that allowed for the payments. A joint press release issued by the pair reflects that the bill would also provide direction to federal immigration judges adjudicating cases involving a suspected Nazi persecutors.

New York's Rep. Maloney plans on carrying that bill in the U.S. House.

At least four of these suspected criminals are still living comfortably on the taxpayer dole. They are doing so via a social service safety net that is now financially failing.

That is a totally unacceptable and abhorrent misuse of our funds. We are pleased to see Congress is acting to fix the problem, even if—given the ages of the surviving recipients—it is too late to result in substantial savings.

We strongly encourage each member of Colorado's congressional delegation to support the legislation. Be bold. Take a stance for the taxpayers, the citizens in need, the survivors and the millions who perished at the hands of these suspected criminals and their contemporaries.

Pass this law and close the loophole.

Mr. BECERRA. Mr. Speaker, I yield myself the balance of my time, and I think it is important to close on a particular note. I don't think it gets lost on the chairman or me that, when we sit as the chairman and ranking member on the Social Security Subcommittee, we have a major responsibility, and that is to make sure that what people expect when they allow a good chunk of money to come out of their paycheck, it is going to be used for what they believe, and that is for Social Security benefits for those who have earned them.

When something like this comes along and you find out that someone found out a way to circumvent the laws and the process and take advantage of getting dollars out of America that have been put in for the purpose of providing security to those who retire or become disabled or who die, it really makes you want to act, but when you realize that, on top of that, the folks who are gaming the system are folks who should never have been in this country in the first place because they committed heinous crimes and were perpetrators of some of the worst evils we have seen in our history, then it makes you want to work doubly fast.

At a time when we deal with major issues and oftentimes have challenges in reaching agreement, the American people should watch for a second because, in this case, we are coming together to say that we understand the purpose of Social Security.

It is important to extend a thank you to the chairman of the Social Security Subcommittee for making sure that, before we ended this year and before we ended this session, we had an opportunity to put our vote on the floor saying, ''No, if you don't earn your benefits, you won't get them, and if you shouldn't have been here in the first place, then you certainly shouldn't get Social Security as well.''

It is important to get this done, and we hope the Senate will act quickly. Hopefully, before too long, the President will have an opportunity to sign this, and forever, we will be able to say that we know that no perpetrator of the Holocaust will ever have an opportunity to steal Social Security from those who worked hard to earn it.

With that, Mr. Speaker, and thanking the staff on both sides of the aisle for the work they have done so diligently and to my friend and chairman, Mr. JOHNSON, I say thank you.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume, and I thank Mr. BECERRA.

It takes two to tango, and fortunately, we have a compatible interest on this committee. I thank Ranking Member XAVIER BECERRA and his staff for working with us on this important legislation.

Mr. Speaker, I urge all Members of the House to vote ''yes'' and pass the No Social Security for Nazis Act today, so the Senate can take action soon and that the President can sign it into law without delay.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, H.R. 5739.

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. SAM JOHNSON of Texas. 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.

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:

S. 2040, by the yeas and nays;

H.R. 5050, by the yeas and nays;

H.R. 3572, 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.

BLACKFOOT RIVER LAND EXCHANGE 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. 2040) to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, 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.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 20, as follows:

[Roll No. 534]

YEAS—414

Adams	Chabot	Ellison
Amash	Chaffetz	Ellmers
Amodei	Chu	Engel
Bachmann	Cicilline	Enyart
Bachus	Clark (MA)	Eshoo
Barber	Clarke (NY)	Esty
Barletta	Clawson (FL)	Farenthold
Barr	Clay	Farr
Barrow (GA)	Cleaver	Fattah
Barton	Clyburn	Fincher
Beatty	Coble	Fitzpatrick
Becerra	Coffman	Fleischmann
Benishek	Cohen	Fleming
Bentivolio	Cole	Flores
Bera (CA)	Collins (GA)	Forbes
Bilirakis	Collins (NY)	Fortenberry
Bishop (GA)	Conaway	Foster
Bishop (NY)	Connolly	Foxx
Bishop (UT)	Conyers	Frankel (FL)
Black	Cook	Franks (AZ)
Blackburn	Cooper	Frelinghuysen
Blumenauer	Costa	Fudge
Bonamici	Cotton	Gabbard
Boustany	Courtney	Gallego
Brady (PA)	Cramer	Garamendi
Brady (TX)	Crawford	Garcia
Braley (IA)	Crenshaw	Gardner
Brat	Crowley	Gerlach
Bridenstine	Cuellar	Gibbs
Brooks (AL)	Culberson	Gibson
Brooks (IN)	Cummings	Gingrey (GA)
Broun (GA)	Daines	Gohmert
Brown (FL)	Davis (CA)	Goodlatte
Brownley (CA)	Davis, Danny	Gosar
Buchanan	Davis, Rodney	Gowdy
Bucshon	DeFazio	Granger
Burgess	DeGette	Graves (GA)
Bustos	Delaney	Graves (MO)
Butterfield	DeLauro	Grayson
Byrne	DelBene	Green, Al
Calvert	Denham	Green, Gene
Camp	Dent	Griffin (AR)
Campbell	DeSantis	Griffith (VA)
Capito	DesJarlais	Grijalva
Capps	Deutch	Grimm
Cárdenas	Diaz-Balart	Guthrie
Carney	Dingell	Gutiérrez
Carson (IN)	Doggett	Hahn
Carter	Duffy	Hanabusa
Cartwright	Duncan (SC)	Hanna
Castor (FL)	Duncan (TN)	Harper
Castro (TX)	Edwards	Harris

Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
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)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McAllister
McCarthy (CA)
McCaul
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
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
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 (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
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)

NOT VOTING—20

Aderholt
Bass
Capuano
Cassidy
Doyle
Duckworth
Garrett
Hall
Hurt
Kingston
Lipinski
Matheson
McCarthy (NY)
McClintock
Miller, Gary
Negrete McLeod
Perlmutter
Rogers (AL)
Rush
Schrader

□ 1324

Mr. ROE of Tennessee and Ms. McCOLLUM changed their vote from ''nay'' to ''yea.''

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.

Stated for:

Mr. HURT. Mr. Speaker, I was not present for rollcall vote No. 534, a recorded vote on S. 2040. Had I been present, I would have voted "yea."

Mr. GARRETT. Mr. Speaker, on rollcall No. 534, I was unable to vote due to a doctor's appointment. Had I been present, I would have voted "aye."

MAY 31, 1918 ACT REPEAL ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5050) to repeal the Act of May 31, 1918, 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 418, nays 0, not voting 16, as follows:

[Roll No. 535]

YEAS—418

Adams
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
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)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
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
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
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
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
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
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)
Kinzinger (IL)
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, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McAllister
McCarthy (CA)
McCaul
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
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
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
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)

NOT VOTING—16

Aderholt
Capuano
Cassidy
Doyle
Duckworth
Garrett
Hall
Kingston
Matheson
McCarthy (NY)
McClintock
Miller, Gary
Negrete McLeod
Perlmutter
Rush
Schrader

□ 1333

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.

Stated for:

Mr. GARRETT. Mr. Speaker, on rollcall No. 535 I was unable to vote due to a doctor's appointment. Had I been present, I would have voted "aye."

JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM BOUNDARIES REVISION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3572) to revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in North Carolina, 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 Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 7, not voting 17, as follows:

[Roll No. 536]

YEAS—410

Adams
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
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
Crowley
Cuellar
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
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
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
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
Kinzinger (IL)
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, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McAllister
McCarthy (CA)
McCaul
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
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
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
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
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
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—7

Blackburn
Griffith (VA)
Mulvaney
Poe (TX)
Stockman
Weber (TX)
Williams

NOT VOTING—17

Aderholt
Blumenauer
Capuano
Cassidy
Culberson
Doyle
Duckworth
Garrett
Hall
Matheson
McCarthy (NY)
McClintock
Miller, Gary
Negrete McLeod
Perlmutter
Rush
Schrader

□ 1340

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.

The title of the bill was amended so as to read: "A bill to revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units."

A motion to reconsider was laid on the table.

Stated for:

Mr. GARRETT. Mr. Speaker, on rollcall No. 536 I was unable to vote due to a doctor's appointment. Had I been present, I would have voted aye.

□ 1345

SBIC ADVISERS RELIEF ACT OF 2014

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4200) to amend the Investment Advisers Act of 1940 to prevent duplicative regulation of advisers of small business investment companies.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4200

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 "SBIC Advisers Relief Act of 2014".

SEC. 2. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)) is amended—

(1) by striking "No investment adviser" and inserting the following:

"(1) IN GENERAL.—No investment adviser"; and

(2) by adding at the end the following:

"(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940)."

SEC. 3. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(m)) is amended by adding at the end the following:

"(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1)."

SEC. 4. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.''.

The SPEAKER pro tempore (Mr. HULTGREN). Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 4200, currently under consideration.

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

There was no objection.

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

The legislation we consider today is a bipartisan, noncontroversial, and commonsense change that will ultimately allow for greater small business capital formation and job creation.

H.R. 4200, the SBIC Advisers Relief Act, streamlines reporting requirements for advisers to small business investment companies, or SBICs. These are advisers to investment funds who make long-term investments in U.S. small businesses and who have to the tune of more than $63 billion since 1958.

Under current law and for more than 55 years, SBICs have been regulated and closely supervised by the Small Business Administration. The existing regulatory regime surrounding SBICs includes an in-depth examination of management, strong investment rules, operational requirements, recordkeeping, examination and reporting mandates, and conflict of interest rules. These entities and the management of these entities are anything but unregulated.

The need for exemptions for SBICs and their advisers has been well-recognized by Congress. Congress' intent by including some of these exemptions in previous legislation was to reduce the regulatory burdens facing smaller funds and SBICs. This bill fixes some unintended consequences that have arisen and need to be addressed.

The SBIC Advisers Relief Act does so by doing three things: number one, it allows advisers who jointly advise SBICs and venture funds to be exempt from registration, combining two separate exemptions that already exist; number two, it excludes SBIC assets from the SEC's assets under management threshold calculation; number three, it allows SBIC funds with less than $90 million in assets under management to be regulated solely by the SBA, as they are today.

The Financial Services Committee has thoroughly examined the bipartisan legislation in both a legislative hearing and a markup. H.R. 4200 garnered praise from members on both sides of the aisle and from witnesses who testified on the bill in an April hearing. This noncontroversial legislation passed the committee by a vote of 56–0 in May.

It is also important to note that the legislation includes suggestions made by the SEC. Most importantly, this legislation includes sensible provisions that prevent redundant regulatory mandates and allow for a greater investment in America's small businesses.

I want to thank Congresswoman MALONEY for her help on this bill, and I ask my colleagues for their support.

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

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

This bill, as has been indicated, is a bipartisan bill. We support the bill. I have no requests for time; therefore, I would urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 4200.

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.

COMMODITY EXCHANGE ACT AND SECURITIES EXCHANGE ACT AMENDMENTS

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5471) to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5471

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

SECTION 1. TREATMENT OF AFFILIATE TRANSACTIONS.

(a) IN GENERAL.—

(1) COMMODITY EXCHANGE ACT AMENDMENT.—Section 2(h)(7)(D)(i) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(D)(i)) is amended to read as follows:

''(i) IN GENERAL.—An affiliate of a person that qualifies for an exception under subparagraph (A) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge or mitigation of such commercial risk is addressed by entering into a swap with a swap dealer or major swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

(2) SECURITIES EXCHANGE ACT OF 1934 AMENDMENT.—Section 3C(g)(4)(A) of the Securities Exchange Act of 1934 (15 U.S.C. 78c–3(g)(4)(A)) is amended to read as follows:

''(A) IN GENERAL.—An affiliate of a person that qualifies for an exception under paragraph (1) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the security-based swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge or mitigation such commercial risk is addressed by entering into a security-based swap with a security-based swap dealer or major security-based swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

(b) APPLICABILITY OF CREDIT SUPPORT MEASURE REQUIREMENT.—The requirements in section 2(h)(7)(D)(i) of the Commodity Exchange Act and section 3C(g)(4)(A) of the Securities Exchange Act of 1934, as amended by subsection (a), requiring that a credit support measure or other mechanism be utilized if the transfer of commercial risk referred to in such sections is addressed by entering into a swap with a swap dealer or major swap participant or a security-based swap with a security-based swap dealer or major security-based swap participant, as appropriate, shall not apply with respect to swaps or security-based swaps, as appropriate, entered into before the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 5471, currently under consideration.

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

There was no objection.

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

Hundreds of American businesses, large and small—from manufacturers, to utilities, to agricultural businesses, to airlines—use derivatives every day to manage their business risks and to reduce their exposure to price fluctuations.

Without derivatives, businesses and their customers would face increased prices for the goods and services these

businesses provide. The derivatives these businesses use are not risky. They played no role in the financial crisis. Nevertheless, they were targeted in the Dodd-Frank Act, which increased their price and decreased their availability.

Since the beginning of the 112th Congress in 2011, the Financial Services Committee and the Agriculture Committee have worked together to clarify that title VII of the Dodd-Frank Act should not burden Main Street businesses with a costly compliance regime that would stifle growth and job creation.

These efforts have produced bipartisan bills, including many sponsored by Democrats, that have passed the House with large majorities. The bill under consideration is yet another.

H.R. 5471 is sponsored by my Democratic colleague on the Financial Services Committee, Representative GWEN MOORE, and is cosponsored by another colleague, Representative STEVE STIVERS. The bill amends the Securities Exchange Act of 1934 and the Commodity Exchange Act, and it extends the Dodd-Frank Act, title VII, clearing exemption to nonfinancial entities that use a central treasury unit to reduce risk and net the hedging needs of affiliated businesses.

Mr. Speaker, that may sound technical, but the bill is a commonsense measure to give regulatory certainty to Main Street businesses in Missouri and beyond. I encourage my colleagues to support H.R. 5471.

I reserve the balance of my time.

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

I join my colleague, the gentleman from Missouri, in urging my colleagues to support H.R. 5471; however, before I get into why we should support the bill, I need to thank all of my partners in this effort.

As has been mentioned, Mr. STIVERS has been fantastic throughout this entire process. I knew going into this that I had a great Republican partner. I can't say enough about Representative STIVERS, but time will not allow me to do it.

I had another great bipartisan partner in Representative GIBSON on the Agriculture Committee. Of course, it is always a joy to work with a good friend and colleague on the Ag Committee, Representative MARCIA FUDGE.

Mr. Speaker, H.R. 5471 is a true ''end users'' bill. The bill is targeted as it applies to centralized treasury centers, or CTUs, of nonfinancial end user companies.

The CTU model enables an end user corporation to efficiently centralize hedging risks for the entire consolidated corporate group, and it is, in fact, a corporate best practice. It permits companies to more efficiently hedge commercial business risk, which was always the intent of Dodd-Frank.

The CFTC agrees with the underlying policy of the bill as they have provided no-action relief on this point; however, H.R. 5471 is still needed because, as a practical matter, no-action relief is no substitute for statutory fixes as it creates legal uncertainty when deciding how to organize your global business structure.

Corporate boards may be hesitant to approve a decision, as they are required to do, that violates the law based only on an assurance that CFTC staff will not recommend enforcement. H.R. 5471 fixes the quirky result of treating companies that use a CTU model differently than companies that do not accomplish the same result.

The bill also solves another far more technical issue with the no-action relief that relates to CTUs issuing swaps as a principal, as opposed to as an agent.

There is simply no good reason to not address these issues. In fact, CTUs are considered a corporate best practice. I can offer you, Mr. Speaker, an example of one company in my district, MillerCoors. They summarized it best in written testimony before the House Financial Services Committee:

> Though it may be tempting to view all derivatives as risky financial products that were central to the credit crisis, we must remember that these are important tools upon which thousands of companies depend to manage risks in the real economy.

Just remember that we all have companies in our districts that use swaps legitimately to mitigate risk. I urge all of my colleagues to support this important legislation.

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

Mr. LUETKEMEYER. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. LUCAS), the distinguished chairman of the Agriculture Committee.

Mr. LUCAS. Mr. Speaker, I would like to thank the gentleman from Missouri for yielding.

I would like to thank my colleagues from the House Agriculture Committee, Mr. GIBSON and Ms. FUDGE, for their continued leadership on this issue; also, I would like to thank Ms. MOORE and Mr. STIVERS for working with my committee to introduce this compromise language as a stand-alone bill for the House's consideration.

Almost identical language was included in the Agriculture Committee's CFTC reauthorization bill, H.R. 4413. I am proud to say that we moved that legislation through the Ag Committee by a voice vote and then passed it here on the House floor with overwhelming bipartisan support this summer. I am hopeful that this bill can receive the same strong bipartisan support.

H.R. 5471 will provide American businesses the certainty they need to continue managing their risk in the most efficient manner possible. Today, businesses all over America rely on the ability to centralize their hedging activities to reduce their counterparty credit risk, to lower costs, and to simplify their financial dealings.

It is important to remember that these transactions between affiliated corporate entities pose no systemic risk, and they should not be regulated as if they do. These transactions are used to reduce an individual firm's risk by consolidating a hedging portfolio spread across a corporate group.

By doing this, firms can find savings with offsetting positions between affiliates and can reduce the need for the group to seek hedges in the wider market.

H.R. 5471 will prevent the redundant regulation of these harmless interaffiliate transactions that would tie up the working capital companies with no added protections for the market or benefits for the consumers. I strongly support this bipartisan, commonsense legislation, and I urge all of my colleagues to vote ''yes.''

Ms. MOORE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California, Ms. MAXINE WATERS, the ranking member of the committee.

Ms. WATERS. Mr. Speaker, I would first like to thank Congresswoman MOORE, as well as Congresswoman FUDGE, for their efforts to craft the text of this bill which represents a dramatic improvement from a similar bill that was considered in the Financial Services Committee 18 months ago.

At that time, Commodity Futures Trading Commission—that is, the CFTC—Chairman Gary Gensler warned that providing such a broad interaffiliate exemption from the requirement to clear derivatives could harm its efforts to regulate the market.

Since that time, however, the authors of this legislation have significantly tailored the language, incorporating several technical edits provided by the CFTC, and the measure now only extends the interaffiliate exemption to instances when the commercial risk of an exempt end user is being hedged or mitigated.

Last week, the CFTC provided the same tailored relief that this bill would provide. I submit for the RECORD the CFTC's no-action letter.

U.S. COMMODITY FUTURES TRADING COMMISSION,
Washington, DC, November 26, 2014.

Re No-Action Relief from the Clearing Requirement for Swaps Entered into by Eligible Treasury Affiliates

The purpose of this letter is to amend the no-action relief previously granted by the Division of Clearing and Risk (''Division'') of the Commodity Futures Trading Commission (''Commission'') under No-Action Letter 13–22 to address certain challenges faced by treasury affiliates in undertaking hedging activities on behalf of non-financial affiliates within a corporate group. Those challenges pertained to certain conditions in the prior relief. The Division in this letter is altering some of those conditions to enable additional market participants to avail themselves of the treasury affiliate relief originally set forth in No Action Letter 13–22.

TREASURY AFFILIATE EXEMPTION FROM CLEARING

On June 4, 2013, the Division granted no-action relief from the clearing requirement under section 2(h)(1) of the Commodity Exchange Act (''CEA'') and part 50 of the Commission's regulations, for swaps entered into

by certain affiliates acting on behalf of non-financial affiliates within a corporate group for the purpose of hedging or mitigating commercial risk (hereinafter referred to as ''treasury affiliates'').

No-Action Letter 13–22 was issued based on the Division's understanding that treasury affiliates were undertaking hedging activities on behalf of non-financial affiliates that were eligible to elect the end-user exception from clearing, but were themselves ineligible to elect the exception. As discussed further below, because treasury affiliates can act in a wider capacity as treasury centers that provide financial services for all or most of the affiliates within a corporate group, including daily cash management, debt administration, and risk hedging and mitigation, treasury affiliates met the definition of ''financial entity'' under section 2(h)(7)(C)(i)(VIII) of the CEA and thus could not elect the end-user exception. As a result, the Division granted treasury affiliates relief to continue entering into non-cleared swaps on behalf of the non-financial affiliates, subject to specific conditions and requirements.

The Division has since learned that there are treasury affiliates precluded from electing the relief in No-Action Letter 13–22 because they do not meet certain conditions contained in the letter. As discussed below, based on input from market participants, the Division is hereby issuing this letter to amend some of the conditions and requirements contained in No-Action Letter 13–22 to allow additional treasury affiliates to rely on the relief from clearing.

APPLICABLE REGULATORY REQUIREMENTS

Under section 2(h)(1)(A) of the CEA, it is unlawful for any person to engage in a swap unless that person submits such swap for clearing to a derivatives clearing organization (''DCO'') that is registered under the CEA or exempt from registration if the swap is required to be cleared. On November 29, 2012, the Commission adopted its first clearing requirement determination, requiring that swaps meeting certain specifications within four classes of interest rate swaps and two classes of credit default swaps be cleared.

Pursuant to section 2(h)(7) of the CEA and §50.50 of the Commission's regulations, a counterparty to a swap that is subject to the clearing requirement may elect the end-user exception from required clearing provided that such counterparty is not a financial entity, as defined in section 2(h)(7)(C) of the CEA, and otherwise meets the requirements of §50.50 of the Commission's regulations. Thus, the end-user exception from required clearing may be elected for swaps that are entered into between two non-financial entities, or between a non-financial entity and a financial entity, for swaps that hedge or mitigate commercial risk.

As noted above, the Division granted relief from required clearing for treasury affiliates of non-financial companies that fall within the definition of ''financial entity'' under section 2(h)(7)(C)(i)(VIII) of the CEA when acting on behalf of affiliates that otherwise would be eligible to elect the end-user exception from required clearing.''As such, No-Action Letter 13–22 effectively allowed treasury affiliates, subject to certain additional requirements and conditions, to take advantage of the end-user exception from clearing that its non-financial affiliates in the corporate group would otherwise have been eligible to elect had they entered into the transactions directly.

SUMMARY OF RELIEF

Since the Division issued No-Action Letter 13–22, market participants have highlighted several requirements and conditions that make use of the relief granted thereunder impractical for many treasury affiliates. As discussed below, the Division is therefore amending the following requirements and conditions.

i. The requirement that the ultimate parent of a treasury affiliate identify all wholly- and majority-owned affiliates and ensure a majority qualify for the end-user exception.

Market participants have expressed concerns about the second condition for eligible treasury affiliate status in No-Action Letter 13–22. The second condition requires that the ultimate parent of a treasury affiliate identify all wholly- and majority-owned affiliates within the corporate group and ensure that a majority qualify for the end-user exception.

Market participants have noted the ratio of the absolute number of financial entities to nonfinancial entities does not necessarily provide meaning-fill information about the corporate family as a whole, and adds ongoing surveillance responsibilities and expenses for the corporate family. The Division agrees and has removed the requirement accordingly in the revised relief set forth herein.

ii. The requirement that the treasury affiliate is not itself or is not affiliated with a systemically important nonbank financial company.

Market participants have also expressed concerns about the fourth condition for eligible treasury affiliate status in No-Action Letter 13–22. The fourth condition prohibits the treasury affiliate from being, or being affiliated with, a nonbank financial company that has been designated as systemically important by the Financial Stability Oversight Council. As explained above, section 2(h)(7)(D) of the CEA permits affiliates acting as an agent and on behalf of entities eligible for the end-user exception to elect the end-user exception themselves, unless the affiliate is one of seven enumerated types of entities listed in section 2(h)(7)(D)(ii). Among others, these prohibited entities include swap dealers, commodity pools, and bank holding companies with over $50 billion in consolidated assets.

Market participants have pointed out that the fourth condition for eligible treasury affiliate status provides a list of entities that generally tracks the list in section 2(h)(7)(D)(ii), except for the addition of systemically important nonbank financial companies. The Division believes that additional restrictions relating to systemically important nonbank financial companies are appropriate. As a result, the Division is maintaining the requirement that the treasury affiliate itself cannot be a systemically important nonbank financial company. However, the Division also recognizes that certain corporate families with significant non-financial operations are precluded from using the existing relief because of the affiliation with a systemically important nonbank financial company, regardless of the degree to which the operations of the financial and non-financial entities are conducted separately.

The Division believes restricting the treasury affiliate from (i) entering into transactions with, or on behalf of, a systemically important nonbank financial company and (ii) providing any services, financial or otherwise, to such a designated entity, provides sufficient protection from the risks of systemically important affiliate, while allowing the treasury affiliate to provide the necessary support to its related operating entities. The Division is amending the conditions relating to systemically important nonbank financial companies accordingly.

iii. The requirement that treasury affiliates act only on behalf of certain types of related affiliates.

Market participants have indicated that the definition of ''related affiliates'' under No-Action Letter 13–22 unnecessarily excludes certain entities that perform a cash pooling function for a corporate family that includes a financial entity. The definition of related affiliate currently includes either: (i) a non-financial entity that is, or is directly or indirectly wholly- or majority-owned by, the ultimate parent; or (ii) a person that is another eligible treasury affiliate for an entity described in (i).

Market participants claim that the limitation is unnecessary, highlighting that the third General Condition to the Swap Activity already precludes an eligible treasury affiliate from entering into swaps with, and on behalf of, its financial affiliates. The Division agrees the definition is problematic because the collection and disbursement of cash within the corporate family is a core function of a treasury affiliate. Given the existing restrictions on swap activity by the eligible treasury affiliate with or on behalf of a financial affiliate, the Division has amended the related affiliate definition to allow entities that provide financial services on behalf of a financial entity to nonetheless qualify as an eligible treasury affiliate.

iv. The requirement that treasury affiliates transfer the risk of related affiliates through the use of swaps.

Market participants have expressed concern with the first General Condition to Swap Activity in No-Action Letter 13–22. The condition requires the eligible treasury affiliate enter into the exempted swap for the sole purpose of hedging or mitigating the commercial risk of one or more related affiliates that was transferred to the eligible treasury affiliate by operation of one or more swaps with such related affiliates.

According to market participants, there are a number of ways for commercial risk to be transferred between affiliates, and that the risk that a treasury affiliate may have been seeking to hedge or mitigate would not necessarily be transferred from the operating affiliate to the treasury affiliate by way of a swap transaction as required by No-Action Letter 13–22. The method by which the risk is transferred can be dependent on the type of risk being hedged. For example, it may be more common for foreign exchange risk to be transferred between affiliates through the use of book-entry transfers, as opposed to interest rate risk, where the use of back-to-back swaps may be more prevalent. The Division agrees that this limitation is unnecessarily strict and is revising the condition accordingly. However, as the transfer of risk from the related affiliate to the treasury affiliate will no longer be evinced by back-to-back swaps, the Division will require that the treasury affiliate be able to identify the related affiliate or affiliates on whose behalf the swap was entered into by the treasury affiliate.

v. The requirement that treasury affiliates do not enter into swaps other than for hedging or mitigating the commercial risk of one or more related affiliates.

Market participants have questioned whether an eligible treasury affiliate would lose its status if the entity entered into hedging transactions that were mitigating a commercial risk of the treasury affiliate itself. The second General Condition to the Swap Activity states that the eligible treasury affiliate cannot enter into swaps with related affiliates or unaffiliated counterparties other than for the purposes of hedging or mitigating the commercial risk of one or more related affiliates.

The Division agrees that a treasury affiliate should not lose its status as an eligible treasury affiliate simply because it entered into a hedging transaction on its own behalf.

The Division is therefore amending the language in the second condition to allow an eligible treasury affiliate to enter into its own hedging transactions. However, the Division notes that such transactions entered into by the eligible treasury affiliate on its own behalf would not be ''exempted swaps'' as defined below, and may be required to be cleared if subject to the Commission's clearing requirement and no other exception or exemption to clearing applied. Further, the Division notes that treasury affiliates entering into any speculative transaction, on its own behalf or otherwise, would not be consistent with this condition.

vi. The requirement that related affiliates entering into swaps with the treasury affiliate, or the treasury affiliate itself, may not enter into swaps with or on behalf of any affiliate that is a financial entity.

Market participants have expressed confusion as to whether a related affiliate can enter into transactions with multiple eligible treasury affiliates under the third General Condition to the Swap Activity in No-Action Letter 13–22. The third condition states that neither any related affiliate that enters into swaps with the eligible treasury affiliate nor the eligible treasury affiliate, may enter into swaps with or on behalf of any affiliate that is a financial entity (a ''financial affiliate''), or otherwise assumes, nets, combines, or consolidates the risk of swaps entered into by any financial affiliate.

Ms. WATERS. After conversations with CFTC Chairman Massad and following this action by the regulator, I felt comfortable having H.R. 5471 be considered under a suspension of the House rules.

Now, I have heard from several companies that, while the CFTC's actions are welcome, they still need the legal certainty that only H.R. 5471 could provide.

On the other side, of course, I have heard concerns that if we pass this bill we may be binding the CFTC's hands to deal with a problem that could arise in the future.

I believe that people on both sides of this issue are working in good faith and want to help rebuild our economy. Again, I applaud Congresswoman MOORE's efforts to improve this bill.

□ 1400

Mr. LUETKEMEYER. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. STIVERS), who is the lead cosponsor of this legislation.

Mr. STIVERS. Mr. Speaker, I would like to thank the gentleman from Missouri for yielding me time.

I also would like to thank the gentlelady from Wisconsin (Ms. MOORE) for all her work on this bill. She has been dedicated and engaged and hardworking and willing to compromise to move this effort forward to help a lot of Main Street businesses that are in my district, her district, and that dot the map of America.

I also want to thank Ms. FUDGE and Mr. GIBSON for their collaborative efforts and their work through the Agriculture Committee on this bill as well.

Mr. Speaker, this bill is the culmination of over 2½ years' work. In 2012, Ms. MOORE, Ms. FUDGE, Mr. GIBSON, and I joined together to introduce legislation that clarified rules under the Dodd-Frank Act with regard to margin clearing and reporting requirements of interaffiliate transactions. What that means is a lot of Main Street businesses in various industries, from agriculture to consumer products, that work across international boundaries use this central treasury unit structure to offset competing or offsetting risks, and that way they can decide what their total aggregate risk is and then make it much more affordable for a corporation.

Unfortunately, under the Dodd-Frank Act and the way the rules were interpreted by the Commodity Futures Trading Commission, these companies were being charged double or triple the cost by imposing these central clearing unit ways of managing risk. It just didn't make sense, and it actually cost them more money. These companies did not add systemic risk, and that is what the rules on swaps were all about is to make sure we reduce systemic risk. These companies are using these swaps to offset risk to their company and their operating risks, and so this is a commonsense piece of legislation. In fact, Barney Frank, the author of the Dodd-Frank legislation, spoke in favor of this when he was the ranking member in the last Congress.

Unfortunately, there was no activity on the bill in the last Congress, and over the last 2 years both the Securities and Exchange Commission and the CFTC have worked with us—with Ms. MOORE and me—on these rules. They have done a pretty good job in that regard, but there is more to be done because their rules left out the folks that use these centralized treasury units as a specific business model. Just last month, in fact, the CFTC published a no-action letter that Ms. MOORE referred to; but a no-action letter means that it is still part of the law, we are just not going to enforce the law.

What we need to do is fix the law. It is really common sense. So this bill that Ms. MOORE introduced fixes the law for that centralized treasury unit way of doing business. It makes sense. It does not add any risk to the system, and it allows these companies that are all over America to manage their risk in a smarter way without being charged two or three times as much and without risking that they are violating the law, even though it is not going to be enforced.

So I applaud the gentlelady from Wisconsin for changing the law, fixing the law, and making it work for a lot of small, medium, and even large businesses across America so they can use their cash to hire Americans in this tough time, and hire more Americans and not waste it on unneeded cost that does not provide any safety to anyone.

I want to thank the gentlelady from Wisconsin as well as the gentleman from New York and the gentlelady from Ohio for all their work, and I was proud to be a small part of this.

I would urge my colleagues to support this bill.

Ms. MOORE. Mr. Speaker, I am so delighted to yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON), the ranking member of the Ag Committee.

Mr. PETERSON. Mr. Speaker, I thank the gentlewoman from Wisconsin and the others for their work on this legislation.

H.R. 5471 provides further clarity to those using the derivatives market to hedge against risk and builds upon language in H.R. 4413, legislation approved by the House last summer to reauthorize the CFTC. The bill before us today makes it clear that if an affiliate of a company already exempted from clearing engages in a swap with a swap dealer or major swap participant in order to hedge or mitigate commercial risk, those swaps would also be exempt from the clearing requirement as long as they use an appropriate credit support measure.

While it is my understanding that the CFTC would prefer to address this issue through agency action, I also believe that they are supportive of this language. Because H.R. 5471 improves the work already done by the House, I urge my colleagues to support this bill.

Mr. LUETKEMEYER. Mr. Speaker, I am prepared to close whenever the gentlewoman from Wisconsin is ready.

Ms. MOORE. Mr. Speaker, I would now like to place the second half of the CFTC letter into the RECORD.

No-Action Letter 13–22 contemplated the use of multiple eligible treasury affiliates within a corporate family, but the Division agrees with market participants that the third condition does not accurately reflect this. The Division is accordingly amending the third condition to clarify that the restriction on related affiliates and eligible treasury affiliates from entering into swap transactions with financial entity affiliates does not preclude the circumstance where the financial entity affiliate is an eligible treasury affiliate.

vii. The requirement for the payment obligations of the treasury affiliate to be guaranteed.

Market participants expressed concern with respect to the fifth General Condition to the Swap Activity in No-Action Letter 13–22. The fifth condition states that the payment obligations of the eligible treasury affiliate on the exempted swap must be guaranteed by: (i) its non-financial parent; (ii) an entity that wholly-owns or is wholly-owned by its non-financial parent; or (iii) the related affiliates for which the swap hedges or mitigates commercial risk.

Market participants have explained that corporate parents and structures may avail themselves of other types of support arrangements, such as keepwell agreements, letters of credit, or revolving credit facilities for example, which would not satisfy the requirements of No-Action Letter 13–22. As a result, the Division is removing the condition to accommodate the additional support arrangements that may exist with regard to the eligible treasury affiliate's payment obligations.

DIVISION NO-ACTION POSITION

The Division recognizes the benefits that arise from the use of treasury affiliates within corporate groups and has determined to provide the following no-action relief; described below.

For purposes of this no-action letter only, the following definitions shall apply:

Eligible treasury affiliate means a person that meets each of the following qualifications:

(i) The person is (A) directly, wholly-owned by a non-financial entity or another eligible treasury affiliate (its ''non-financial parent''), and (B) is not indirectly majority-owned by a financial entity, as defined in section 2(h)(7)(C)(i) of the CEA;

(ii) The person's ultimate parent is not a financial entity as defined in section 2(h)(7)(C)(i) of the CEA;

(iii) The person is a financial entity as defined in section 2(h)(7)(C)(i)(VIII) of the CEA solely as a result of acting as principal to swaps with, or on behalf of, one or more of its related affiliates, or providing other services that are financial in nature to such related affiliates;

(iv) The person is not, and is not affiliated with, any of the following:

(A) a swap dealer;

(B) a major swap participant;

(C) a security-based swap dealer; or

(D) a major security-based swap participant.

(v) The person is not any of the following:

(A) a private fund as defined in section 202(a) of the Investment Advisors Act of 1940 (15 U.S.C. §80–b–2(a));

(B) a commodity pool;

(C) an employee benefit plan as defined in paragraphs (3) and (32) of section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. §1002);

(D) a bank holding company;

(E) an insured depository institution;

(F) a farm credit system institution;

(G) a credit union;

(H) a nonbank financial company that has been designated as systemically important by the Financial Stability Oversight Council; or

(I) an entity engaged in the business of insurance and subject to capital requirements established by an insurance governmental authority of a State, a territory of the United States, the District of Columbia, a country other than the United States, or a political subdivision of a country other than the United States that is engaged in the supervision of insurance companies under insurance law.

(vi) The person does not provide any services, financial or otherwise, to any affiliate that is a nonbank financial company that has been designated as systemically important by the Financial Stability Oversight Council.

Non-financial entity means a person that is not a financial entity as defined in section 2(h)(7)(C)(i) of the CEA.

Related affiliate means with respect to an eligible treasury affiliate:

(i) A non-financial entity that is, or is directly or indirectly wholly- or majority-owned by, the ultimate parent; or

(ii) A person that is another eligible treasury affiliate.

The Division will not recommend that the Commission commence an enforcement action against an eligible treasury affiliate for its failure to comply with the requirements under section 2(h)(1)(A) of the CEA and part 50 of the Commission's regulations to clear a swap with an unaffiliated counterparty or another eligible treasury affiliate (the ''exempted swap'') that is subject to required clearing pursuant to §50.4 of the Commission's regulations, subject to the following conditions:

GENERAL CONDITIONS TO THE SWAP ACTIVITY

(i) The eligible treasury affiliate enters into the exempted swap for the sole purpose of hedging or mitigating the commercial risk of one or more related affiliates that was transferred to the eligible treasury affiliate;

(ii) The eligible treasury affiliate does not enter into swaps with its related affiliates or unaffiliated counterparties other than for the purpose of hedging or mitigating its own commercial risk or the commercial risk of one or more related affiliates;

(iii) Neither any related affiliate that enters into swaps with the eligible treasury affiliate nor the eligible treasury affiliate, enters into swaps with or on behalf of any affiliate that is a financial entity (''financial affiliate''), or otherwise assumes, nets, combines, or consolidates the risk of swaps entered into by any financial affiliate, except in the case of financial affiliates that qualify as eligible treasury affiliates under this letter; and

(iv) Each swap entered into by the eligible treasury affiliate is subject to a centralized risk management program that is reasonably designed (A) to monitor and manage the risks associated with the swap, and (B) to identify the related affiliate or affiliates on whose behalf each exempted swap has been entered into by the eligible treasury affiliate.

REPORTING CONDITIONS

With respect to each swap that an eligible treasury affiliate (''electing counterparty'') elects not to clear in reliance on the relief provided in this letter, the reporting counterparty, as determined in accordance with §45.8 of the Commission's regulations, shall provide or cause to be provided the following information to a registered swap data repository or, if no registered swap data repository is available to receive the information from the reporting counterparty, to the Commission, in the form and manner specified by the Commission:

(i) Notice of the election of the relief and confirmation that the electing counterparty satisfies the General Conditions to the Swap Activity of this no-action relief specified above;

(ii) How the electing counterparty generally meets its financial obligations associated with entering into non-cleared swaps by identifying one or more of the following categories, as applicable:

(A) A written credit support agreement;

(B) Pledged or segregated assets (including posting or receiving margin pursuant to a credit support agreement or otherwise);

(C) A written guarantee from another party;

(D) The electing counterparty's available financial resources; or

(E) Means other than those described in (A)–(D); and

(iii) If the electing counterparty is an entity that is an issuer of securities registered under section 12 of, or is required to file reports under section 15(d) of, the Securities Exchange Act of 1934:

(A) The relevant SEC Central Index Key number for such counterparty; and

(B) Acknowledgment that an appropriate committee of the board of directors (or equivalent body) of the electing counterparty has reviewed and approved the decision to enter into swaps that are exempt from the requirements of section 2(h)(1), and if applicable, section 2(h)(8) of the CEA.

(iv) If there is more than one electing counterparty to a swap, the information specified in the Reporting Conditions of this no-action relief specified above shall be provided with respect to each of the electing counterparties.

(v) An entity that qualifies for the relief provided in this no-action letter may report the information listed in paragraphs (ii) and (iii) above, annually in anticipation of electing the relief for one or more swaps. Any such reporting under this paragraph will be effective for purposes of paragraphs (ii) and (iii) above for 365 days following the date of such reporting. During the 365–day period, the entity shall amend the report as necessary to reflect any material changes to the information reported.

(vi) Each reporting counterparty shall have a reasonable basis to believe that the electing counterparty meets the General Conditions to the Swap Activity for the no-action relief specified above.

This no-action letter, and the positions taken herein, represent the view of the Division only, and do not necessarily represent the position or view of the Commission or of any other office or division of the Commission. The relief issued by this letter does not excuse the affected persons from compliance with any other applicable requirements contained in the CEA or in the Commission's regulations issued thereunder. Further, this letter, and the relief contained herein, is based upon the information available to the Division. Any different or changed material facts or circumstances might render this letter void. As with all no-action letters, the Division retains the authority to, in its discretion, further condition, modify, suspend, terminate or otherwise restrict the terms of the no-action relief provided herein. This letter supersedes No-Action Letter 13–22.

Sincerely,

PHYLLIS DIETZ,
Acting Director.

Ms. MOORE. Mr. Speaker, I have no further requests for time.

Again, I just want to thank everyone who was involved in this process. This is something that is going to protect thousands of jobs across our country. People often criticize us for not doing things in a bipartisan manner, but I think this is exemplary of what we can do when we really work at it, even though it has taken a couple of years.

I yield back the balance of my time.

Mr. LUETKEMEYER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 5471.

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.

REGULATION D STUDY ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3240) to instruct the Comptroller General of the United States to study the impact of Regulation D, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3240

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 ''Regulation D Study Act''.

SEC. 2. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.

(a) STUDY.—The Comptroller General of the United States shall conduct a comprehensive study on the impact on depository institutions, consumers, and monetary

policy of the requirement that depository institutions maintain reserves in accordance with subsections (b) and (c) of section 19 of the Federal Reserve Act (12 U.S.C. 461) and Regulation D (12 C.F.R. 204).

(b) MATTERS TO BE STUDIED.—In conducting the study under this section, the Comptroller General shall include the following:

(1) An historic review of how the Board of Governors of the Federal Reserve System has used reserve requirements to conduct United States monetary policy, including information on how and when the Board of Governors has changed the required reserve ratio.

(2) The impact of the maintenance of reserves on depository institutions, including the operational requirements and associated costs.

(3) The impact on consumers in managing their accounts, including the costs and benefits of the reserving system.

(4) Alternatives the Board of Governors may have to the maintenance of reserves to effect monetary policy.

(c) CONSULTATION.—In conducting the study under this section, the Comptroller General shall consult with credit unions and community banks.

(d) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing—

(1) the results of the study conducted pursuant to this section; and

(2) any recommendations based on such study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 3240, currently under consideration,

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

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H.R. 3240, the Regulation D Study Act, introduced by my friend from North Carolina (Mr. PITTENGER), a colleague on the Financial Services Committee. This is a simple but important bill that directs the GAO to study the impact that the Federal Reserve's Regulation D minimum reserve requirements have on depository institutions, consumers, and monetary policy.

Section 19 of the Federal Reserve Act gives the Federal Reserve authority to impose reserve requirements on the deposits of member institutions. These requirements are set forth in what is commonly referred to as Reg D.

Regulation D reserve requirements are calculated as a percentage of the amount of funds a financial institution's members hold in transaction accounts. A transaction account is typically an account from which the depositor or account holder is permitted to make unlimited transfers or withdrawals, such as a checking account. Because balances in those accounts can change quickly, the Federal Reserve requires institutions to reserve funds for those accounts as a stabilizing tool for the money supply. Regulation D limits the number of transfers and withdrawals from nontransaction accounts to six per month.

As legislators, it is important that we periodically review the impact of regulations on those whom we have the honor to represent. The Regulation D Study Act does just that, and I am pleased to support it.

I reserve the balance of my time.

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

I strongly, strongly support Representative PITTENGER's Reg D Study Act. Again, as my colleague from Missouri has indicated, this is a technical bill, but it is extremely important.

Commentators have argued that the maintenance of these reserves imposes opportunity costs on depository institutions, namely, by requiring them to hold funds in abeyance that could otherwise be lent out, and I think that it is worth GAO studying the issue and reporting back to Congress.

I just want to make a point, Mr. Speaker, and to stress this: reserve requirements are separate and distinct from capital requirements, liquidity, and leverage rules, which protect the safety and soundness of the financial system. This bill does not take away those important protections.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Carolina (Mr. PITTENGER), the sponsor of this legislation.

Mr. PITTENGER. Mr. Speaker, I rise today in support of H.R. 3240, the Regulation D Study Act.

This bill is simple. It directs the Government Accountability Office, GAO, to study the regulatory impact on depository institutions, consumers, and monetary policy.

Current regulations limit common online and automated transfers and withdrawals from nontransaction accounts, such as savings accounts, to only six transfers per month. The regulators who created this rule never envisioned online banking and modern banking technology, and because only some transactions are subject to the six-per-month restriction and others are without limit, this rule is very confusing to consumers.

Today, many families use online banking tools to actively manage their finances with unnecessary restrictions from these outdated rules. Regulation D requirements force financial institutions to focus on compliance concerns rather than spending more time with consumers to meet their financial needs.

This is commonsense legislation that is not only good for financial institutions, but for American families as well. The issue of allowing only six transfers per month for certain bank accounts hasn't been reviewed in several decades. With new technological advancements and online banking, we owe it to our hardworking American families to revisit this regulation.

H.R. 3240 enjoys support from the Credit Union National Association and the National Association of Federal Credit Unions, whose financial institutions serve millions of Americans.

Mr. Speaker, I will submit for the RECORD a letter of support from the president of the Credit Union National Association, which serves 100 million members across the country.

CREDIT UNION
NATIONAL ASSOCIATION,
Washington, DC, December 1, 2014.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: On behalf of the Credit Union National Association (CUNA), I am writing in support of H.R. 3240, bipartisan legislation scheduled for consideration this week by the House of Representatives. CUNA is the largest credit union advocacy organization in the United States, representing America's state and federally chartered credit unions and their 100 million members.

H.R. 3240, sponsored by Representatives Robert Pittenger (R–NC) and Carolyn Maloney (D–NY), directs the Government Accountability Office (GAO) to study the impact of the Federal Reserve Board's monetary reserve requirements, implemented through Regulation D, on depository institutions, consumers and monetary policy. The House Financial Services Committee favorably reported this bill to the House on July 20, 2014 by voice vote.

Regulation D impacts credit union members by limiting the number of automatic withdrawals from a member's savings account to six transactions per month. The impact of this limit is to unnecessarily cause credit union members to overdraft their checking accounts when a debit draws the checking account balance below zero and the member has already had six automatic transfers during the month. When this happens, members who may have the funds in a savings account to cover the debit are hit with nonsufficient fund fees (NSF) from their financial institution and, when a check is involved, a returned check fee from the merchant. This is not a result of an overdraft protection program—this happens because of a regulatory cap on automatic transfers. It is difficult for credit union members affected by the cap to understand that this is out of the control of the credit union when the funds to cover the debit are sifting in their account at the credit union.

We believe the cap should be increased or eliminated, but we understand that one of the reasons the regulation is in place is because the Federal Reserve Board is authorized to use it as a tool to conduct monetary policy. As a first step toward a possible change in this cap, the legislation directs the GAO to study the issue. This effort will make more information available for Congress to determine whether an increase in or the elimination of this cap would substantially affect the Federal Reserve Board's ability to conduct monetary policy.

Specifically, H.R. 3240 directs the GAO to examine and report within one year of enactment on the following topics: an historic

overview of how the Federal Reserve Board has used reserve requirements to conduct monetary policy; the impact of the maintenance of reserves on depository institutions, including the operations requirements and associated costs; the impact on consumers in managing their accounts, including the costs and benefits of the reserving system; and, alternatives to required reserves the Federal Reserve Board may have to effect monetary policy. The bill also directs the GAO to consult with credit unions and community banks.

According to former Federal Reserve Board Chairman Ben Bernanke, ''. . . reserve balances far exceed the level of reserve requirements and the level of reserve requirements thus plays only a minor role in the daily implementation of monetary policy.'' A GAO study will allow an objective assessment of whether the rarely changed monetary reserves imposed on depository institutions and consumers are necessary in order for the Federal Reserve Board to implement monetary policy in the 21st century. CUNA strongly supports this bill.

On behalf of America's credit unions and their 100 million members, thank you for scheduling H.R. 3240 for consideration. We look forward to working with you and members of the House of Representatives to swiftly enact this legislation.

Sincerely,

JIM NUSSLE,
President & CEO.

Mr. PITTENGER. As technology advances, we need to make sure Federal regulations keep pace. Former Federal Reserve Chairman Bernanke has said that account ''reserve balances far exceed the level of reserve requirements, and the level of reserve requirements thus plays only a minor role in the daily implementation of monetary policy.''

We can continue to protect the financial system while allowing families more flexibility to use online banking tools.

This legislation has strong bipartisan support, and I would like to thank my colleague from New York, Congresswoman MALONEY, who serves on the Financial Services Committee, for joining me in introducing H.R. 3240.

A GAO study will allow an objective assessment of whether the rarely changed monetary reserves imposed on depository institutions and consumers are necessary in order for the Federal Reserve to implement monetary policy in the 21st century.

Ms. MOORE. Mr. Speaker, I am absolutely delighted to yield such time as she might consume to the gentlelady from New York (Mrs. CAROLYN B. MALONEY), the Democratic cosponsor of this bill, who is the ranking member of the Capital Markets Subcommittee.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady for her leadership and for yielding.

Mr. Speaker, I rise today in support of H.R. 3240. I am pleased to have worked on this bill with my colleague from North Carolina (Mr. PITTENGER). I would also like to take this opportunity to compliment his work on attempting to end terrorism, cracking down on terrorism financing in our country.

The purpose of this particular bill is to study the current monthly limits, under Regulation D, on the number of automatic withdrawals from a consumer's savings account.

□ 1415

Currently Regulation D limits the number of automatic withdrawals from a consumer's account to six per month. This means that if a consumer has already hit his limit on automatic withdrawals for the month and then overdrafts his or her checking account, the bank won't transfer money from his savings account to cover the overdraft, and this results in an unnecessary overdraft fee.

As two recent studies by the Consumer Financial Protection Bureau have noted, overdraft fees disproportionately harm those of us who can least afford it. Unsophisticated consumers are most hit by them. So if there is a regulation that is causing unnecessary overdraft fees, we should study whether that regulation is necessary. That is what our commonsense bill does. It asks the GAO to study the limitation in Regulation D to determine if it is, in fact, useful or harmful.

This bill is supported by many stakeholders in financial services: the Credit Union National Association, the National Association of Federal Credit Unions, and the American Bankers Association.

Mr. Speaker, I urge my colleagues to support this commonsense bill, and I appreciate the help of my colleague.

Ms. MOORE. Mr. Speaker, I have no further requests for speakers, so I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 3240.

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. LUETKEMEYER. 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.

NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2014

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4329) to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4329

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 ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2014''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References.

TITLE I—BLOCK GRANTS AND GRANT REQUIREMENTS

Sec. 101. Block grants.
Sec. 102. Recommendations regarding exceptions to annual Indian housing plan requirement.
Sec. 103. Environmental review.
Sec. 104. Deadline for action on request for approval regarding exceeding TDC maximum cost for project.

TITLE II—AFFORDABLE HOUSING ACTIVITIES

Sec. 201. National objectives and eligible families.
Sec. 202. Program requirements.
Sec. 203. Homeownership or lease-to-own low-income requirement and income targeting.
Sec. 204. Lease requirements and tenant selection.
Sec. 205. Tribal coordination of agency funding.

TITLE III—ALLOCATION OF GRANT AMOUNTS

Sec. 301. Authorization of appropriations.
Sec. 302. Effect of undisbursed block grant amounts on annual allocations.

TITLE IV—AUDITS AND REPORTS

Sec. 401. Review and audit by Secretary.
Sec. 402. Reports to Congress.

TITLE V—OTHER HOUSING ASSISTANCE FOR NATIVE AMERICANS

Sec. 501. HUD–Veterans Affairs supportive housing program for Native American veterans.
Sec. 502. Loan guarantees for Indian housing.

TITLE VI—MISCELLANEOUS

Sec. 601. Lands Title Report Commission.
Sec. 602. Limitation on use of funds for Cherokee Nation.
Sec. 603. Leasehold interest in trust or restricted lands for housing purposes.
Sec. 604. Clerical amendment.

TITLE VII—DEMONSTRATION PROGRAM FOR ALTERNATIVE PRIVATIZATION AUTHORITY FOR NATIVE AMERICAN HOUSING

Sec. 701. Demonstration program.
Sec. 702. Clerical amendments.

TITLE VIII—HOUSING FOR NATIVE HAWAIIANS

Sec. 801. Reauthorization of Native Hawaiian Homeownership Act.
Sec. 802. Reauthorization of loan guarantees for Native Hawaiian housing.

SEC. 2. REFERENCES.

Except as otherwise expressly provided, wherever 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 the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.).

TITLE I—BLOCK GRANTS AND GRANT REQUIREMENTS

SEC. 101. BLOCK GRANTS.

Section 101 (25 U.S.C. 4111) is amended—

(1) in subsection (c), by adding after the period at the end the following: ''The Secretary shall act upon a waiver request submitted under this subsection by a recipient within 60 days after receipt of such request.''; and

(2) in subsection (k), by striking ''1'' and inserting ''an''.

SEC. 102. RECOMMENDATIONS REGARDING EXCEPTIONS TO ANNUAL INDIAN HOUSING PLAN REQUIREMENT.

Not later than the expiration of the 120-day period beginning on the date of the enactment of this Act and after consultation with

Indian tribes, tribally designated housing entities, and other interested parties, the Secretary of Housing and Urban Development shall submit to the Congress recommendations for standards and procedures for waiver of, or alternative requirements (which may include multi-year housing plans) for, the requirement under section 102(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4112(a)) for annual submission of one-year housing plans for an Indian tribe. Such recommendations shall include a description of any legislative and regulatory changes necessary to implement such recommendations.

SEC. 103. ENVIRONMENTAL REVIEW.

Section 105 (25 U.S.C. 4115) is amended—

(1) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''may'' and inserting ''shall''; and

(B) by adding after and below paragraph (4) the following:

''The Secretary shall act upon a waiver request submitted under this subsection by a recipient within 60 days after receipt of such request.''; and

(2) by adding at the end the following new subsection:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—If a recipient is using one or more sources of Federal funds in addition to grant amounts under this Act in carrying out a project that qualifies as an affordable housing activity under section 202, such other sources of Federal funds do not exceed 49 percent of the total cost of the project, and the recipient's tribe has assumed all of the responsibilities for environmental review, decisionmaking, and action pursuant to this section, the tribe's compliance with the review requirements under this section and the National Environmental Policy Act of 1969 with regard to such project shall be deemed to fully comply with and discharge any applicable environmental review requirements that might apply to Federal agencies with respect to the use of such additional Federal funding sources for that project.''.

SEC. 104. DEADLINE FOR ACTION ON REQUEST FOR APPROVAL REGARDING EXCEEDING TDC MAXIMUM COST FOR PROJECT.

(a) APPROVAL.—Section 103 (25 U.S.C. 4113) is amended by adding at the end the following new subsection:

''(f) DEADLINE FOR ACTION ON REQUEST TO EXCEED TDC MAXIMUM.—A request for approval by the Secretary of Housing and Urban Development to exceed by more than 10 percent the total development cost maximum cost for a project shall be approved or denied during the 60-day period that begins on the date that the Secretary receives the request.''.

(b) DEFINITION.—Section 4 (25 U.S.C. 4103) is amended—

(1) by redesignating paragraph (22) as paragraph (23); and

(2) by inserting after paragraph (21) the following new paragraph:

''(22) TOTAL DEVELOPMENT COST.—The term 'total development cost' means, with respect to a housing project, the sum of all costs for the project, including all undertakings necessary for administration, planning, site acquisition, demolition, construction or equipment and financing (including payment of carrying charges), and for otherwise carrying out the development of the project, excluding off-site water and sewer. The total development cost amounts shall be based on a moderately designed house and determined by averaging the current construction costs as listed in not less than two nationally recognized residential construction cost indices.''.

TITLE II—AFFORDABLE HOUSING ACTIVITIES

SEC. 201. NATIONAL OBJECTIVES AND ELIGIBLE FAMILIES.

The second paragraph (6) of section 201(b) (25 U.S.C. 4131(b)(6); relating to exemption) is amended—

(1) by striking ''1964 and'' and inserting ''1964,''; and

(2) by inserting after ''1968'' the following: '', and section 3 of the Housing and Urban Development Act of 1968''.

SEC. 202. PROGRAM REQUIREMENTS.

Section 203(a) (25 U.S.C. 4133(a)) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following new paragraph:

''(3) APPLICATION OF TRIBAL POLICIES.—Paragraph (2) shall not apply if the recipient has a written policy governing rents and homebuyer payments charged for dwelling units and such policy includes a provision governing maximum rents or homebuyer payments.'';

SEC. 203. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking ''and'' at the end; and

(B) by adding at the end the following new subparagraph:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c), by adding after the period at the end the following: ''The provisions of such paragraph regarding binding commitments for the remaining useful life of the property shall not apply to improvements of privately owned homes if the cost of such improvements do not exceed 10 percent of the maximum total development cost for such home.''.

SEC. 204. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 (25 U.S.C. 4137) is amended by adding at the end the following new subsection:

''(c) NOTICE OF TERMINATION.—Notwithstanding any other provision of law, the owner or manager of rental housing that is assisted in part with amounts provided under this Act and in part with one or more other sources of Federal funds shall only utilize leases that require a notice period for the termination of the lease pursuant to subsection (a)(3).''.

SEC. 205. TRIBAL COORDINATION OF AGENCY FUNDING.

(a) IN GENERAL.—Subtitle A of title II (25 U.S.C. 4131 et seq.) is amended by adding at the end the following new section:

''SEC. 211. TRIBAL COORDINATION OF AGENCY FUNDING.

''Notwithstanding any other provision of law, a recipient authorized to receive funding under this Act may, in its discretion, use funding from the Indian Health Service of the Department of Health and Human Services for construction of sanitation facilities for housing construction and renovation projects that are funded in part by funds provided under this Act.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by inserting after the item relating to section 210 the following new item:

''Sec. 211. Tribal coordination of agency funding.''.

TITLE III—ALLOCATION OF GRANT AMOUNTS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

The first sentence of section 108 (25 U.S.C. 4117) is amended by striking ''such sums as may be necessary for each of fiscal years 2009 through 2013'' and inserting ''$650,000,000 for each of fiscal years 2014 through 2018''.

SEC. 302. EFFECT OF UNDISBURSED BLOCK GRANT AMOUNTS ON ANNUAL ALLOCATIONS.

(a) IN GENERAL.—Title III (25 U.S.C. 4151 et seq.) is amended by adding at the end the following new section:

''SEC. 303. EFFECT OF UNDISBURSED GRANT AMOUNTS ON ANNUAL ALLOCATIONS.

''(a) NOTIFICATION OF OBLIGATED, UNDISBURSED GRANT AMOUNTS.—Subject to subsection (d) of this section, if as of January 1 of 2015 or any year thereafter a recipient's total amount of undisbursed block grants in the Department's line of credit control system is greater than three times the formula allocation such recipient would otherwise receive under this Act for the fiscal year during which such January 1 occurs, the Secretary shall—

''(1) before January 31 of such year, notify the Indian tribe allocated the grant amounts and any tribally designated housing entity for the tribe of the undisbursed funds; and

''(2) require the recipient for the tribe to, not later than 30 days after the Secretary provides notification pursuant to paragraph (1)—

''(A) notify the Secretary in writing of the reasons why the recipient has not requested the disbursement of such amounts; and

''(B) demonstrate to the satisfaction of the Secretary that the recipient has the capacity to spend Federal funds in an effective manner, which demonstration may include evidence of the timely expenditure of amounts previously distributed under this Act to the recipient.

''(b) ALLOCATION AMOUNT.—Notwithstanding sections 301 and 302, the allocation for such fiscal year for a recipient described in subsection (a) shall be the amount initially calculated according to the formula minus the difference between the recipient's total amount of undisbursed block grants in the Department's line of credit control system on such January 1 and three times the initial formula amount for such fiscal year.

''(c) REALLOCATION.—Notwithstanding any other provision of law, any grant amounts not allocated to a recipient pursuant to subsection (b) shall be allocated under the need component of the formula proportionately amount all other Indian tribes not subject to such an adjustment.

''(d) INAPPLICABILITY.—Subsections (a) and (b) shall not apply to an Indian tribe with respect to any fiscal year for which the amount allocated for the tribe for block grants under this Act is less than $5,000,000.

''(e) EFFECTIVENESS.—This section shall not require the issuance of any regulation to take effect and shall not be construed to confer hearing rights under this or any other section of this Act.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by inserting after the item relating to section 302 the following new item:

''Sec. 303. Effect of undisbursed grant amounts on annual allocations.''.

TITLE IV—AUDITS AND REPORTS

SEC. 401. REVIEW AND AUDIT BY SECRETARY.

Section 405(c) (25 U.S.C. 4165(c)) is amended, by adding at the end the following new paragraph:

''(3) ISSUANCE OF FINAL REPORT.—The Secretary shall issue a final report within 60 days after receiving comments under paragraph (1) from a recipient.''.

SEC. 402. REPORTS TO CONGRESS.

Section 407 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Financial Services and the Committee on Natural Resources of the House of Representatives, to the Committee on Indian Affairs and the Committee on Banking, Housing, and Urban Affairs of the Senate, and to any subcommittees of such committees having jurisdiction with respect to Native American and Alaska Native affairs,''; and

(2) by adding at the end the following new subsection:

''(c) PUBLIC AVAILABILITY TO RECIPIENTS.—Each report submitted pursuant to subsection (a) shall be made publicly available to recipients.''.

TITLE V—OTHER HOUSING ASSISTANCE FOR NATIVE AMERICANS

SEC. 501. HUD–VETERANS AFFAIRS SUPPORTIVE HOUSING PROGRAM FOR NATIVE AMERICAN VETERANS.

Paragraph (19) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following new subparagraph:

''(D) NATIVE AMERICAN VETERANS.—

''(i) AUTHORITY.—Of the funds made available for rental assistance under this subsection for fiscal year 2015 and each fiscal year thereafter, the Secretary shall set aside 5 percent for a supported housing and rental assistance program modeled on the HUD–Veterans Affairs Supportive Housing (HUD–VASH) program, to be administered in conjunction with the Department of Veterans Affairs, for the benefit of homeless Native American veterans and veterans at risk of homelessness.

''(ii) RECIPIENTS.—Such rental assistance shall be made available to recipients eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.).

''(iii) FUNDING CRITERIA.—Funds shall be awarded based on need, administrative capacity, and any other funding criteria established by the Secretary in a notice published in the Federal Register, after consultation with the Secretary of Veterans Affairs, by a date sufficient to provide for implementation of the program under this subparagraph in accordance with clause (i).

''(iv) PROGRAM REQUIREMENTS.—Such funds shall be administered by block grant recipients in accordance with program requirements under Native American Housing Assistance and Self-Determination Act of 1996 in lieu of program requirements under this Act.

''(v) WAIVER.—The Secretary may waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this subparagraph, but only upon a finding by the Secretary that such waiver or alternative requirement is necessary to promote administrative efficiency, eliminate delay, consolidate or eliminate duplicative or ineffective requirements or criteria, or otherwise provide for the effective delivery and administration of such supportive housing assistance to Native American veterans.

''(vi) CONSULTATION.—The Secretary and the Secretary of Veterans Affairs shall jointly consult with block grant recipients and any other appropriate tribal organizations to—

''(I) ensure that block grant recipients administering funds made available under the program under this subparagraph are able to effectively coordinate with providers of supportive services provided in connection with such program; and

''(II) ensure the effective delivery of supportive services to Native American veterans that are homeless or at risk of homelessness eligible to receive assistance under this subparagraph.

Consultation pursuant to this clause shall be completed by a date sufficient to provide for implementation of the program under this subparagraph in accordance with clause (i).

''(vii) NOTICE.—The Secretary shall establish the requirements and criteria for the supported housing and rental assistance program under this subparagraph by notice published in the Federal Register, but shall provide Indian tribes and tribally designated housing agencies an opportunity for comment and consultation before publication of a final notice pursuant to this clause.''.

SEC. 502. LOAN GUARANTEES FOR INDIAN HOUSING.

Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the period at the end of the first sentence the following: ''There are authorized to be appropriated for such costs $12,200,000 for each of fiscal years 2014 through 2018.''; and

(2) in subparagraph (C)—

(A) by striking ''2008 through 2012'' and inserting ''2014 through 2018''; and

(B) by striking ''such amount as may be provided in appropriation Acts for'' and inserting ''$976,000,000 for each''.

TITLE VI—MISCELLANEOUS

SEC. 601. LANDS TITLE REPORT COMMISSION.

Section 501 of the American Homeownership and Economic Opportunity Act of 2000 (25 U.S.C. 4043 note) is amended—

(1) in subsection (a), by striking ''Subject to sums being provided in advance in appropriations Acts, there'' and inserting ''There''; and

(2) in subsection (b)(1) by striking ''this Act'' and inserting ''the Native American Housing Assistance and Self-Determination Reauthorization Act of 2014''.

SEC. 602. LIMITATION ON USE OF FUNDS FOR CHEROKEE NATION.

Section 801 of the Native American Housing Assistance and Self-Determination Reauthorization Act of 2008 (Public Law 110–411) is amended by striking ''Temporary Order and Temporary Injunction issued on May 14, 2007, by the District Court of the Cherokee Nation'' and inserting ''Order issued September 21, 2011, by the Federal District Court for the District of Columbia''.

SEC. 603. LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 (25 U.S.C. 4211) is amended—

(1) in subsection (c)(1), by inserting '', whether enacted before, on, or after the date of the enactment of this section'' after ''law''; and

(2) by striking ''50 years'' each place such term appears and inserting ''99 years''.

SEC. 604. CLERICAL AMENDMENT.

The table of contents in section 1(b) is amended by striking the item relating to section 206 (treatment of funds).

TITLE VII—DEMONSTRATION PROGRAM FOR ALTERNATIVE PRIVATIZATION AUTHORITY FOR NATIVE AMERICAN HOUSING

SEC. 701. DEMONSTRATION PROGRAM.

Add at the end of the Act the following new title:

''TITLE IX—DEMONSTRATION PROGRAM FOR ALTERNATIVE PRIVATIZATION AUTHORITY FOR NATIVE AMERICAN HOUSING

''SEC. 901. AUTHORITY.

''(a) IN GENERAL.—In addition to any other authority provided in this Act for the construction, development, maintenance, and operation of housing for Indian families, the Secretary shall provide the participating tribes having final plans approved pursuant to section 905 with the authority to exercise the activities provided under this title and such plan for the acquisition and development of housing to meet the needs of tribal members.

''(b) INAPPLICABILITY OF NAHASDA PROVISIONS.—Except as specifically provided otherwise in this title, titles I through IV, VI, and VII shall not apply to a participating tribe's use of funds during any period that the tribe is participating in the demonstration program under this title.

''(c) CONTINUED APPLICABILITY OF CERTAIN NAHASDA PROVISIONS.—The following provisions of titles I through VIII shall apply to the demonstration program under this title and amounts made available under the demonstration program under this title:

''(1) Subsections (d) and (e) of section 101 (relating to tax exemption).

''(2) Section 101(j) (relating to Federal supply sources).

''(3) Section 101(k) (relating to tribal preference in employment and contracting).

''(4) Section 104 (relating to treatment of program income and labor standards).

''(5) Section 105 (relating to environmental review).

''(6) Section 201(b) (relating to eligible families), except as otherwise provided in this title.

''(7) Section 203(g) (relating to a de minimis exemption for procurement of goods and services).

''(8) Section 702 (relating to 99-year leasehold interests in trust or restricted lands for housing purposes).

''SEC. 902. PARTICIPATING TRIBES.

''(a) REQUEST TO PARTICIPATE.—To be eligible to participate in the demonstration program under this title, an Indian tribe shall submit to the Secretary a notice of intention to participate during the 60-day period beginning on the date of the enactment of this title, in such form and such manner as the Secretary shall provide.

''(b) COOPERATIVE AGREEMENT.—Upon approval under section 905 of the final plan of an Indian tribe for participation in the demonstration program under this title, the Secretary shall enter into a cooperative agreement with the participating tribe that provides such tribe with the authority to carry out activities under the demonstration program.

''(c) LIMITATION.—The Secretary may not approve more than 20 Indian tribes for participation in the demonstration program under this title.

''SEC. 903. REQUEST FOR QUOTES AND SELECTION OF INVESTOR PARTNER.

''(a) REQUEST FOR QUOTES.—Not later than the expiration of the 180-day period beginning upon notification to the Secretary by an Indian tribe of intention to participate in the demonstration program under this title, the Indian tribe shall—

''(1) obtain assistance from a qualified entity in assessing the housing needs, including the affordable housing needs, of the tribe; and

''(2) release a request for quotations from entities interested in partnering with the tribe in designing and carrying out housing activities sufficient to meet the tribe's housing needs as identified pursuant to paragraph (1).

''(b) SELECTION OF INVESTOR PARTNER.—

''(1) IN GENERAL.—Except as provided in paragraph (2), not later than the expiration of the 18-month period beginning on the date of the enactment of this title, an Indian tribe requesting to participate in the demonstration program under this title shall—

''(A) select an investor partner from among the entities that have responded to the tribe's request for quotations; and

''(B) together with such investor partner, establish and submit to the Secretary a final plan that meets the requirements under section 904.

''(2) EXCEPTIONS.—The Secretary may extend the period under paragraph (1) for any tribe that—

''(A) has not received any satisfactory quotation in response to its request released pursuant to subsection (a)(2); or

''(B) has any other satisfactory reason, as determined by the Secretary, for failure to select an investor partner.

''SEC. 904. FINAL PLAN.

''A final plan under this section shall—

''(1) be developed by the participating tribe and the investor partner for the tribe selected pursuant to section 903(b)(1)(A);

''(2) identify the qualified entity that assisted the tribe in assessing the housing needs of the tribe;

''(3) set forth a detailed description of such projected housing needs, including affordable housing needs, of the tribe, which shall include—

''(A) a description of such need over the ensuing 24 months and thereafter until the expiration of the ensuing 5-year period or until the affordable housing need is met, whichever occurs sooner; and

''(B) the same information that would be required under section 102 to be included in an Indian housing plan for the tribe, as such requirements may be modified by the Secretary to take consideration of the requirements of the demonstration program under this title;

''(4) provide for specific housing activities sufficient to meet the tribe's housing needs, including affordable housing needs, as identified pursuant to paragraph (3) within the periods referred to such paragraph, which shall include—

''(A) development of affordable housing (as such term is defined in section 4 of this Act (25 U.S.C. 4103));

''(B) development of conventional homes for rental, lease-to-own, or sale, which may be combined with affordable housing developed pursuant to subparagraph (A);

''(C) development of housing infrastructure, including housing infrastructure sufficient to serve affordable housing developed under the plan; and

''(D) investments by the investor partner for the tribe, the participating tribe, members of the participating tribe, and financial institutions and other outside investors necessary to provide financing for the development of housing under the plan and for mortgages for tribal members purchasing such housing;

''(5) provide that the participating tribe will agree to provide long-term leases to tribal members sufficient for lease-to-own arrangements for, and sale of, the housing developed pursuant to paragraph (4);

''(6) provide that the participating tribe—

''(A) will be liable for delinquencies under mortgage agreements for housing developed under the plan that are financed under the plan and entered into by tribal members; and

''(B) shall, upon foreclosure under such mortgages, take possession of such housing and have the responsibility for making such housing available to other tribal members;

''(7) provide for sufficient protections, in the determination of the Secretary, to ensure that the tribe and the Federal Government are not liable for the acts of the investor partner or of any contractors;

''(8) provide that the participating tribe shall have sole final approval of design and location of housing developed under the plan;

''(9) set forth specific deadlines and schedules for activities to be undertaken under the plan and set forth the responsibilities of the participating tribe and the investor partner;

''(10) set forth specific terms and conditions of return on investment by the investor partner and other investors under the plan, and provide that the participating tribe shall pledge grant amounts allocated for the tribe pursuant to title III for such return on investment;

''(11) set forth the terms of a cooperative agreement on the operation and management of the current assistance housing stock and current housing stock for the tribe assisted under the preceding titles of this Act;

''(12) set forth any plans for sale of affordable housing of the participating tribe under section 907 and, if included, plans sufficient to meet the requirements of section 907 regarding meeting future affordable housing needs of the tribe;

''(13) set forth terms for enforcement of the plan, including an agreement regarding jurisdiction of any actions under or to enforce the plan, including a waiver of immunity; and

''(14) include such other information as the participating tribe and investor partner consider appropriate.

''SEC. 905. HUD REVIEW AND APPROVAL OF PLAN.

''(a) IN GENERAL.—Not later than the expiration of the 90-day period beginning upon a submission by an Indian tribe of a final plan under section 904 to the Secretary, the Secretary shall—

''(1) review the plan and the process by which the tribe solicited requests for quotations from investors and selected the investor partner; and

''(2)(A) approve the plan, unless the Secretary determines that—

''(i) the assessment of the tribe's housing needs by the qualified entity, or as set forth in the plan pursuant to section 904(3), is inaccurate or insufficient;

''(ii) the process established by the tribe to solicit requests for quotations and select an investor partner was insufficient or negligent; or

''(iii) the plan is insufficient to meet the housing needs of the tribe, as identified in the plan pursuant to section 904(3);

''(B) approve the plan, on the condition that the participating tribe and the investor make such revisions to the plan as the Secretary may specify as appropriate to meet the needs of the tribe for affordable housing; or

''(C) disapprove the plan, only if the Secretary determines that the plan fails to meet the minimal housing standards and requirements set forth in this Act and the Secretary notifies the tribe of the elements requiring the disapproval.

''(b) ACTION UPON DISAPPROVAL.—

''(1) RE-SUBMISSION OF PLAN.—Subject to paragraph (2), in the case of any disapproval of a final plan of an Indian tribe pursuant to subsection (a)(3), the Secretary shall allow the tribe a period of 180 days from notification to the tribe of such disapproval to re-submit a revised plan for approval.

''(2) LIMITATION.—If the final plan for an Indian tribe is disapproved twice and resubmitted twice pursuant to the authority under paragraph (1) and, upon such second re-submission of the plan the Secretary disapproves the plan, the tribe may not re-submit the plan again and shall be ineligible to participate in the demonstration program under this title.

''(c) TRIBE AUTHORITY OF HOUSING DESIGN AND LOCATION.—The Secretary may not disapprove a final plan under section 904, or condition approval of such a plan, based on the design or location of any housing to be developed or assisted under the plan.

''(d) FAILURE TO NOTIFY.—If the Secretary does not notify a participating tribe submitting a final plan of approval, conditional approval, or disapproval of the plan before the expiration of the period referred to in paragraph (1), the plan shall be considered as approved for all purposes of this title.

''SEC. 906. TREATMENT OF NAHASDA ALLOCATION.

''Amounts otherwise allocated for a participating tribe under title III of this Act (25 U.S.C. 4151 et seq.) shall not be made available to the tribe under titles I through VIII , but shall only be available for the tribe, upon request by the tribe and approval by the Secretary, for the following purposes:

''(1) RETURN ON INVESTMENT.—Such amounts as are pledged by a participating tribe pursuant to section 904(10) for return on the investment made by the investor partner or other investors may be used by the Secretary to ensure such full return on investment.

''(2) ADMINISTRATIVE EXPENSES.—The Secretary may provide to a participating tribe, upon the request of a tribe, not more than 10 percent of any annual allocation made under title III for the tribe during such period for administrative costs of the tribe in completing the processes to carry out sections 903 and 904.

''(3) HOUSING INFRASTRUCTURE COSTS.—A participating tribe may use such amounts for housing infrastructure costs associated with providing affordable housing for the tribe under the final plan.

''(4) MAINTENANCE; TENANT SERVICES.—A participating tribe may use such amounts for maintenance of affordable housing for the tribe and for housing services, housing management services, and crime prevention and safety activities described in paragraphs (3), (4), and (5), respectively, of section 202.

''SEC. 907. RESALE OF AFFORDABLE HOUSING.

''Notwithstanding any other provision of this Act, a participating tribe may, in accordance with the provisions of the final plan of the tribe approved pursuant to section 905, resell any affordable housing developed with assistance made available under this Act for use other than as affordable housing, but only if the tribe provides such assurances as the Secretary determines are appropriate to ensure that—

''(1) the tribe is meeting its need for affordable housing;

''(2) will provide affordable housing in the future sufficient to meet future affordable housing needs; and

''(3) will use any proceeds only to meet such future affordable housing needs or as provided in section 906.

''SEC. 908. REPORTS, AUDITS, AND COMPLIANCE.

''(a) ANNUAL REPORTS BY TRIBE.—Each participating tribe shall submit a report to the Secretary annually regarding the progress of the tribe in complying with, and meeting the deadlines and schedules set forth under the

approved final plan for the tribe. Such reports shall contain such information as the Secretary shall require.

''(b) REPORTS TO CONGRESS.—The Secretary shall submit a report to the Congress annually describing the activities and progress of the demonstration program under this title, which shall—

''(1) summarize the information in the reports submitted by participating tribes pursuant to subsection (a);

''(2) identify the number of tribes that have selected an investor partner pursuant to a request for quotations;

''(3) include, for each tribe applying for participating in the demonstration program whose final plan was disapproved under section 905(a)(2)(C), a detailed description and explanation of the reasons for disapproval and all actions taken by the tribe to eliminate the reasons for disapproval, and identify whether the tribe has re-submitted a final plan;

''(4) identify, by participating tribe, any amounts requested and approved for use under section 906; and

''(5) identify any participating tribes that have terminated participation in the demonstration program and the circumstances of such terminations.

''(c) AUDITS.—The Secretary shall provide for audits among participating tribes to ensure that the final plans for such tribes are being implemented and complied with. Such audits shall include on-site visits with participating tribes and requests for documentation appropriate to ensure such compliance.

''SEC. 909. TERMINATION OF TRIBAL PARTICIPATION.

''(a) TERMINATION OF PARTICIPATION.—A participating tribe may terminate participation in the demonstration program under this title at any time, subject to this section.

''(b) EFFECT ON EXISTING OBLIGATIONS.—

''(1) NO AUTOMATIC TERMINATION.—Termination by a participating tribe in the demonstration program under this section shall not terminate any obligations of the tribe under agreements entered into under the demonstration program with the investor partner for the tribe or any other investors or contractors.

''(2) AUTHORITY TO MUTUALLY TERMINATE AGREEMENTS.—Nothing in this title may be construed to prevent a tribe that terminates participation in the demonstration program under this section and any party with which the tribe has entered into an agreement from mutually agreeing to terminate such agreement.

''(c) RECEIPT OF REMAINING GRANT AMOUNTS.—The Secretary shall provide for grants to be made in accordance with, and subject to the requirements of, this Act for any amounts remaining after use pursuant to section 906 from the allocation under title III for a participating tribe that terminates participation in the demonstration program.

''(d) COSTS AND OBLIGATIONS.—The Secretary shall not be liable for any obligations or costs incurred by an Indian tribe during its participation in the demonstration program under this title.

''SEC. 910. FINAL REPORT.

''Not later than the expiration of the 5-year period beginning on the date of the enactment of this title, the Secretary shall submit a final report to the Congress regarding the effectiveness of the demonstration program, which shall include—

''(1) an assessment of the success, under the demonstration program, of participating tribes in meeting their housing needs, including affordable housing needs, on tribal land;

''(2) recommendations for any improvements in the demonstration program; and

''(3) a determination of whether the demonstration should be expanded into a permanent program available for Indian tribes to opt into at any time and, if so, recommendations for such expansion, including any legislative actions necessary to expand the program.

''SEC. 911. DEFINITIONS.

''For purposes of this title, the following definitions shall apply:

''(1) AFFORDABLE HOUSING.—The term 'affordable housing' has the meaning given such term in section 4 (25 U.S.C. 4103).

''(2) HOUSING INFRASTRUCTURE.—The term 'housing infrastructure' means basic facilities, services, systems, and installations necessary or appropriate for the functioning of a housing community, including facilities, services, systems, and installations for water, sewage, power, communications, and transportation.

''(3) LONG-TERM LEASE.—The term 'long-term lease' means an agreement between a participating tribe and a tribal member that authorizes the tribal member to occupy a specific plot of tribal lands for 50 or more years and to request renewal of the agreement at least once.

''(4) PARTICIPATING TRIBES.—The term 'participating tribe' means an Indian tribe for which a final plan under section 904 for participation in the demonstration program under this title has been approved by the Secretary under section 905.

''SEC. 912. NOTICE.

''The Secretary shall establish any requirements and criteria as may be necessary to carry out the demonstration program under this title by notice published in the Federal Register.''.

SEC. 702. CLERICAL AMENDMENTS.

The table of contents in section 1(b) is amended by inserting after the item relating to section 705 the following:

''TITLE VIII—HOUSING ASSISTANCE FOR NATIVE HAWAIIANS

''Sec. 801. Definitions.
''Sec. 802. Block grants for affordable housing activities.
''Sec. 803. Housing plan.
''Sec. 804. Review of plans.
''Sec. 805. Treatment of program income and labor standards.
''Sec. 806. Environmental review.
''Sec. 807. Regulations.
''Sec. 808. Effective date.
''Sec. 809. Affordable housing activities.
''Sec. 810. Eligible affordable housing activities.
''Sec. 811. Program requirements.
''Sec. 812. Types of investments.
''Sec. 813. Low-income requirement and income targeting.
''Sec. 814. Lease requirements and tenant selection.
''Sec. 815. Repayment.
''Sec. 816. Annual allocation.
''Sec. 817. Allocation formula.
''Sec. 818. Remedies for noncompliance.
''Sec. 819. Monitoring of compliance.
''Sec. 820. Performance reports.
''Sec. 821. Review and audit by Secretary.
''Sec. 822. General Accounting Office audits.
''Sec. 823. Reports to Congress.
''Sec. 824. Authorization of appropriations.

''TITLE IX —DEMONSTRATION PROGRAM FOR ALTERNATIVE PRIVATIZATION AUTHORITY FOR NATIVE AMERICAN HOUSING

''Sec. 901. Authority.
''Sec. 902. Participating tribes.
''Sec. 903. Request for quotes and selection of investor partner.
''Sec. 904. Final plan.
''Sec. 905. HUD review and approval of plan.
''Sec. 906. Treatment of NAHASDA allocation.
''Sec. 907. Resale of affordable housing.
''Sec. 908. Reports, audits, and compliance.
''Sec. 909. Termination of tribal participation.
''Sec. 910. Final report.
''Sec. 911. Definitions.
''Sec. 912. Notice.''.

TITLE VIII—HOUSING FOR NATIVE HAWAIIANS

SEC. 801. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP ACT.

Section 824 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''$13,000,000 for each of fiscal years 2015 through 2019.''.

SEC. 802. REAUTHORIZATION OF LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A(j)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b(j)(5)) is amended—

(1) in subparagraph (B), by inserting after the period at the end of the first sentence the following: ''There are authorized to be appropriated for such costs $386,000 for each of fiscal years 2015 through 2019.''; and

(2) in subparagraph (C), by striking ''for each of fiscal years'' and all that follows through the period at the end and inserting ''for each of fiscal years 2015 through 2019 with an aggregate outstanding principal amount not exceeding $41,504,000 for each such fiscal year.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 4329, as amended, currently under consideration.

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

There was no objection.

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

Mr. Speaker, the Native American Housing Assistance and Self-Determination Act was first signed into law in 1996. This 5-year authorization bill was conceptualized not to simply be another Federal subsidy for Native Americans but rather a bridge to assist millions in creating a better living condition, create housing opportunities, and find prosperity for tribal members.

My family's story is exactly this one: when I was born, Dad and Mom had to move the chickens out of the shack that we moved into. That building still has a dirt floor in it today and wires in the windows. I have seen housing conditions similar to this still in New Mexico. I understand that my family made its way up the prosperity ladder starting, first, with owning our own home and, second, with then finding other ways to achieve asset acquisitions, and the same thing can happen for Native Americans.

In the last 10 years, NAHASDA, as it is known, has become a driving force

for positive change and improvement on tribal lands. Through increased access to safe and affordable housing and lease-to-own programs aimed at providing rural tribes with a means for self-growth, the program has provided flexibility and independence to tribal members nationwide.

This year we are not only reauthorizing this critical bill that provides much-needed housing; we are also attempting to continue NAHASDA's tradition of transforming housing programs. We are doing so by capturing and enhancing market efficiencies and the effectiveness of streamlined processes to continue building prosperity, something that has been elusive on tribal lands for too long.

I would like to thank all of those who have assisted in the development and promotion of this legislation, Congressman DON YOUNG, Congressman TOM COLE, Congresswoman GWEN MOORE, Congressman DENNY HECK, and Congresswoman MAXINE WATERS, who made great suggestions during the markup of this bill. Along with their staffs, they have worked tirelessly to make the reauthorization of this act possible and a truly bipartisan effort that achieves many of the reforms requested by Native American tribes nationwide.

Working together, we were able to reduce the burden on tribes and expand the opportunities in Native American housing. These reforms will result in more efficient use of taxpayer money and provide approval of projects with greater speed, allowing tribes to focus money and resources on development and innovation instead of spending inordinate amounts of time and money on administrative requirements. Ultimately, this will provide more families with homes.

Mr. Speaker, I commend HUD for truly embracing the need for more modernized programs with more accountability, transparency, and increased self-determination among Native Americans. Their willingness to engage with our offices, my counterparts working on this issue, and the committee has allowed us to create a more united product. Some Native Americans, upon reading the bill, have declared these changes and ideas will become transformational if they are adopted into law. Transformational is what we all came here to do.

H.R. 4329 includes a number of reforms, updates, and additions to the originating legislation, which are widely supported across Native American tribes. Since passage out of the Financial Services Committee, our office has received countless letters of support for passage of the bill.

In discussions with tribal housing councils and tribal leaders, there was great frustration with HUD for continued delays, and in extreme cases, failure to respond altogether. This legislation includes a compromise way forward to address this shortcoming. It sets a requirement that HUD shall respond to tribes within a 60-day period, ensuring timely responsiveness, but it does this without jeopardizing HUD's oversight responsibility.

This reauthorization has a special provision that provides tribal businesses with greater opportunities for employment on tribal housing projects. The bill provides tribes with the flexibility to create independent maximum rent requirements dictated by the needs of their communities and with the flexibility to commingle Indian Health Service funds with NAHASDA money to construct sanitation facilities and greater infrastructure around housing developments.

Working with the administration, my legislation includes language to recoup unexpended funds within the program. The agreement that was reached is more accommodating to tribal needs than the original request, allowing more room for tribes to work through their balances while meeting the need for efficiencies in the system.

Finally, we have included a new demonstration project in the bill designed to attract greater private financing and more developers to invest private money in housing projects on tribal lands. This program envisions the same privatization projects that occurred on military land and succeeded in providing great numbers of new houses for military individuals in a very short period of time. The objective here is to put more Native Americans in homes and work through the backlog of housing needs in ways unseen before on Native lands.

NAHASDA was designed to promote development and increase flexibility so that tribes may meet the unique challenges they face and provide the self-determination tribes deserve. The legislation before you today expands upon these principles and represents an opportunity for greater prosperity for a cross-section of our society that in many parts of the Nation is truly in need of assistance.

Finally, I would like to thank Chairman HENSARLING and Majority Leader MCCARTHY and their staff for their willingness to address this issue and working with me to bring it up to date.

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

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

Mr. Speaker, this day is a culmination of a lot of time, a lot of work, and a lot of conversations back and forth, but, again, it is the best work that we have been able to produce in a bipartisan manner. It is not perfect, but I do want to thank all of our partners in this process. Representatives COLE, HANABUSA, HECK, KILDEE, PEARCE, and YOUNG have really been just outstanding partners. I really want to thank Ranking Member WATERS. She has been supportive, constructive, and, not to mention, exceedingly patient.

I also want to thank the Native American community. The National Congress of American Indians, the National American Indian Housing Council, and many individual tribes from across the country have provided their expertise, their comments, their education, and their energy every single step of the way. My very first meeting in the 112th Congress was with one of my Wisconsin tribes, and I assured them that I would keep fighting to get NAHASDA to the floor, this reauthorization that honors the unique needs and sovereignty of the Nations of the First People, and H.R. 4329 keeps that promise.

It is a model for how Congress can work. Of course, again, there is not 100 percent agreement on every provision. I am waiting for the perfect bill. But we cannot let the perfect stand in the way of the possible. We must do what is the best for our tribal communities at this time.

NAHASDA provides tribal governments the ability to provide safe and affordable housing to tribal communities consistent with their status as sovereign. And it is no small task. Some of the poorest and most remote communities in this country are Native American. In fact, the three poorest communities in the United States are Native American.

Improvements that this bill accomplishes include expediting certain Federal approvals, providing rental assistance for Native American veterans, and providing that all Native people are eligible for NAHASDA. Expediting approval ends costly administrative duplication and delays, which is important due to unique timing and building challenges on reservations.

I am hopeful that when I yield time to another one of my colleagues, Mr. HECK, that he will expand on the provisions that we are proud of in this bill regarding Native American veterans. We are going to have several speakers, Mr. Speaker, who are going to comment on how we, after much back and forth, have included all Native people in this bill.

With that, I reserve the balance of my time.

Mr. PEARCE. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Alaska (Mr. YOUNG), who has devoted not just time this year but decades of helping Native Americans.

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to support H.R. 4329, the NAHASDA reauthorization act of 2014. Over the last 2 years, I have had the privilege of working with a bipartisan group of my colleagues on this crucial legislation. I would like to first start by thanking and commending Mr. PEARCE for his leadership in sponsoring this bill. This bill wouldn't have been possible without the efforts of Mr. COLE, Ms. MOORE, Mr. DENNY HECK, Ms. HANABUSA, Mr. KILDEE, and all the others. I also would like to thank Chairman HENSARLING for his dedication in moving this bill through the committee and for his statesmanship in resolving the difficult issues.

I would be remiss without thanking Alex on my staff, who has done great work on this legislation for the good of the First Americans.

Finally, it is important to acknowledge the many tribes and organizations that contributed to this legislation. These include the National American Indian Housing Council, which has developed a foundation for the legislation, and the Cook Inlet Housing Authority, which has been a tireless advocate in my State.

As my colleagues note, NAHASDA continues to be a successful and well-liked program throughout Indian Country. NAHASDA exemplifies the spirit of self-determination by allowing Native communities to create their own innovative housing assistance programs in ways that best serve their members. This bill upholds the success of NAHASDA and includes improvements to the programs that empower Native communities to better confront their housing challenges.

□ 1430

Furthermore, the bill responsibly streamlines administration of the programs so that both tribes and HUD will spend less time navigating red tape and more time advancing housing that makes a difference for native people.

As we pass this bill, the Senate must act quickly to take up the legislation before the end of this Congress. I call on our colleagues in the Senate to recognize the bipartisan nature of the bill and listen to the voices on this side of the aisle in support of Indian Country. It is my hope that the legislation will be signed into law before the end of the year.

As I said, I urge and I thank those for passage of this bill, H.R. 4329.

Ms. MOORE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. MURPHY), a member on the Financial Services Committee.

Mr. MURPHY of Florida. Mr. Speaker, I thank the gentlelady for yielding and for her hard work on the legislation.

I rise in support of reauthorizing the Native American Housing Assistance and Self-Determination Act. Communities are built upon access to safe, quality, affordable housing, but for many of America's great tribal nations, bureaucratic red tape has restricted tribes' abilities to make the most of scarce Federal housing dollars.

While Native Americans face some of the worst housing and economic conditions in the country, this is simply unacceptable. Giving control of housing grants to tribal nations just makes sense.

In addition to providing housing, the Miccosukee Indian Tribe of Florida preserves tradition, fights to protect the Florida Everglades, and works to develop the Tamiami Trail Reservation, using the flexibility NAHASDA provides to grow native-owned construction and building material businesses.

I thank the gentleman from New Mexico (Mr. PEARCE), chairman and ranking member of the committee, and the tribal leaders for their work on this important bipartisan legislation that provides much-needed reform to keep our Nation's promise to tribal nations and strengthen their communities. I urge my colleagues to support this bipartisan legislation.

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume. There are many different Native American groups across the country who have sent letters of support, including the National American Indian Housing Council, the U.S. Chamber of Commerce, Southwest Tribal Housing Alliance, Nevada and California Indian housing authorities, and the Northwest Indian Housing Association.

In New Mexico, the Acoma Pueblo, Laguna Pueblo, Mescalero Apache, Jicarilla Apache, Santa Clara Pueblo, the Northern Pueblo, Santo Domingo Pueblo, and the Navajo Nation offers its support. Indian tribes all across the country are lending their support.

I did note that I had overlooked the gentleman from Michigan (Mr. KILDEE) on the other side of the aisle. His office was also greatly involved and instrumental in this bill, and I would like to recognize those efforts.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I am so happy to yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), who came here in his running shoes and really came here because of his relationship to his uncle who is one of our former retired colleagues, Mr. Kildee of Michigan, and the younger Mr. KILDEE has been a tremendous asset in terms of putting this bill together.

Mr. KILDEE. Mr. Speaker, I thank the gentlewoman from Wisconsin (Ms. MOORE) for her great work on this legislation and her kind words, as well as Ranking Member WATERS, and to Mr. PEARCE who has pursued this legislation relentlessly, Mr. YOUNG, and others, I think this is a fine moment for us. It is an exercise in bipartisanship which we don't see enough of around here.

This is important legislation that has taken too long for Congress to bring to the floor. I think we all agree that it is long overdue. Our responsibilities, our trust relationships to the tribes has to be adhered to.

I will say no bill is perfect, and I do support this legislation with some concerns primarily around, as I voiced in committee, the demonstration project that is included in this bill which is, by some, viewed as a step toward privatization of the NAHASDA program.

I know most don't feel that way, but some feel it might lead to that. Tribes already have the ability to contract with nonprofit or for-profit private developers in building and rehabilitating tribal housing.

This particular program, the demonstration program, is not included in the National American Indian Housing Council's NAHASDA recommendations, and I think it is important that we listen to Indian Country and those in the tribal communities because the very name of this bill has to do with self-determination, and I think it is important that we adhere to the interests of those sovereign tribes that will be administering this program.

There are other provisions that will be exempt from the NAHASDA requirements if in fact the privatization effort goes forward, so I would just be cautioning those tribal organizations and housing authorities that will be implementing under this law to take care to examine those relationships that they might enter into before pursuing the pilot program.

I will finish by saying that it is important that this legislation move forward. No bill is perfect. This is a very good step forward. I commend leaders on both sides of the aisle for bringing this to the floor, and I look forward to it becoming law very soon.

Mr. PEARCE. Mr. Speaker, again, I appreciate the observations by the gentleman. We had time to discuss after the hearing and after the markup, and at that time, it was pointed out that the pilot project is completely voluntary, easy to opt into and easy to opt out of.

It is not our intent to trap or entrap anyone, but instead open a door if they desire to go through it. I think there will be tribes that can go in and build all of houses that they need in a very short period of time. That is what we are looking for, but again, I take his observations very seriously, and we have looked for flaws in the program that might be hooks or have unintended consequences.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I am absolutely delighted to yield 2 minutes to the gentlewoman from Hawaii (Ms. HANABUSA), who is not a member of the committee but weighed in heavily on the final draft that is before us today.

Ms. HANABUSA. Mr. Speaker, I thank the gentlewoman from Wisconsin not only for yielding, but for her hard work and advocacy for native people.

I rise in support of this important piece of legislation for all of our native people, and I want to thank the chair and the ranking member of the Financial Services Committee for moving the bill forward.

Our native people, all native people, the Native Hawaiians included, have a very strong tie to the land. In Hawaii, it is called the aina. The need to have homeownership and to be tied to the land equates to the preservation of the culture and of the people.

In Hawaii, we continue to have beneficiaries of a Federal law called the Hawaiian Homes Commission Act of 1920, which Congress did pass, who are still waiting to get on the land—still waiting. This reauthorization will bring us closer to fulfilling the intent and the purpose of that act.

I appreciate the bipartisan efforts which have gone into this bill, and I would like to point out that title VIII, the portion that is relevant to the Native Hawaiians, expired in 2005.

It is almost 10 years later, and it is only through the bipartisan efforts of this committee and those like my good friend from Alaska (Mr. YOUNG) and Mr. COLE from Oklahoma, who have managed to push this forward with all of our strong advocates on the committee as well.

I ask that all Members of this body join me in supporting H.R. 4329 for all the native people because it is how we define and how we treat our native people that makes us a better Nation and a great Nation.

Mr. PEARCE. Mr. Speaker, again, recognizing the gentlelady from Hawaii, we had an opportunity to visit on the floor multiple times, and I recognize her inputs and just again would salute her for her support of the bill.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Ms. GABBARD), who is one of many people who participated in getting this bill to where it is today.

Ms. GABBARD. Mr. Speaker, today, I rise proudly in support of H.R. 4329, the Native American Housing Assistance and Self-Determination Reauthorization of 2014. In the 18 years since its enactment, this legislation has strengthened indigenous self-determination by empowering native nations to empower their low-income families and households by assisting with their affordable housing needs.

The State of Hawaii's Department of Hawaiian Home Lands uses these funds to manage a trust that Congress established for the rehabilitation of the Native Hawaiian people. Over 1,400 low-income families in Hawaii have benefited from these services, and in many cases, homeownership would not have been possible given the $640,000 median price of a single-family home on the island of Oahu.

I would like to give one quick example of the Nakihei family on the island of Molokai. Brent and Amber Nakihei could not have afforded to remain in the neighborhood where Brent grew up, but they partnered with the Molokai Habitat for Humanity and Hawaiian Homes to build a new three-bedroom, one-bath house in 2007.

They invested 700 hours of work towards construction of that house, and their four children will now learn the responsibility of homeownership from a young age and have a safe home to grow up in. Passage of this legislation will continue to have a tremendous impact by enabling other families like the Nakihei family.

Nationwide passage of this legislation also would represent an important step to removing roadblocks to economic success in native communities and would reaffirm the House's longstanding commitment to tribal sovereignty and self-determination.

I thank my colleagues, Chairman HENSARLING, Ranking Member WATERS, and Representative MOORE for their outstanding leadership in allowing this legislation to move forward, as well as longtime advocate Representative YOUNG, Congresswoman HANABUSA, and DAN KILDEE who worked very hard on this legislation. I urge my colleagues to join me in supporting H.R. 4329.

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

Ms. MOORE. Mr. Speaker, I am delighted to yield such time as she may consume to the gentlewoman from California (Ms. WATERS), the ranking member of the Financial Services Committee, who has really put a lot of time into this bill.

As the ranking member, she serves on all of the subcommittees, but she has been particularly passionate about her stewardship over this bill.

Ms. WATERS. Mr. Speaker, this bill will provide an important and long overdue reauthorization of the Native American Housing Assistance and Self-Determination Act, or NAHASDA.

Through NAHASDA, the Federal Government provides housing assistance to Native Americans and Native Hawaiians, two groups that not only experience some of the poorest housing conditions in the Nation, but also face unique barriers to housing due to the legal status of tribal lands.

Through block grants and loan guarantees, NAHASDA ensures Federal assistance is tailored to address their needs while respecting their right to self-determination. I am encouraged that my Republican colleagues have finally agreed to include a provision to reauthorize Native Hawaiian programs.

As a supporter of the reauthorization of NAHASDA, I did not object to the bill before us today moving forward under suspension; however, this is one of those times, while you understand very well why reauthorization is necessary, I must go on record to continue to support a fight and a struggle that I have been involved in with some of my colleagues for many years.

The bill will do nothing to protect the Cherokee Freedmen—descendants of former African American slaves of the Cherokee—who are facing possible expulsion by the Cherokee Nation.

The ancestors of the Freedmen marched with the Cherokee on the Trail of Tears; yet, today, their tragic history continues as the Freedmen face ongoing discrimination from the tribe that they call their own.

□ 1445

For the past several years, under the leadership of former Members, including former Congresswoman Carolyn Kilpatrick and former Congressman Mel Watt, the Congressional Black Caucus has stood up for the rights of the Cherokee Freedmen.

I attempted to deal with this issue by way of an amendment, but the Republicans again refused to offer protections for the Cherokee Freedmen in this legislation. During the committee markup, my amendment was rejected, which would have made NAHASDA funding to the Cherokee contingent on full recognition of the Freedmen as citizens of the Cherokee Nation. It causes me great pain to not be able to support the continued silence on this issue.

Furthermore, there is one other issue that I have to be concerned about. This bill would seriously undercut the central goal of providing affordable housing for low-income Native Americans. It would waive a low-standing tenet of affordable housing known as the ''Brooke rule,'' which states that the maximum rent paid by assisted households must be no more than 30 percent of their income. I have to be concerned about this because this is a rule that is throughout HUD. I do not wish to be part of opening up that door and then having to face that later on as we deal with public housing and assisted housing. This bill strips away this basic safeguard, making low-income Native Americans vulnerable to unlimited increases in rent without any kind of hardship exemptions in place.

Lastly, this bill includes a new demonstration program that moves toward increased privatization and deregulation of tribal housing activities. I remain very concerned that this program could have negative impacts on low-income Native American households in participating tribes.

I would like to sincerely thank Ms. MOORE, Mr. HECK, and Mr. KILDEE for their efforts to reach a bipartisan agreement on this bill. I would like to thank Ms. HANABUSA and Ms. GABBARD for the work that they are doing. I won't support the reauthorization in its current form for all the reasons I have stated, but I thank all of those who have worked so hard to try and deal with the need for assistance for both the Hawaiians and the Native Americans in housing.

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

Ms. MOORE. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman from Wisconsin has 5½ minutes remaining. The gentleman from New Mexico has 10 minutes remaining.

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

Let me thank again all of the partners in getting this legislation to the floor.

I do want to make mention of someone who is not a part of this debate, the gentlewoman from Minnesota, Representative BETTY MCCOLLUM, who is the cochair of the Native American Caucus. She wanted to make sure that she weighed in during this discussion about the extraordinary need to deal with Native American housing.

So many of us believe that Native Americans often are involved in gaming and that they are wealthy and rich, but as the ranking member mentioned, they are subjected to some of the poorest housing conditions in our country.

Although we are reauthorizing NAHASDA, none of us should be fooled at all that this will in any way deal with the tremendous need for affordable housing within Native American communities.

I, again, am very, very empathetic with the issues, particularly that the ranking member has raised, and I am really hopeful that many of these issues, particularly the issue of the Cherokee Freedmen, will be dealt with. It seems promising to me because of some of the decisions that have been made in courts so far.

We do seem to have a Cherokee chairman who is more open, it would seem, to providing membership and retaining membership of the Cherokee Freedmen.

I, again, am happy that the Native Hawaiians are in this bill. I think that as we move forward, we should be ever mindful to make sure that nothing that we have done here will preempt the Native Americans' sovereignty or sovereignty status.

Again, I want to thank all of my partners.

I yield back the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), who is a tireless advocate for Native Americans and Native American housing.

Mr. COLE. Mr. Speaker, I thank my friend for yielding.

I rise to support the Native American Housing Assistance and Self-Determined Reauthorization Act of 2014.

I want to begin by thanking my friend Mr. PEARCE. Nobody has worked harder on this legislation and, frankly, cared more and done more to make sure that a part of our population that historically has not done well, to say the least, has the opportunity to not only receive some benefits that are appropriately and rightfully theirs, but to take more control over their own destiny and their own housing. I think this legislation does just that.

I want to thank Members on both sides of the aisle. I see my good friend from Wisconsin over there who, we worked together on VAWA. I know what her commitment is on Native American issues, and I appreciate that very, very much.

This legislation provides Native American tribes with much greater efficiencies when deploying NAHASDA funding. We all know government, however well intentioned, quite often is a pretty clumsy and pretty bureaucratic instrument. Consolidating the environmental review requirements, requiring the HUD Secretary to study and recommend to Congress standards to streamline the construction of Indian housing, recommendations for HUD to establish alternative reporting requirements for tribes, these are all good things that will speed the development of housing and allow tribes to deploy their funds more efficiently.

There is also legislation in here to deal with taxpayer protections and tribal accountability to make sure the HUD Secretary has the authority to recoup unexpended funds that are held for too long; it strengthens tribal flexibility and sovereignty; and, finally, it allows tribes to pursue alternative funding sources by encouraging private investment, something that is desperately needed.

I know, and happened to come in the last part of the debate, there was some discussion about the Cherokee Freedmen issue. That is an issue I know a fair amount about since the tribe is located in my home State of Oklahoma. I want to agree with Ms. MOORE that we do have a chief, Chief Baker, who is extremely concerned about this issue and is trying to work it through.

The bill itself, the language, is really just an update from what we did in 2008. We are trying to allow the courts and the tribe to solve the issue. I think they genuinely have made progress that the people here that have had legitimate concerns about this issue can be proud of. I think they will continue to do that. But there is no substantive change in what my friend Mr. PEARCE has brought forward and what existing law was in this area.

I just want to end once more by thanking my friend Mr. PEARCE. Frankly, this bill would not have been on this floor without his diligent work. I certainly want to thank Mr. HENSARLING for working with my friend Mr. PEARCE, and I want to thank my friends on the other side of the aisle who also have focused a great deal of attention and concern on this issue to try and make sure that the first Americans aren't the last Americans in almost every category. So, again, I thank my friends, and I look forward to the passage of this legislation.

Mr. PEARCE. Mr. Speaker, I yield myself the remainder of my time.

I thank the gentleman from Oklahoma and, again, appreciate his leadership.

As you have heard, there is no shortage of debate on the bill, but there is also no shortage of people coming together and saying let's pass this bill.

I listened with interest to the ranking member. The points that she made today were made during the markup, and, again, I appreciate and respect that and have not set those concerns off on the side. It was absolutely essential that we move the bill forward in order to get this passed in this session, so I appreciate all of the support from our partners across the aisle.

This support that you are hearing from Native Americans across the country from people in this Chamber is no coincidence. It comes from hard work, and that hard work has come from both sides of the aisle, but especially from Ms. MOORE, Mr. HECK, Mr. KILDEE, and, again, Ms. WATERS. So thank you all for that dedicated effort. On our side, Mr. YOUNG, Mr. COLE, and Mr. HENSARLING have been just vital in getting this kind of pulled together in a fashion that we could bring it here today on suspension.

For the past 2 years, my office and I have worked with countless tribal leaders and housing associations nationwide; we have worked with other Members of Congress from both sides of the aisle; we have worked with HUD and the administration—all for one end result, and that is to create greater prosperity for Native Americans. It is that simple.

I am proud to cosponsor H.R. 4329 because it does so much to accomplish this goal. For generations, prosperity and growth has evaded many Native American communities. NAHASDA is not designed as an entitlement but, rather, as a tool of empowerment and growth. To date, each reauthorization has built upon the past to make alternations and updates designed to provide greater autonomy and prosperity on tribal lands. H.R. 4329 is no exception.

I ask that you join me today in reauthorizing this commonsense yet transformative legislation, which will help millions realize the dream of prosperity. Vote ''yes'' and help break a perpetual cycle of poverty through self-determination and independence.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 4329, 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.

HOUSING ASSISTANCE EFFICIENCY ACT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2790) to authorize private nonprofit organizations to administer permanent housing rental assistance provided through the Continuum of Care Program under the McKinney-Vento Homeless Assistance Act, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2790

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 ''Housing Assistance Efficiency Act''.

SEC. 2. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.

Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting ''private nonprofit organization,'' after ''unit of general local government,''.

SEC. 3. REALLOCATION OF FUNDS.

Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking ''twice'' and inserting ''once''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New Mexico (Mr. PEARCE) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

GENERAL LEAVE

Mr. PEARCE. 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 materials for the RECORD on H.R. 2790, currently under consideration.

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

There was no objection.

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

Mr. Speaker, the Housing Assistance Efficiency Act was introduced by SCOTT PETERS in July of 2013 as a technical correction to the 2009 HEARTH Act amendments to the McKinney-Vento Homeless Assistance Act. Changes include restoring nonprofit organizations' ability to administer rental assistance programs, as well as alter the way in which HUD reallocates funds.

Originally enacted in 1987 as the McKinney Homeless Assistance Act, this legislation created a number of new programs to assist homeless Americans' needs, including food, shelter, health care, and education.

Since 1987, it has twice been reauthorized. In 2000, it came to be known as the McKinney-Vento Homeless Assistance Act, with updates including the creation of the HUD Homeless Assistance Grants, the Department of Labor Homeless Veterans Reintegration Program, and others. In 2009, the Homeless Emergency Assistance and Rapid Transition to Housing, the HEARTH Act, amended McKinney-Vento Homeless to combine the Shelter Plus Care and the Supportive Housing Programs into a single, competitive program.

Supported by HUD and the administration, the bill before us today will correct unintended consequences created by the HEARTH Act by allowing existing nonprofits that operate CoC programs for leased housing to homeless families and individuals to continue to manage their McKinney-Vento grants as rental assistance.

It restores nonprofit participation and maximum community flexibility by delegating authority to these institutions to administer rental assistance. It allows Innovation of Promising Practices. Providing nonprofits with administration of rental assistance will allow these groups to implement new housing practices, which would better assist the communities they are in. It reduces administrative work by allowing reallocation to occur once a year instead of semiannually.

I reserve the balance of my time.

□ 1500

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

I really rise to congratulate and thank the gentleman from California (Mr. PETERS) for championing this bill and bringing to our attention a real tremendous cost savings in this HUD program with H.R. 2790, and really providing, using the McKinney-Vento Homeless Assistance Act to provide services to the homeless rather than just additional legal fees, operating costs, additional insurance issues, establishing new internal controls and tracking systems. This is really innovative in terms of how it maximizes the McKinney-Vento moneys. The bill does not include more money, Mr. Speaker. It just allows us to use the small ''c'' that we have more effectively.

I yield as much time as he might consume to the gentleman from California (Mr. PETERS), the author of H.R. 2790.

Mr. PETERS of California. Mr. Speaker, many laws are intended to ensure efficiency in Federal agencies but often have unintended consequences, preventing agencies from serving the public and costing taxpayer money. Currently, the Department of Housing and Urban Development's Continuum of Care Program spends too much time fulfilling administrative obligations instead of helping individuals and families transition out of homelessness and putting them on a path to independent living.

Twice a fiscal year, HUD has to reallocate emergency solutions grant program funds that are unused, returned, or otherwise become available in the program, but because almost no funds are unused or become available under the program, the reallocation of funds takes a lot of time and unwarranted human capital to complete.

It is administratively more efficient to reallocate funds only once a year. This frees up HUD employees to provide more human resources toward providing better service to constituents, and we shouldn't saddle HUD with more administrative work that isn't helping anyone.

In addition to mandatory fund allocations, HUD also faces a mountain of paperwork when it comes to administering rental assistance. Prior to 2009, private nonprofits could administer rental assistance through HUD's Continuum of Care. The HEARTH Act, however, obfuscated rental assistance laws, and private nonprofits were left off the list of entities allowed to administer rental assistance.

Currently, only States, units of general local government, or public housing agencies can dispense housing assistance despite nonprofits' substantial experience and their ability to reach vulnerable populations. Private nonprofits can still execute other homelessness programs, but they have to go through public housing agencies or another layer of bureaucracy to get rental assistance to their clients or the landlord. This creates more bureaucratic burdens when individuals and families really need the help quickly to stay in their homes.

H.R. 2790, the Housing Assistance Efficiency Act, would remedy both these problems, would make HUD a more efficient agency and get homelessness assistance to those that need it more quickly. This is important in particular to San Diego. We have the third largest homeless population, and it is widely supported in my district and across the country.

I thank the gentleman from New Mexico.

In their statement supporting this legislation, the San Diego Housing Federation said this bill removes barriers to helping get important resources to those who need it the most, and that is what it is all about.

So I urge my colleagues to help pass this legislation to take substantive action to improve government efficiency and help fight chronic homelessness in our country.

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

Mr. PEARCE. Mr. Speaker, I would again like to thank the gentleman for his hard work in this area and for bringing this bill forward.

We have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 2790.

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.

WORLD WAR I AMERICAN VETERANS CENTENNIAL COMMEMORATIVE COIN ACT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2366) to require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2366

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 ''World War I American Veterans Centennial Commemorative Coin Act''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The year 2018 is the 100th anniversary of the signing of the armistice with Germany ending World War I battlefield hostilities.

(2) On the 6th of April 1917, the United States of America entered World War I by declaring war against Germany.

(3) Two million American soldiers served overseas during World War I.

(4) More than four million men and women from the United States served in uniform during World War I.

(5) The events of 1914 through 1918 shaped the world and the lives of millions of people for decades.

(6) Over 9 million soldiers worldwide lost their lives between 1914 and 1918.

(7) The centennial of America's involvement in World War I offers an opportunity for people in the United States to commemorate the commitment of their predecessors.

(8) Frank Buckles, the last American veteran from World War I died on February 27, 2011.

(9) He was our last direct American link to the ''war to end all wars''.

(10) While other great conflicts, including the Civil War, World War II, the Korean War, and the Vietnam War, have all been memorialized on United States commemorative coins, there currently exists no coin to honor the brave veterans of World War I.

(11) The 112th Congress established the World War I Centennial Commission to plan, develop, and execute programs, projects, and activities to commemorate the centennial of World War I.

(b) PURPOSE.—The purpose of this Act is to—

(1) commemorate the centennial of America's involvement in World War I; and

(2) honor the over 4 million men and women from the United States who served during World War I.

SEC. 3. COIN SPECIFICATIONS.

(a) $1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue not more than 350,000 $1 coins in commemoration of the centennial of America's involvement in World War I, each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches (38.1 millimeters); and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the centennial of America's involvement in World War I.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2018''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this Act shall be selected by the Secretary based on the winning design from a juried, compensated design competition described under subsection (c).

(c) DESIGN COMPETITION.—The Secretary shall hold a competition and provide compensation for its winner to design the obverse and reverse of the coins minted under this Act. The competition shall be held in the following manner:

(1) The competition shall be judged by an expert jury chaired by the Secretary and consisting of 3 members from the Citizens Coinage Advisory Committee who shall be elected by such Committee and 3 members from the Commission of Fine Arts who shall be elected by such Commission.

(2) The Secretary shall determine compensation for the winning design, which shall be not less than $5,000.

(3) The Secretary may not accept a design for the competition unless a plaster model accompanies the design.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only one facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins under this Act only during the calendar year beginning on January 1, 2018.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in section 7 with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be paid by the Secretary to the United States Foundation for the Commemoration of the World Wars, to assist the World War I Centennial Commission in commemorating the centenary of World War I.

(c) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the United States Foundation for the Commemoration of the World Wars as may be related to the expenditures of amounts paid under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code. The Secretary may issue guidance to carry out this subsection.

SEC. 8. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, shall be disbursed to any recipient designated in section 7 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from Missouri (Mr. CLEAVER) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

GENERAL LEAVE

Mr. PEARCE. 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 for the RECORD on H.R. 2366, as amended, currently under consideration.

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

There was no objection.

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

Mr. Speaker, a few short weeks ago, the world marked the 96th anniversary of the signing of the peace accords between the Allied Forces and Germany that ended what, at the time, was called the Great War. Sadly, it was only the first of what we now call World Wars because it was followed only two short decades later by the beginning of what became known as World War II.

That anniversary, which America today calls Veterans Day, was, for years, called Armistice Day, and it is still called that across Europe. Four years from now, November 11, 2018, will mark the signing of that armistice. It will be 100 years since the end of that ugly, bloody war that ushered in aerial warfare, chemical weapons, tanks, and a host of other horrors.

Mr. Speaker, in the ensuing century we have not managed to move past war, and it is well that we remember its costs. For that reason, I rise in strong support of this legislation before us, H.R. 2366, introduced by the gentleman from Colorado (Mr. LAMBORN) along with the gentleman from Missouri (Mr. CLEAVER).

The World War I American Veterans Centennial Commemorative Coin Act calls for the Treasury Secretary to mint and make available for sale no more than 350,000 silver coins in recognition of the centenary of the end of that war.

The veterans of the Great War are long gone, the last having died nearly 4 years ago. It is well that we remember, though, that nearly 4 million Americans, men and women, served in uniform during the First World War. Half of them served overseas, and some even volunteered to fight for other Allied armies even before the U.S. entered the war in April of 1917.

Of those 4 million veterans, even those who are not students of military history know some of the names, such as General John Joseph Pershing, known as ''Black Jack'' Pershing, who led the American Expeditionary Forces in that war and became the only general of the armies promoted to that rank while he was alive.

Sergeant Alvin York was perhaps the best known and most decorated soldier, winning a Medal of Honor for leading an attack on a nest of enemy machine guns at the height of the Meuse-Argonne battles in France, capturing 32

of them and 132 enemies while killing 28.

James Norman Hall, an Iowa youngster, went to France before the U.S. entered the war to fly with the American-staffed Lafayette Escadrille of the French Air Corps, and later drifted to the South Seas where he cowrote the ''Mutiny on the Bounty'' trilogy.

Mr. Speaker, the coins authorized by this legislation would be sold at a price that would recoup all costs to taxpayers. The sale price would include a surcharge that, after requirements for raising private matching funds are met, would support the work of the World War I Centennial Commission established by the 111th Congress to plan and execute activities marking the centennial of the war.

This legislation currently has 302 cosponsors, and a companion bill introduced by Senator BLUNT has 72.

Mr. Speaker, while not celebrating this or any other war, I urge Members to soberly reflect on the horrors and tragedy of this first global conflict and to support this legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 2366, the World War I American Veterans Centennial Commemorative Coin Act, introduced by Representative DOUG LAMBORN of Colorado's Fifth Congressional District, and seek its immediate passage.

Mr. Speaker, as you may know, this summer marked the 100th anniversary of the start of World War I. The United States formally joined the war in April of 1917. During that time, more than 4.7 million Americans served, and of those brave men and women, more than 116,000 soldiers made the ultimate sacrifice.

While other great conflicts, including the Civil War, World War II, the Korean war, and the Vietnam war, have all been memorialized on United States commemorative coins, there currently exists no coin to honor the brave veterans of World War I. This bill would honor their service by directing the Secretary of the Treasury to, number one, hold a competition to design the coins and, number two, mint and issue $1 silver coins in commemoration of the centennial of America's involvement in World War I.

The sale of the coins will assist the World War I Centennial Commission in raising funds that will be utilized in commemorating U.S. involvement in the Great War and educating a new generation of Americans about the role the United States assumed in that war.

I am also pleased to report that the passage of this bill entails no net cost to taxpayers.

I would urge my colleagues to join me in passing this commonsense, bipartisan bill without further delay.

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

Mr. PEARCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I want to thank my friend and colleague from the State of New Mexico for his leadership.

I rise in support of H.R. 2366, which I introduced with the help of my colleague, Representative EMANUEL CLEAVER, which would require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I.

The year 2018 will be the 100th anniversary of the signing of the armistice with Germany, marking the end of battlefield hostilities in World War I. During the war, more than 4 million men and women from the United States served in uniform, and more than 100,000 gave their lives.

To honor their service and sacrifices, Congress created the World War I Centennial Commission in 2013 and tasked them with planning and executing activities to commemorate the centennial of World War I through the use of private donations and coin sales.

By requiring the Secretary of the Treasury to mint coins to commemorate this centennial, this bill would allow us to honor the memory, service, and sacrifices of the brave veterans of World War I, while also providing the means to pay tribute to the end of World War I battlefield hostilities.

Other great conflicts, including the Civil War, World War II, the Korean war, and the Vietnam war, have all been memorialized on United States commemorative coins, but no such honor has been extended to the brave veterans of World War I. This year, 2014, as has been said, is the 100th anniversary of the start of World War I, making it a very fitting tribute that we pass the measure for this year.

It is my pleasure to offer H.R. 2366. I am grateful for the opportunity to work with both Representative EMANUEL CLEAVER and Senator ROY BLUNT on this important bill. Together, we have gathered 300 cosponsors in the House for this patriotic bill. It will not cost the U.S. Treasury anything, as has been said, but, on a voluntary basis, will actually raise money.

It is no coincidence that Representatives and Senators from the State of Missouri are helping on this effort. There is a wonderful memorial to World War I in Kansas City, Missouri, with an adjoining museum that is a world-class museum. For those who haven't had the opportunity to visit that museum and learn about this chapter in our Nation's history, I would strongly urge them to do so.

I thank Chairman HENSARLING and the Financial Services Committee for their support of this legislation, and I ask my colleagues to join me in honoring the brave veterans of World War I by supporting this bill.

Mr. PEARCE. Mr. Speaker, I yield 4 minutes to the gentleman from Texas, Judge POE.

□ 1515

Mr. POE of Texas. I thank the gentleman from New Mexico.

Mr. Speaker, it was called the ''War to End All Wars.'' It began 100 years ago, and after 3 years, World War I was a bloody stalemate.

Then the American doughboys entered the bloody trenches of Europe, and the tenacious teenagers went over there to a land they had never seen fighting for people they did not know. But soon after, the war turned in the favor of the Allies, and the war was over.

Allied victory was declared in 1918. Millions and millions of people throughout the world had died. 116,000 Americans died. Many more thousands died when they came back to America from the Spanish flu that they got while they were overseas.

The last surviving World War I veteran was Frank Buckles. This is a photograph of him shortly before his death. I got to know Frank Buckles before he died at the age of 110. Like I said, he was the last surviving World War I veteran from America.

He lied to get into the United States Army. He was probably 15. He convinced some Army recruiter that he was 21, and they signed him up. He served in World War I.

After World War I was over with, World War II started, and he found himself in the Philippines. He was captured by the Japanese and put in a prisoner-of-war camp until World War II was over.

But he came to the United States Capitol and met with many Members of the House and Senate for the sole purpose of making sure that those doughboys he fought with and who died were remembered by the United States Congress. His dying wish was that those he served with would be honored by the House of Representatives and the Senate.

The proceeds from the sale of the coins will be used for the World War I Commission to help commemorate the sacrifices of those warriors. I was privileged to be appointed as an original member of the World War I Commission and still serve on the World War I Foundation.

I want to thank Congressman CLEAVER from Missouri for all the work he has done to remember those doughboys, not only in this specific bill of getting this coin act passed but the original commission that he worked on to make sure that we, as an American Nation, remembered them.

I appreciate the work that the gentleman does in Kansas City with the first-class memorial that we have to honor those World War I veterans.

Mr. Speaker, all those that served, every one of them that served in World War I, they are all gone. There are none left. Frank Buckles was the last one.

But the United States World War I Commission will make sure we Americans remember and honor them, for the

worst casualty of war is to be forgotten.

And that is just the way it is.

Mr. PEARCE. Mr. Speaker, I yield myself the balance of the time.

First of all, thanks to Mr. CLEAVER and Mr. LAMBORN for bringing this bill to the floor today. Thanks for your dedicated work on that.

Thanks to Mr. POE. Around here we just simply know him as ''Judge,'' but thanks for his poignant comments.

As a Vietnam veteran returning to the United States in the 1973 era, I found a Nation that was disrespectful to young men and women who had served, myself included. I took my uniform off and put it in a closet, never to pull it out until I ran for Congress and people began to ask why I didn't tell about the military story.

That is a condition and a mindset that no matter how you are registered, no matter what culture you are in, what race, what religion, we must never let this happen again. We must be willing to sacrifice for those who have sacrificed for us and those who have been willing to make the sacrifice.

My grandfather was in World War I. As I was approaching my time to go to Vietnam, he visited with me about being in the Argonne Forest and about being gassed there. It left him with a lung condition and frailty throughout the rest of his life. But he never was sorry for serving, never was sorry for those things that had happened to him.

It is young men and women who are willing to do anything for others' freedom that we are honoring here today. And again, I would urge all to support this legislation. It is a noble concept and a noble tradition of remembering those who have served this country in the military.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 2366, 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. PEARCE. 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.

DISCLOSURE MODERNIZATION AND SIMPLIFICATION ACT OF 2014

Mr. GARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4569) to require the Securities and Exchange Commission to make certain improvements to form 10–K and regulation S–K, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4569

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 ''Disclosure Modernization and Simplification Act of 2014''.

SEC. 2. SUMMARY PAGE FOR FORM 10-K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10-K (17 C.F.R. 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10-K to which such item relates.

SEC. 3. IMPROVEMENT OF REGULATION S-K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S-K (17 C.F.R. 229.10 et seq.)—

(1) to further scale or eliminate requirements of regulation S-K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;

(2) to eliminate provisions of regulation S-K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and

(3) for which the Commission determines that no further study under section 4 is necessary to determine the efficacy of such revisions to regulation S-K.

SEC. 4. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S-K.

(a) STUDY.—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S-K (17 C.F.R. 229.10 et seq.). Such study shall—

(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;

(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and

(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.

(c) REPORT.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S-K in a manner that reduces the costs and burdens on companies while still providing all material information; and

(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.

(d) RULEMAKING.—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).

(e) RULE OF CONSTRUCTION.—Revisions made to regulation S-K by the Commission under section 3 shall not be construed as satisfying the rulemaking requirements under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days within which to revise and extend their remarks and include extraneous materials for the RECORD on H.R. 4569, as amended, that is currently under consideration

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

There was no objection.

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

Mr. Speaker, I rise now in support of H.R. 4569, which is the Disclosure Modernization and Simplification Act of 2014. Having access to the U.S. capital markets and the broad investor base that comes with it is vital—literally vital—for U.S. companies to be able to grow their businesses and create jobs in this country.

Over time, as our securities laws have continued to grow and evolve, the number of new SEC rules and regulations that have been weighing down on public companies continue now to multiply, and it is becoming more and more difficult and costly for small businesses to succeed and eventually go public.

Many of the disclosure rules that have been added over time are both duplicative and are no longer needed due to many technological advancements that we are all familiar with. And yet the SEC has taken little action to review these unnecessary and outdated regulations and to make appropriate changes to help U.S. companies and also investors.

So we have H.R. 4569 before us, and it seeks to do what? It removes some of the outdated and unnecessary red tape and allows for the small companies and investors to benefit from a more streamlined and efficient public disclosure regime.

Specifically, the legislation would direct the SEC to simplify the public company disclosure regime for issuers and investors by permitting the issuers to submit a summary page of annual reports on Form 10–Ks with cross references to the contents of the report. It is that simple.

Because the typical 10–K filed by issuers is hundreds of pages long and

written in legalese, investors do find it difficult to locate and to digest the truly important information about the company in the report. So permitting issuers to submit a summary page would enable companies to concisely disclose pertinent information to investors without exposing them to liability.

This summary page would also enable investors to more easily access the most relevant information about that company.

This legislation would also direct the SEC to revise Regulation S-K—''Reg S-K,'' it is called—to better scale disclosure rules for emerging growth companies and smaller issuers, and to eliminate other duplicative, outdated, or unnecessary Reg S-K disclosure rules for all issuers.

In testimony before the Capital Markets Subcommittee, one witness stated: ''The burdens imposed by existing regulation, primarily Reg S-K and Reg S-X, effectively deny small companies access to the public market and make investors less willing to invest.''

He added: ''This bill, H.R. 4569, is very constructive, and the Commission is likely to be receptive to it. It might well launch a process that would substantially reduce unneeded impediments to smaller firms being able to access the public capital markets.''

Additionally, another commenter testified:

> Over the course of time, proxies have become voluminous, some required disclosures have becomes obsolete, and the delivery of information has changed, though the legal mandated forms of disclosure have not.
>
> This situation has commonly been referred to as ''disclosure overload'' and it is apparent that investors are not being given information in a decision-useful manner and, in some cases, they are simply overwhelmed with non-relevant information.
>
> Even SEC Chair Mary Jo White has, on several occasions, stated that a review of our current disclosure system is a top priority for the Commission this year. So this bill would help augment the SEC's effort by requiring the Commission to, first, eliminate wholly unnecessary or outdated disclosure requirements and to allow issuers to include a summary of material in the form 10–K.

So this legislation builds on section 108 of the Jumpstart Our Business Startups bill—you remember that, the JOBS Act—which directed the SEC to study Reg S-K in order to simplify and modernize disclosure rules. The SEC completed the study in December of 2013. Unfortunately, the study proposed few substantive reform measures. Instead, it recommended further study of Reg S-K disclosure rules.

Let me conclude with this. Given our continued economic difficulties, I believe we need to stop studying and start taking action. Simplifying and streamlining disclosure requirements will enable companies to divert fewer resources to compliance, freeing up additional capital to create American jobs.

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

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

I rise in strong support of Mr. GARRETT's bill, H.R. 4569, which was favorably reported from the House Financial Services Committee, and championed by my friend from New York (Mrs. MALONEY).

I would like to associate myself with the long and extended explanation by Mr. GARRETT of New Jersey, and just to say, Mr. Speaker, that, in short, this bill will make disclosures that public companies make more streamlined, manageable, and user friendly.

I really appreciate the participation of my good friend, Representative MALONEY, who really worked hard to make sure that this legislation was balanced and it included language to emphasize that we needed to reduce burdens on companies, but we need to preserve investment protection.

So, given the changes that Mrs. MALONEY made with the Maloney amendment, I strongly support the legislation, would urge all my colleagues to support it, and I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, I thank the gentlelady for her assistance in this matter.

Also, you made reference to Mrs. MALONEY from New York for her work as well. She is not on the floor right now, but I certainly do appreciate her efforts with the legislation and in full committee and in subcommittee as well in order to move forward on this piece of legislation before the House, H.R. 4569.

And to your comment about perhaps I should have taken the substance of the bill to heart, I did streamline the 10 pages down to four pages to make it not duplicative, unnecessary, and outdated information.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I want to thank my colleague for his hard work on this bill. I did want to come to the floor and support it because it is one of the areas where we did work together in a positive way.

I would like to also take this opportunity to congratulate him on being reappointed as chairman of the Capital Markets Committee on which I serve. And I look forward to working with you in the next Congress.

When the Financial Services Committee marked up the JOBS Act in 2012, Mr. GARRETT included an amendment requiring the SEC to conduct a study on how to modernize and simplify the disclosure process for emerging growth companies.

The SEC published that study last December, and while the study failed to make any specific recommendations on how to streamline the disclosure process, it did provide, I thought, a very fascinating history of all the different efforts to simplify registration and disclosure processes, especially for smaller companies, which is a concern for many Members of this Congress who want to relieve the regulatory burden on particularly smaller companies.

□ 1530

For example, here are some of the studies that they did: the SEC's 1969 Disclosure Policy Study; the 1977 Advisory Committee on Corporate Disclosure; the simplified Form S–18 for small companies in 1979; a new simplified Form S–B in 1992; the 1996 Task Force on Disclosure Simplification; the 2005 Advisory Committee on Smaller Public Companies; the Advisory Committee on Improvements to Financial Reporting in 2007; and, most recently, the Advisory Committee on Small and Emerging Companies.

What this history demonstrates is that the process of scaling and streamlining the reporting requirements for smaller companies is something that we all need to focus on in order to keep pace with the ever-evolving marketplace, and it is one that historically has been revisited every 7 to 10 years. It requires strong oversight by the SEC and also by Congress.

I believe that now is an excellent time for the SEC to revisit the disclosure requirements for smaller companies and to figure out how to best modernize these requirements. This bill directs the SEC to build on its 2013 study by making immediate improvements to reg S–K in the short term and then by making specific and detailed recommendations on how to simplify and modernize reg S–K in the long term.

We were able to work in a bipartisan manner on this bill to clarify that any revisions the SEC makes should reduce burdens on small businesses, while also ensuring that investors still have access to all important information.

This bill will ensure that the SEC properly tailors its regulations to the needs of small businesses and doesn't get caught up in a one-size-fits-all reaction. I urge my colleagues to support this commonsense bill.

Mr. GARRETT. I thank the gentlewoman for her efforts.

Mr. Speaker, at this point, I yield 2 minutes to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Speaker, I rise today in strong support of the Disclosure Modernization and Simplification Act of 2014.

For far too long, our economy has remained weak, and small businesses and wage earners have suffered greatly. Part of the reason they have suffered is from too many regulations and from an increase in red tape from Federal Government agencies, which has hindered growth and kept businesses from expanding. They also present big challenges for startup companies that are looking to gain solid footing in this shaky economy.

If we are going to move this country in the right direction, we need to make it easier and not harder for Americans to do business. The least we can do in Washington is to make sure Federal regulators do not force business managers to report the same information over and over. That is what this act is all about.

This legislation, along with others we will consider today, will help remove the Federal Government from the backs of small business owners and make it easier for all Americans to succeed.

It will revise regulations to include startup companies, to eliminate redundant and duplicative provisions, and to discourage the disclosure of immaterial information, among other simplifications. Now is the time to remove these roadblocks on the pathway to success.

The American people are looking for us to ease some of these painful economic burdens, and today, we have an opportunity to support legislation that will have a positive impact on our economy, that which limits the challenges on small business owners and job creators.

Let's work together in this Chamber and pass this series of bills in a bipartisan fashion. Let's show our constituents that we are serious about recharging our economic engine by pursuing commonsense regulatory reforms.

I would like to thank Chairman HENSARLING, Representative GARRETT, Representative HURT, and the rest of the members of the Financial Services Committee, who worked hard on this issue. I urge my colleagues in the House to support this legislation.

Mr. GARRETT. I appreciate the gentleman's coming to the floor. More importantly, I appreciate the gentleman's efforts and hard work on this legislation in committee. Thank you very much.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 4569, 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.

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. 5739, by the yeas and nays;

H.R. 3240, by the yeas and nays;

H.R. 2366, 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.

NO SOCIAL SECURITY FOR NAZIS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5739) to amend the Social Security Act to provide for the termination of social security benefits for individuals who participated in Nazi persecution, 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 Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 14, as follows:

[Roll No. 537]

YEAS—420

Adams
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
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)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
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
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
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
Hanabusa
Hanna
Harper
Harris
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
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
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)
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
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
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)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
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)

NOT VOTING—14

Aderholt
Capuano
Cassidy
Doyle
Duckworth
Hall
Holt
Lowenthal
McCarthy (NY)
Miller, Gary
Negrete McLeod
Perlmutter
Rogers (MI)
Schrader

□ 1603

Mr. MCNERNEY changed his vote from ''nay'' to ''yea.''

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.

REGULATION D STUDY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3240) to instruct the Comptroller General of the United States to study the impact of Regulation D, 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 Missouri (Mr. LUETKEMEYER) 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 422, nays 0, not voting 12, as follows:

[Roll No. 538]

YEAS—422

Adams
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
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)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
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
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
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
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
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
Kinzinger (IL)
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, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCaul
McClintock
McCollum
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
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
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
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
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)

NOT VOTING—12

Aderholt
Capuano
Cassidy
Doyle
Duckworth
Hall
McCarthy (NY)
McDermott
Miller, Gary
Negrete McLeod
Perlmutter
Schrader

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1610

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.

WORLD WAR I AMERICAN VETERANS CENTENNIAL COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2366) to require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I, 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 New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 3, not voting 13, as follows:

[Roll No. 539]

YEAS—418

Adams
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
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)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
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
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
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
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
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
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
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, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McAllister
McCarthy (CA)

McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
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
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
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—3

Amash
Broun (GA)
Massie

NOT VOTING—13

Aderholt
Capuano
Cassidy
Doyle
Duckworth
Hall
Keating
McCarthy (NY)
Miller, Gary
Miller, George
Negrete McLeod
Perlmutter
Schrader

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1617

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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5771, TAX INCREASE PREVENTION ACT OF 2014, AND PROVIDING FOR CONSIDERATION OF H.R. 647, ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2014

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113–643) on the resolution (H. Res. 766) providing for consideration of the bill (H.R. 5771) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, and for other purposes, and providing for consideration of the bill (H.R. 647) to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SUPPORT ABLE ACT OF 2014

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

Mr. FITZPATRICK. Mr. Speaker, I rise to urge the House to pass the Achieving a Better Life Experience Act of 2014, also known as the ABLE Act.

The ABLE Act would help ease the strain on those with physical and mental disabilities by allowing the creation of tax-free savings accounts. These savings accounts would work a lot like the popular 529 college savings plans.

The accounts could be used to pay for life expenses such as education, housing, and transportation. In other words, this bill levels the playing field for those with disabilities who cannot make use of tax-free college savings plans by giving families an alternative tax-free account that they can use.

It is also important to note that the bill doesn't take away any other benefits that those with disabilities might be entitled to; rather, it would serve as a supplement, giving these families the flexibility to achieve a better life.

This bill has a tremendous amount of bipartisan support. The ABLE Act is an opportunity for this Congress to show that we can work together to make a real difference in the lives of American families.

Mr. Speaker, this bill is about empowering those with disabilities and their families, and I urge that the House and Senate pass the ABLE Act, so that the President can sign it into law before the end of the year.

IMPERIAL EDICT FROM THE WHITE HOUSE

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

Mr. POE of Texas. Mr. Speaker, he said, ''I'm the President. I'm not king. I can't do these things by myself.''

That was President Obama in 2010. That was then; this is now. The lawless administration continues to ignore Congress in order to go it alone and implement his own authoritarian agenda. The latest illegal kingly edict is that he will disregard immigration law, orally change the rules, grant legal status, and give work permits to millions of foreign undocumented nationals.

These actions show the administration is more interested in jobs for illegal foreign nationals in America than Americans in America. That is why Congresswoman BLACK and I have introduced the Separation of Powers Act.

This legislation would prohibit the use of funds for granting deferred action, green cards, work permits, or other immigration relief to people not lawfully present in the U.S.

Most importantly, it would allow Congress to exercise its check on the out-of-control White House that treats the Constitution as a mere suggestion instead of the law. The President says he is not the emperor of the United States, but his actions show otherwise. America doesn't need a king; otherwise, we would have kept King George.

And that is just the way it is.

The SPEAKER pro tempore (Mr. MESSER). Members are reminded to refrain from engaging in personalities toward the President.

WORLD AIDS DAY

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

Ms. LEE of California. Mr. Speaker, yesterday marked World AIDS Day and more than 30 years since the first discovery of AIDS in the United States.

As the cofounder of the HIV/AIDS caucus, I am proud to say that we have made great strides in combating the AIDS epidemic here in our own country and throughout the world. Contracting HIV is no longer the death sentence that it once was, but much more remains to be done.

A recent report by UNAIDS found that we have 5 years to break the epidemic for good or risk it rebounding out of control. We cannot allow the gains we have made in fighting for an AIDS-free generation to be lost, and we can eradicate AIDS if we devote proper resources to the fight both here and abroad.

We must reduce the stigma surrounding the disease by strengthening educational and outreach activities to help prevent millions of new HIV cases worldwide. We must also provide the science-based comprehensive sex education that has proven to reduce the spread of sexually transmitted diseases, and we must repeal laws that promote discrimination and hate.

Mr. Speaker, now is the time to take bold action to create a world that is free from HIV and AIDS. I urge my colleagues to join me in working to achieve an AIDS-free generation.

UNCONSTITUTIONAL ACTIONS BY PRESIDENT OBAMA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, well, it has been quite an interesting couple of days coming back from Thanksgiving, and this morning, there was an interesting conference, what to do about a President who, for a number of years, a couple dozen of times or so, has made very clear he is not a king, he is not an emperor, he would rather not have to deal with Congress, Congress is a messy thing to deal with, but he can't just do what he wants regarding immigration without following the Constitution and that means, under the Constitution, article I, section 8, Congress has sole authority when it comes to issues like naturalization and immigration.

Prior Congresses have passed laws and made it clear what it takes to become a United States citizen. Now, those laws need fixing. There is no question about that, and despite all of the rhetoric, our friends on the other side of the aisle, when they controlled the majority in the House, majority in the Senate, with President Obama in the White House, chose to absolutely do nothing about correcting immigration problems, securing the border—not even amnesty. Why? Because they know, they see the polls, and the polls make very clear that the American public did not want any type of amnesty.

The President knew were he and the Democrats in the House and Senate, when they had the majority during their 2 years, to have done something like an amnesty bill like the bill the President passed without going through Congress, then they would have surely lost the majority, and the President would definitely not have been reelected in 2012.

□ 1630

And they did not think it was worth risking the majority over an amnesty when the vast majority of Americans did not want it. Why? Because the vast majority of Americans have to comply with the law, and fortunately those same vast number of Americans think everybody else should as well.

Now, we still see emails saying, you know, if we could ever get Congress under Social Security, Congress living under the same laws as everybody else did, then a lot of our problems will be fixed, and that forgets the fact that actually Members of Congress have been paying into Social Security for years.

No Member of Congress has a benefit that every other Federal employee doesn't already have. One of the promises that Republicans made, that they said they would do if they got the majority in November of 1994, is to make sure that Republicans have and Democrats in Congress have to live under the same laws everybody else does.

Now, I was told when I was prevented from continuing to cook ribs that my friends across the aisle, Democrats, and Republicans love—everybody that is not a vegetarian tells me they loved my ribs; and my dear friend LOUISE SLAUGHTER had told me that her late husband, before he passed, as a vegetarian had even eaten two ribs of mine she brought home. So my ribs were a big hit with everybody but the Architect of the Capitol. He told me I couldn't continue to cook because of a violation of the fire code, and that was something Republicans actually changed to make sure that we in Congress had to live under the same laws everybody else does. So we do.

We are supposed to live under the laws everybody else does, but then it comes to amnesty, and some here in the minority think it is just fine for a President to legislate since they are not able to do that while they are in the minority. Didn't do it when they were in the majority. The President didn't do it before his reelection in 2012.

So it is a bit of a conundrum when the President of the United States asserts, as an alleged former constitutional professor, apparently an instructor, all these years he cannot do anything about the immigration problem because the Constitution doesn't allow it. Then, immediately before the grand jury acted in Missouri, the President acts, knowing what was about to happen in Missouri, Ferguson, and knowing Thanksgiving was coming up and a lot of people would take their eye off of what was happening with regard to amnesty, and then the President speaks a new law into existence.

The law is very clear: if you are not legally in the United States, you can't legally hold a job. The President changed that law with a pronouncement and a stroke of his pen, but that is not a legal law.

So we have got to stand up for the Constitution. For a President to avoid taking such action before an election because he knew it would cost him a second term, it would cost his party dramatically in the Senate and House, then to wait and do it immediately after the election and right before Thanksgiving when he thinks people will lose interest, well, Americans are not losing interest. They are still concerned.

Now that the President has taken this unconstitutional action, America is looking at Republicans: You said you were against it. You ran and we elected you to the majority in the House and Senate, and you were saying you would not abide such an unconstitutional action. So what are you going to do about it?

Well, one of the things being proposed is my dear friend TED YOHO—sometimes people say ''dear friend'' around this body and they say it a bit tongue in cheek, but that is not true of TED YOHO. He is a great American, and I am very, very proud he is my friend. But in H.R. 5759, titled, Preventing Executive Overreach on Immigration Act, my friend Congressman YOHO has a bill that declares that the President does not have the authority to exempt categories of persons unlawfully present in the United States from removal. Any executive action seeking to exempt these categories of person is a violation of the law and has no legal effect.

The bill goes on to make clear this is a permanent solution that will apply to executive actions that attempt to circumvent the law. Further, this does not affect any appropriation, so it does not risk any government funding or shutdown issues.

It is a constitutional separation of powers issue. So any reform or change to the law must come from congressional legislation, not executive fiat, and basically makes clear an executive fix of the law is unconstitutional, temporary, and establishes a dangerous precedent that could be abused by Presidents of both parties for any area of the law they disagree with.

So that is a great first step, but the problem is, if we do not eliminate the funding for the President's unconstitutional action, then it may be carried out anyway. There is some talk about extending funding to next March. Well, by March people will already have been provided work permits that the law says may not legally have work permits, and it is not likely anything would be done at that point to stop it. Now is the time to stop unconstitutional action.

As the President keeps saying, Congress didn't do anything. It shows that he is getting terrible advice. We had a knock-down, drag-out session the last week of July in this Chamber, and two floors below this Chamber, in the House office buildings, we were fighting it out because, as the President has said, dealing with Congress can be messy.

That is the way the Founders intended it. They wanted it to be difficult to pass laws. And Jefferson, thinking it would be a good idea—though he wasn't there at the Constitutional Convention, so he didn't get this in. It would be a good idea if laws had to be on file for a year before they could even be brought up for a vote. Things done in haste in this body or the Senate are not a good idea.

Yet we must do something to stop the unconstitutional action. The President wants a border bill. We passed one in the House. Somebody needs to advise President Obama's advisers that we passed a good bill. It was not a good bill on Thursday, but by Friday at 10 p.m. or so when we passed it, it was a good bill. Still had more to do. There is much more we can and should do. There is a lot of reforms that must be done, but until the border is secure, then we are just going to have to keep

reforming immigration, reforming immigration, giving amnesty, giving amnesty, until the country is not the country people wanted to come to.

How ironic that people have to leave countries—they believe—because there is graft, corruption, violence, because the rule of law is not enforced fairly across the board, and they want to come to America because, with all the down economy, over 92 million people having given up hope of finding a job, not even looking anymore, this is still one of the greatest economies in the world because we still pretty much try to enforce the law across the board.

So people come from countries where the rule of law is not observed, not enforced fairly across the board—too many friends or people with particular interests of the leaders, they get special privileges, they get exempted from the law. So they come here where we are not supposed to do that, and once here, say, ''Look, now that we are here, having come illegally, we want you, United States, to just forget about the law, ignore your Constitution, ignore the laws on immigration, and just waive them and forget about them,'' when, in so doing, we would become like the country they felt they had to leave because we don't enforce the law fairly across the board anymore.

The old saying, capital is a coward, talking about money to be invested, it is a coward. It goes to areas where it feels safest, where the laws will be most fairly applied so that there is something that can be counted on, that laws mean things.

So we have had a lot of investment in the United States of people from China, from Russia, Africa, South America. People around the world have been willing to invest in the United States because we have been a country where capital could be comfortable.

But when mass amnesty is applied, which will ultimately throw however many people are given illegal work permits to work legally, you are going to throw that many million people out of jobs. You will depress the working wage rate.

Mr. Speaker, it can't be overemphasized that what happened since this President has been in office or in power is what we normally say about monarchs, but what has happened for the first time in American history never happened under any prior President.

But this President's policies, as he talked about the fat cats on Wall Street, though he received more donations from them than Republicans did; as he bad-mouthed the oil companies, but he had friends that were doing favors for him; as he bad-mouthed capital cronyism as capital cronyism was exactly what was occurring in this country and from this administration, actually for the first time in our history, 95 percent of all income in America went to the top 1 percent of income earners. It has never happened before.

I know—I know—this administration, everybody in it talks about the fat cats and going after the rich, and yet, amazingly, as they talk about going after the rich, it is as if there is a wink and a nod: We are going to talk bad about you, call you fat cats, but you are going to get richer than you have ever been. Just don't forget us when it comes to political contributions. Oh, yeah, we will trash the Koch Brothers, but they can't hold a candle to the fat-cat Democratic contributors.

But when you try to get your head around 95 percent of the income going to the top 1 percent in America, it is extraordinary. The President himself acknowledged, September a year ago, that this was happening on his watch.

□ 1645

Again, people can talk about the middle class getting bigger and wages being suppressed. Their solution is to bring in 5 million new workers willing to work a lot cheaper, without health insurance, to compete with Americans that need a little more in order to live and that need health insurance.

And the solution is to bring in 5 million people more? Do you really want to see minority unemployment go even higher than its current skyrocketing position?

That is not fair to Americans. Our oath is to this country and the people in it, and the way we do that is by defending the Constitution against all enemies, foreign and domestic. It is time the poor and the middle class in America were helped by having a better wage, by not continuing to leave the borders open, by not winking and nodding and unconstitutionally allowing 5 million people to work illegally but with the stamp of approval from the White House. It is time to stop it before we lose the Constitution altogether.

Here is an article from Steven Camarota and Karen Ziegler. The headline, ''Immigrant Families Benefit Significantly from ObamaCare,'' and the subheadline, ''Immigrant Families Accounted for 42 Percent of Medicaid Growth Since 2011.''

The article says:

> A key part of the Affordable Care Act is Medicaid expansion for those with low incomes. A new analysis of government data by the Center for Immigration Studies shows that immigrants and their U.S.-born children, under age 18, have been among the primary beneficiaries of Medicaid growth. The data show that immigrants and their children accounted for 42 percent of the growth in Medicaid enrollment from 2011 to 2013. Immigrants benefited more from Medicaid expansion than natives because a much larger share of immigrants are poor and uninsured.
>
> It seems almost certain that immigrants and their children will continue to benefit disproportionately from ObamaCare, as they remain much more likely than natives to be uninsured or poor. The available evidence indicates that Medicaid growth associated with immigrants is largely among those legally in the country.

Nonetheless, immigrants, this points out:

> The number of immigrants and their U.S.-born children on Medicaid grew twice as fast as the number of natives and their children on Medicaid from 2011 to 2013.
>
> Immigrants and their children accounted for 42 percent of Medicaid enrollment growth from 2011 to 2013, even though they accounted for only 17 percent of the Nation's total population and 23 percent of overall U.S. population growth in the same time period.
>
> About two-thirds of the growth in Medicaid associated with immigrants was among immigrants themselves, rather than U.S.-born children of immigrants.

It is an interesting issue because when my friend STEVE KING and I were in England in recent years, we were told there that the law is very clear. They know that their country would fail if they just say everybody that comes in is immediately entitled to every Federal subsidy the British Government offers, so they have a requirement in England that you are not entitled to any benefit, we were told, until you have paid into the British system for at least 5 years.

Well, that kind of makes sense, and having just been over there and had a chance to address members from the House of Commons and House of Lords, having spoken at Cambridge and Oxford, they are trying to save their country over there, but there was a great deal of welfare that is hurting the system and their economics. Even so, they have a law that says you can't even get these kind of benefits until you have paid into their system for 5 years.

Why isn't there something like that in the President's new law that he spoke into being? Perhaps that ought to be the first reform that both Houses take up. You can't receive any kind of benefit from the U.S. Government unless you have paid into the U.S. Government for at least 5 years, and that does not include getting more money back year after year than you pay in.

An article yesterday indicated one woman in Virginia had been largely using people that were illegally in the country to file for child tax credits so they can get back $4,000, $7,000, $1,500 more than they paid in, and it was a scam.

If one woman in Virginia can be accountable for $7,000 in child tax credits being paid out more than people paid in, how many people are there across the United States that are doing that same thing, while we have workers across the country, like in my district, that have said that because ObamaCare changed the definition of part-time work, it forced them into a situation of having to work two part-time jobs, not having health insurance anymore, and just struggling just to survive, just to live; yet when it comes to people that have not paid a dime into the system, all of a sudden, we are just going to bend over backwards and violate the Constitution for them.

There is an article in Breitbart today from Tony Lee that said:

> One in three illegal immigrants over the age of 25 in America do not even have a high school education, according to a New Migration Policy Institute report.

The Migration Policy Institute estimates there are 8.512 million illegal immigrant adults 25 years of age or older. The study found that while 49 percent of illegal immigrants 25 years or older have at least a high school diploma or a GED, 17 percent have some high school education, while 33 percent do not have any high school education.

Of course, we have got people of all races, national origins, and both genders trying to get into this country. They have been trying for years and years to do so legally. They could fill needed specialized positions to help our economy grow; yet they can't get a visa. They are not about to get amnesty. We have got things completely backwards.

We know, of course, when the President talks about amnesty and legal status—along with other people here in Washington—our border patrolmen make clear over and over that that increases the number of people coming across our border.

Thank God Texas has stepped up. The State of Texas has been paying tremendous amounts of money to have additional people on the border. At night, you can see their profile—DPS troopers, Texas Rangers, game wardens—where they can call people in speedboats that Texas has paid for to rush up and try to catch the coyotes bringing people across illegally.

The coyotes don't want to be caught. The people do. They want to turn themselves in as quick as they can. The coyotes don't want to be caught, so they are not going to come across if they think they are going to get caught before they can get across with their raft.

One of the other things that ought to scare law enforcement dramatically is the fact that I have heard a number of people say, as they were questioned by our border patrolmen out in the middle of the night, and they are asked—it's not on the standard questions, but they have been asked many times by our border patrolmen, ''How much did you have to pay the gangs or the drug cartels to bring you across?'' Sometimes, it is $5,000, $6,000, $7,000, or $8,000.

Sometimes, a followup question is asked, ''Where did you get that kind of money in El Salvador, Guatemala, Honduras, or wherever you came from?'' Often, the answer was, ''Well, some of the friends or family in the U.S. sent money. We have been trying to collect money in our home country.''

Every now and then, you get a response that scares me and is probably at the bottom of many of the people's payments to come and be brought in illegally by drug cartels and gangs. They have confided, ''They are going to let us work some of the rest of it off.''

Well, what does that mean? It means when Health and Human Services picks people up and transmits them across the country—with scabies, as we have seen happen, and whatever disease they may bring in—as some have pointed out, that means every State is a border State, thanks to Health and Human Services shipping them around the country.

As they build up their numbers in different cities around the country and they owe the drug cartels that are ruthless, unscrupulous, and don't mind torturing and killing, we hear more and more about Mexican drug cartel activities around the country and our cities, how horrendous it is that the United States Department of Homeland Security and the United States Department of Health and Human Services being complicit in helping ship agents for the drug cartels and gangs around the country that can be intimidated and reminded, ''Remember, you still owe us $3,000, $4,000, $5,000, and here's how you will work it off.''

Is it sex trade? Is it drugs that are poisoning more of our American teenagers and young adults with the Mexican drugs being brought in?

If the drug cartels are getting promises from people coming into the United States illegally that they will work off the rest of the money, then you can bet the drug cartels are going to see that they do.

I have been told by border patrolmen that you don't cross the U.S. border without some drug cartel, some gang, some organized crime being in charge of the area of the border where you crossed, and you dare not cross across Mexico into the United States without the permission of whatever organized criminal group is in charge. They say they will come after them.

We are bringing in agents of drug cartels and shipping them around the country where they can work for the drug cartels. It is what they have said there on the border. ''Yeah, they are going to let me work this off.''

Well, in talking to the border patrolmen there in the middle of the night down on the border, they tell you some interesting things. As I have been told by the border patrolmen, ''You know what the drug cartels call us Federal agents here in the U.S.? They borrow from a commercial on television and say, 'We're the logistics.' ''

The United States Federal employees are the drug cartels' logistics. All they have to do is get their agents that are going to work for the drug cartels into the United States, and then the United States Government ships them around the country for the drug cartels.

All they have to do is say, ''This is where I've got somebody—a family member, a loved one—and that's where I need to go,'' and we ship them free of charge. The U.S. Government makes it free of charge at least to the immigrant coming in illegally.

Of course, there is no free lunch, as Phil Graham used to repeatedly say. Somebody is paying for it, and to a limited extent, it is American taxpayers. To another extent, it is our children and grandchildren who are incurring the debts that will be paid with income they have never even figured out what job they will be deriving the income from. It is immoral.

□ 1700

Here is an article from Politico saying, the DHS chief, short-term funding a very bad idea. So it turns out Homeland Security Secretary Jeh Johnson warned Tuesday that a short-term funding measure for his agency will be ''a very bad idea,'' telling Congress such a bill would hold up everything from hiring Secret Service agents to paying for border security.

Well, we still have people that are saying, though, you know, in a CR and an omnibus, we really can't put restrictions on the Federal Government in there. And yet, here is a report regarding the last omnibus highlights where there were 17 different restrictions on agencies' use of fees in the last fiscal year.

This was done with the help of the Congressional Research Service that reviewed the previous spending omnibus. And Senator JEFF SESSIONS, dear friend, great guy, he has been able to identify 17 separate restrictions.

One was a restriction in section 543 on the United States Citizenship and Immigration Services that said, notwithstanding section 1356(n), title VIII, U.S. Code, of the funds deposited into the immigration examinations fee account, $7,500,000 may be allocated by U.S. Citizenship and Immigration Services fiscal year 2014 for the purpose of providing an immigrant integration grants program.

There is one for the Department of Agriculture, Department of Justice, Transportation Security Administration, Nuclear Regulatory Commission, Federal Communications Commission, Security and Exchange Commission, Bureau of Ocean Energy Management, Office of Surface Mining Reclamation Enforcement, Copyright Office, Export-Import Bank of the United States.

So we know it can be done. It has been done. The restrictions have been made in past omnibuses, even just last year. So we can do that, and we should do that.

If we don't do that, then the President's unconstitutional act is going to be a harbinger of terrible things to come. Once you no longer have a Constitution that means anything, then Presidents can pretty much do as they wish.

That is what happens in Third World countries. That is why we have lasted over 200 years, because the Constitution meant something. It took a civil war to make the Constitution more enforcing of what it said. It took someone like Dr. King giving his life to ensure civil rights for everyone, as the Constitution guaranteed.

But once we have moved into this post-constitutional era, where the Constitution no longer is enforced, it is just a document, then there is no skeleton on which to hang muscle and the might that makes a strong country, and we become, figuratively speaking, a blob of a nation without structure that can't defend itself adequately, that has drug cartel agents throughout

the country, that continues to have people sending wives in to have children in the United States free of charge and leaving to go back home with, actually, a U.S. passport as an American citizen.

I think that is how Anwar al-Awlaki, whom the President was so concerned about he blew him up with a drone strike—he was an American citizen. His parents came over from Yemen on visas, and he was born here, but taken back, grew up learning to hate America.

The deputy leader of Hamas, Mousa Abu Marzook, his wife came to the U.S., had a child that, no doubt, is being taught to hate America.

Palestinian Islamic jihad leader Sami Al-Arian, his wife came to the United States, had a child, American citizen.

Abdul Rahman al-Amoudi, who is doing 23 years in prison for supporting terrorism, financing terrorism, his wife had a child here in the United States, an American citizen.

Khalid Sheikh Mohammed, the 9/11 mastermind, even has confessed to that in his own written pleadings and said, if our act of terror created terror in your heart, then praise be to Allah. Basically, in his six-page pleading, he said, you had it coming.

I think there is possibly a chance he would raise a child to hate America.

And then the Muslim Brother President of Egypt, Mohamed Morsi, his wife came to America. Irony of ironies, he thought he was being very clever to have an American citizen daughter, yet the Egyptian people didn't think it was so clever. They didn't like the idea.

When he became such an unconstitutional actor as a President that he could no longer be tolerated, be allowed to be left in office, 20 million Egyptians were reported in the streets of Egypt demanding his removal, followed by another demonstration of 30 million to 33 million Egyptians, moderate Muslims, Christians, Jews, secularists, out in the streets demanding, we don't want a radical Islamist in control of our country, Egypt.

Amazing. Such a huge event in the realm of human history in Egypt. God bless the Egyptians. We need to pray for them, we need to help them.

But not this administration. This administration says, oh, so you ousted the Muslim Brother, part of the organization that wants to bring down America, and you ousted him?

Well, if you don't put him back in power we are not going to send you the Apache helicopters you are using to keep the Suez Canal open. We are not going to send you what you need to deweaponize the Sinai that Morsi saw weaponized.

No, we are going to hold back any weapons that will help you clean up the radicalization in Egypt and Sinai that Morsi oversaw, which is why some of the moderate Muslim leaders in the Middle East and North Africa continue to ask, why do you keep helping your enemies?

Do you not understand that the Muslim Brothers are your enemy?

Do you not understand that the Muslim Brothers want the United States as part of a caliphate?

Well, the Department of Homeland Security and this administration and mainstream media belittled me for the last couple of years or so as I continued to point out that they had an adviser on their top Homeland Security Advisory Council who had used his classification that Janet Napolitano gave him in an inappropriate way; that he had spoken—he was listed as a speaker paying tribute to the Ayatollah Khomeini as a man of vision; that he defended the Holy Land Foundation principals who were convicted of supporting terrorism; failed to properly file the tax forms that would allow his foundation to remain a 501(c)(3). Didn't file them. And yet, he is a top adviser.

Well, even the Obama administration had to finally let him go and, yes, go ahead and accept the resignation when he tweeted out that the international caliphate is inevitable so we need to get used to it. Even the Obama administration had to let him go after that. So he has resigned. He is no longer a top member advising this administration.

But it is time for Americans to wake up. Ignoring the Constitution is not helpful. After over two-dozen statements by this President that he doesn't have the power to, in effect, do what he just now did right before Thanksgiving, demands congressional action. We must stand up and defund the illegal activity of this President.

Mr. Speaker, I think it is also important to note that our Republican leaders got duped in July of 2011. I tried to warn. I told people back then, told our whole conference, this supercommittee will not be allowed to reach an agreement by the Democrats.

I was assured, oh, sure they will because it cuts a whole bunch of money from Medicaid and an automatic sequestration if the supercommittee doesn't reach an agreement. So the hundreds of billions, the gutting of our military will never happen because the supercommittee will reach an agreement because they don't want the cuts to Medicare.

Well, it seemed very clear to me, and as I told my Republican friends, no, they are going to prevent the supercommittee from reaching agreement if we pass this bill because they want the cuts to Medicare because they cut over $700 billion of Medicare funding in ObamaCare without a single Republican vote.

So the only way, in 2012, they will be able to run commercials saying, we love our rich friends more than we love seniors, is if they prevent the supercommittee from reaching an agreement.

The cuts to Medicare are only a fraction of what ObamaCare did but, nonetheless, cuts to Medicare will happen.

And the President has never cared much for the military anyway, and this allows him, basically, to gut our military to pre-World War II levels. So it is a win, win, win all the way around for the administration if we pass that bill creating a supercommittee.

Well, we did, and the President got the military gutted, Defense Department gutted. The sequestration happened.

And now I am concerned, if we say, all right, we are not going to fund Homeland Security unless you agree, you sign a bill that defunds your illegal activity in providing amnesty to 5 million people, I think we need to be careful about that, Mr. Speaker, because it just may be that the President would like to blame Republicans and say, you know what? Well, I would like to have Border Patrol securing the border, but the Republicans cut off the funding, and so, gee, there is no Border Patrol on the border. It is all the Republicans' fault because they wouldn't fund it.

I think we need to be rather careful about saying we are going to bank on not funding Homeland Security, only fund them for a short time, and then threaten the President, if you don't sign off on a bill defunding your illegal activity, then Homeland Security won't be funded.

As one of my Republican friends pointed out, kind of like the old adage, if you are going to take a hostage, you need to take somebody that the other side doesn't want to see killed. And there is some concern that if we take hostage, figuratively speaking, the Homeland Security Department in order to defund the illegal activity of this President's amnesty, it just may be that the President, figuratively again speaking, will say, go ahead, take out your hostage; completely defund Homeland Security. That is okay with me.

□ 1715

No, that is not the way you negotiate.

If we are going to stop the President's unconstitutional amnesty, it is going to require funding everything that needs funding, but to go after something the President really wants but doesn't need. Good grief. When we are spending the trillions of dollars we are, we can certainly afford, for example, to do away with the czars, to do away with the, say, public transportation to golf outings.

We can save millions of dollars just on that alone. This is what you do in negotiation. For those of us who have negotiated multimillion-dollar deals and multimillion-dollar settlements, that is what you do. You have to find something that is very important to the other side, but that is really not necessary, so that the other side, when you are negotiating, knows you mean business. I don't think Homeland Security is the place to threaten.

We have got to defund the illegal activity, or of those who fought to defend the Constitution, who picked up the Stars and Stripes in representing our

Nation—our constitutional Republic—and carried it as fellow soldiers were killed and who advanced freedom here in America, their blood will be on our hands because we wouldn't even stand for the Constitution when there were no bullets being fired. We have got to stand up for America and for our Constitution.

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

ALZHEIMER'S

The SPEAKER pro tempore (Mr. BRIDENSTINE). Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, tonight, I want to spend some time with my colleagues discussing something that we actually can do for every American family, something that the Congress of the United States can take action on soon, like this week, when we pass our appropriations bill or, perhaps, next week if we fail to get the job done this week.

We can help every American family tomorrow, the next day, and on into the years out ahead if we take action. The subject matter of tonight is about an issue that affects every American family wherever you are out there—my own family, your family, the families of my staff, perhaps even the families of those who are working with us tonight.

This is an illness. This is an illness that has become the most expensive and will soon become the most pervasive illness in America. It is Alzheimer's. It is dementia associated with Alzheimer's. It is a devastating illness.

It is one that robs individuals of their mental abilities. It robs them of their memories of their families, of their work, of their lives. It confuses and muddles their thoughts, and eventually, it will destroy that individual, so tonight, we talk about Alzheimer's.

Is there anyone out there, any family, any individual, who hasn't seen this illness? I think we all have.

Let's get into it in some detail. A little later, as my colleagues join us, we will continue the discussion and talk about what we can do—your Representatives. There are 535 of us—435 here in the House of Representatives from every part of this Nation and from every walk of life and from every community, and there are the 100 Senators from every State. Let's use some of these charts to see if we can get a better fix on what we are actually facing here in America.

Let's see. Alzheimer's is the most expensive disease in America. One in five Medicare dollars is currently spent on people with Alzheimer's, 20 percent of every Medicare dollar. In fact, the total cost of Alzheimer's today—this year, 2014—is over $215 billion—a quarter of a trillion dollars. More and more of that money will come from Medicare as the baby boom population begins to move into its more senior years.

This illness is not just found in seniors. We are also learning about the early onset of Alzheimer's, men and women in their thirties and forties—early Alzheimer's. Of course, it extends on, mostly in the more senior population, 60–65 and above.

This is an illness that is also associated with genetics. If you have Alzheimer's in your family, there is a higher probability that you will have Alzheimer's yourself, but it is also an illness that is associated with brain damage that can occur from concussions.

I think we have all heard about the National Football League players who have suffered with one form of dementia or another and who have died early because of it. We also know that traumatic brain injuries are the most common injuries found among our troops who have returned from Afghanistan and Iraq.

Alzheimer's, it is there. It is very expensive.

What can we look forward to in the future? Let's see. This is Medicare and Medicaid—the Federal Government expenditures—not the family expenditures, not the expenditures by health insurance companies. This is just the Federal Government.

Today, it is about $122 billion. By the end of this decade, it will be $195 billion. As this wave of baby boomers passes through our demography and through our society, we expect, by the year 2050, that the Federal Government will be spending over $880 billion—$120 billion short of $1 trillion—on this illness, and this may be just two-thirds of the total cost. Well over $1.2 trillion will be spent in about 35 years on this illness.

Do you want to bust the budget? Do you want to see the deficits of America soar almost uncontrollably? Then look to Alzheimer's and dementia and the effect that they will have on the Federal budget deficit. Pay attention to these numbers because these numbers are the story of the American Federal budget and of the personal budgets of families across this Nation—Alzheimer's and dementia, $880 billion of Medicare and Medicaid money by 2050.

There is another way of looking at it. It is a different graph but the same story. The already high cost of Alzheimer's will skyrocket as the baby boom moves through the population. There it is: the same numbers, the same graph, the same extraordinary challenge facing America.

I should also mention that this is not just an American issue; this is an issue for every advanced economy in the world. If you are able to avoid the childhood illnesses—the illnesses that kill so many in the developing world—then those economies that have advanced to the more developed economies face the exact same population surge and costs associated with Alzheimer's and dementia.

What can we do about it? We can actually do a lot. I suspect, if you are looking at this on your TV screens or are here in the audience, you really only see the green line. This speaks of the treatment for Alzheimer's: today, $250 billion by Federal and local and private.

On this one over here is research, treatment versus research. It is the old adage: You spend it now or spend a lot more later. A penny saved is a penny earned.

What does research amount to? I have to pull this up close—oh, here it is. We are spending $122 billion to $150 billion or so of Federal and State money. What are we spending on research? $566 million. Billions? Millions? What does research amount to? It actually works. Research actually will solve problems, medical research.

How long have we been at polio? I remember growing up around the issues of polio. It was very common in our communities, then some money was spent on research and a polio vaccine. You don't see polio in our communities anymore.

The research worked with the development of the Salk vaccine, followed by other vaccines to treat polio. It is essentially wiped out in America. It only exists in a few very isolated places in the world. If we were to spend the money on a vaccination in those areas, we would see polio disappear from our world. The same thing happened with smallpox.

I want to show you something more of today. Let's look at the research budgets for those programs that are active today: investments in health research at the National Institutes of Health, $2,014; cancer research, $5.4 billion on cancer research.

Enough? Probably not. We probably could and should spend more on cancer research. Should we do so, I would suspect that we would see even more success in treating cancer in its earliest stages.

HIV/AIDS, nearly $3 billion on HIV/AIDS—have we solved the problem? No, but we have certainly figured out how people can live with HIV/AIDS, and we are probably going to see a vaccine sometime in the near future. This is what we are currently spending—nearly $3 billion—on HIV/AIDS.

Cardiovascular issues—stroke, heart attacks, other kinds of cardiovascular illnesses—just around $2 billion or slightly more is spent on that.

The most expensive, the most prevalent of all of the illnesses is Alzheimer's, $566 million. It's not billions—not $2 billion, not $3 billion, not $5.5 billion—but $566 million.

What is the result of all of this? What does it mean when you spend this kind of money on research? It really means something very good happens, that something really, really good happens when you spend money on research. With polio research and a polio vaccine, polio is no longer found in the United States.

Let's look at these major illnesses. What does it mean? What does it mean when we spend money on cancer research? Let's take a look here at deaths from major diseases and the change in the number of deaths from 2000 to 2012: breast cancer down 2 percent, prostate cancer down 8 percent.

What happens when you spend $5.5 billion a year on cancer research? Cancer deaths fall—success. On heart disease—cardiovascular illnesses—we spend about $2 billion a year, and we see heart disease dropping by some 16 percent. That is deaths from heart disease dropping by 16 percent and stroke dropping by 28 percent.

□ 1730

So what is the use of research? Well, if you want to live, it is a pretty good thing to spend money on, particularly if you are thinking about getting cancer or any of the cardiovascular illnesses: heart disease, stroke, heart attacks and the like.

HIV/AIDS, do you remember that number? HIV/AIDS, nearly $3 billion was spent on HIV/AIDS, and deaths from HIV/AIDS are down 42 percent in the United States.

So what does it mean when you spend money on research? It means really good things for Americans, and around the world a similar result. You spend that money on the research dealing with these major illnesses, and you will see the death rates drop all across this Nation.

HIV/AIDS is down by 42 percent, spending $3 billion a year; cardiovascular, $2 billion a year.

And this purple line over here, what happens when you spend $566 million a year on research for Alzheimer's? Alzheimer's deaths from 2000 to 2010 were up, increased by 68 percent. There is a story here. There is a lesson here. There is something that 535 of your Representatives, the American people's Representatives, should be paying attention to; and that is, if we want to deal with the most devastating, the most expensive, and, increasingly, the most common illness in America—the one that always will lead to death, the one for which there is no cure presently, the one for which there is not the kind of support needed for those people that suffer from Alzheimer's—then and we had better start talking about solutions. Research is a part of it.

How much do we think could be spent this year in the appropriation bills that are now coming before us? What if we were to add $200 million, about a 40 percent increase? What would it mean? It means that we will probably, over the next couple of years, begin to see profound knowledge about the human brain, about how it functions, about the diseases of the human brain, and about how we can attack Alzheimer's.

I don't expect it to be done in 2 years, but I know that out there, in the mind institutions at the University of California-San Francisco, University of California-Davis, down at UCLA and in other research institutions around this Nation, we are learning how the brain functions. We are learning about the diseases of the brain. And if we were to invest this year an additional $200 million, we would see a flourishing of knowledge. And maybe, maybe in one of those research institutes, they would find the key to solving the Alzheimer's puzzle. And if they were to do so, we would see a profound reversal in these numbers; and this blue dramatic increase of 68 percent more deaths from Alzheimer's over the last decade, we would see that reverse, and hopefully we would see it go down.

I would like to continue our discussion here with my colleagues. I have noticed that my colleague from California, JACKIE SPEIER, representing the Peninsula, has arrived.

I think your district comes very close to that great research institution, the University of California-San Francisco. I am not sure if it is in your district, but I know it is on the border of your district, if not in your district.

Ms. SPEIER, if you would join us to talk about this issue, I know it has been on your mind and in your heart. You have been a leader in California and back here in Washington on this issue. So thank you so very much for joining us in our discussion about the most prevalent and the most expensive of all diseases in America.

Ms. SPEIER. I thank the gentleman from California.

You are right. For more than 25 years, I have actually represented UCSF in the State legislature and then here in Congress, except as a result of reapportionment in the last 2 years. So I no longer technically represent the institution.

Mr. GARAMENDI. Well, I get to represent the University of California-Davis, and it is in my district, although the hospital and the research center are not. So I guess we share the same sadness.

Ms. SPEIER. Yes, and the same real joy in knowing that there is extraordinary research going on at both of those institutions.

I thank the gentleman for drawing such laser focus on the issue of Alzheimer's disease and why it is, in fact, the number one most prevalent disease in this country.

I brought down this Alzheimer's Association sash that many of us wore when our constituents came into town, pleading with us to do more about Alzheimer's research. Many of us took pictures with them and said, yes, we are very supportive, but it is really time for us to put our money where our mouth is. It is not good enough to wear a purple sash and say that you are supportive of Alzheimer's research when, in fact, what we are spending in terms of Alzheimer's research is so much less than it is with every other disease.

As you were pointing out with your chart—I have a very similar chart as well—we are spending $566 million a year on Alzheimer's disease. Good. There is no question about it. But it is not good enough. It is not good enough in comparison to what we are spending on cardiovascular disease, on HIV/AIDS, or on cancer—$5 billion, $5.5 billion on cancer research.

But let's talk about the big elephant in the room. I mean, we already know that we are not spending nearly as much money on Alzheimer's research as we are on other conditions and we need to pump that up, but let's talk about the elephant in the room. The elephant in the room is not the Republican elephant. It is the elephant on the issue of Alzheimer's.

Why is it so important for you and me and every American to be concerned about Alzheimer's research? Because it is going to choke us financially in a very short period of time. We are now spending about $214 billion a year on the cost of health care. Now, that is $150 billion in costs for Medicare, and then another $37 billion in costs for Medicaid.

So it is costing us a lot of money today, but the real choker is how much it is going to cost us in 2050. In 2050, it is going to cost us over $1.2 trillion. So we owe it to our families, we owe it to our constituents; we owe it to the American people, we owe it to the Medicare system and the Medicaid system to find a cure or find a way to early detection and then to slow the process of this particular disease.

Now, in my county, we have about 15,000 people living with Alzheimer's right now and more than 45,000 caregivers. Nationally, in 2012, 15.5 million caregivers provided an estimated 17 billion hours of unpaid care, valued at $220 billion, which brings me to my next point, and it is about women.

This issue is a women's health issue. Now, it is true that women—60 percent of Alzheimer's and dementia caregivers are women. They are often unpaid in providing those services. But nationally, a woman in her sixties has an estimated lifetime risk for developing Alzheimer's of something like 1 in 6. For breast cancer, what we have been so focused on, it is 1 in 11.

Here is the most stunning figure of all. Two-thirds of the 5 million seniors with Alzheimer's disease in this country are women. Two-thirds are women. So this is, indeed, a women's health issue and one that we have to take very seriously.

So with that, Mr. GARAMENDI, I know you have other participants in this, and I thank you for yielding.

Mr. GARAMENDI. Thank you very much, Ms. SPEIER. I really appreciate you bringing the women's issue to this.

The last 3 years of my mother-in-law's life were spent in our home as she went through the process of Alzheimer's. And it is, indeed, a women's issue. Two-thirds, as you say, are women. And we experienced that. Fortunately, for us, it worked out very well for us and our family.

But we are not unique, and while our experience was sad but good in some

ways, that is not always the case. This is a huge, huge burden. Not only are the women the ones who suffer, but the women are often the ones who care for those who have it.

So I thank you so much.

I notice my friends from the east coast have joined us. We often do an east-west thing here. My two friends are debating who is going to go first.

Mr. FATTAH, why don't you go first, and we will go from there.

Mr. FATTAH. Thank you. I appreciate that.

We were together just recently in your district at the Staglin Scientific Symposium, focusing on some of the challenges related to diseases and disorders of the human brain. This issue that you raise on the floor tonight is the most dominant challenge that we face in terms of a degenerative brain disease.

It is not by accident that Prime Minister David Cameron, when leading the G7, said that dementia was the world's global challenge. It is not by accident that here in our own country we have created, through the great work of Members like yourselves and others, a major focus now on Alzheimer's as one of the brand-name dementias that has affected millions of Americans and will affect millions going forward.

I have led an effort in the appropriations process focusing on the human brain, both mapping the brain and challenging and chasing cures and treatments for diseases. This neuroscience initiative, Fattah Neuroscience Initiative, has been focused on the fact that these 600-plus diseases of the brain affect over 50 million Americans; but there is none more costly than Alzheimer's, none that are affecting more families than Alzheimer's. And it is so important.

We just had an incident the other day of a very prominent restaurant owner here in Washington who was said to have gone missing in New York City because she is suffering from this disease.

I was happy to be at the launch of the Give To Cure effort, which is an effort to build support so that the ''valley of death,'' as it is called, in terms of major research that needs to go forward to clinical trials, working with my good friend Rafi Gidron from the Israel Brain Technologies and so many others.

This morning I met with the new president of Cal Tech and talked about the efforts there at a great university in your State, and they received well over 10 percent of the initial awards in the BRAIN Initiative from NIH because of the leading research. I have been—and some of the people think I may have some designs on retiring to California. I have spent some time there now with Stanley Prusiner, who is a Nobel laureate in neurology. He was the first one working with people like Virginia Lee and John Trojanowski to begin to really understand the early formation of this disease and how it affects people.

I want to talk just for a minute about how this affects families—and then I will yield—not about the science of it. There are significant scientific hurdles, with over 100 billion neurons, tens of trillions of connections. We do not now know how the brains of human beings work, but we don't have a good understanding yet of how the brains of much smaller insects or animals actually function. This is a great scientific challenge. I think it is the most important frontier for all of science to focus on, and that is why I am so dedicated to it.

When it comes to families—and I heard you speak about your own—this is something that has a tremendous impact. And dementia is something that, as people are healthier, their bodies are healthier, their brains are degenerating. We are going to face more and more of this.

We had a former Speaker of the House, Newt Gingrich, talk about, if we could just reverse for a few years the onset of Alzheimer's, it could save our country trillions of dollars. But put the dollars aside. What this is really about is valuing families and understanding that as much as science is something that we all take a great interest in, that what should focus us is to make sure that our scientific endeavors are focused on how to improve the life chances of the people who we represent.

□ 1745

So the World Health Organization says there are a billion people worldwide, NIH says 50-plus million Americans suffering from brain illnesses. We know that you have your finger on the pulse, Mr. Speaker, and I thank you for conducting this Special Order.

I know that so many members want to participate, I am going to now yield back my time, but you can count on us as we go forward to continue to work with you and to work with the pharmaceutical industry and to work with our academic enterprises, and we are going to have even more success going forward not just in finding treatment but we have to put as our goal finding a cure. So thank you.

Mr. GARAMENDI. Thank you so very much, Mr. FATTAH, and thank you for your role on the Appropriations Committee trying to move the money into this research so that we can address this. You mentioned the Staglins out in California and their project, which is the One Mind project, our former colleague Mr. Kennedy involved in that project, trying to pull together the research from around the world and here in the United States specifically, so that there is a sharing of knowledge back and forth from these various research centers, so that the synergy would come from the knowledge that may exist at Cal Tech or New York, which we will undoubtedly hear about in a few moments, or in your country out in Pennsylvania.

Mr. FATTAH. If the gentleman would yield for just a second.

Mr. GARAMENDI. Sure.

Mr. FATTAH. I met just a few days ago with Henry Markram with the European Human Brain Project, where the EU has put now a billion-and-a-half euros on the table to help with the mapping of the brain. One of the things that we talked about and what is clear is that we have to bring these global efforts together and connect them. This is not about one researcher somewhere discovering the solution to this. This is going to take a combined effort, and we have to have a certain urgency about it, and we have to demand that it be done now. Thank you.

Mr. GARAMENDI. Well, thank you so very, very much. I am going to turn to my colleague from our normal East-West dialogue here that we have done so many days, so many times over the last few years.

Mr. TONKO, thank you so very much for joining us once again as we talk this time about—we usually talk about jobs and the economy and how we can build it, but this time we are talking about Alzheimer's, so please.

Mr. TONKO. Well, thank you, Representative GARAMENDI, for leading us in a very important discussion during this Special Order. There is no denying that all of us, Members of the House and beyond, if you are to ask individuals out there across this country if Alzheimer's or dementia issues have impacted their family, the immediate response is absolutely.

I think all of us have been touched by those devastating impacts, those outcomes that befell our loved ones, and the ripple effect onto that circle of family and friends. It is devastating. You in a sense lose that individual, and it is a very painful process certainly for those individuals living with Alzheimer's and dementia, and for their immediate families and loved ones and caregivers who watch as they painfully travel the journey with those individuals. So I think for us to take that human element, that impact and that dynamic, and put it into working order, we would be well served to acknowledge that Alzheimer's is the most expensive disease in America. It is driving bankruptcy if it goes unaddressed. And when one in every five Medicare dollars is spent on a person with Alzheimer's or dementia, the warning signals should be out there for sounder budgeting, to put our focus on a cure, on research, on developing those opportunities that will bend the cost curve, so to speak, that will enable us to address with dignity and common sense and economic sustainability the issues of Alzheimer's and dementia.

The impact upon our culture is so much so the economic drain is at about $214 billion in 2014. That is an immense economic toll that is placed upon budgets, be they Medicare, Medicaid, local budgets, or not-for-profits that make it their goal to best serve individuals, especially in their elderly years, and to be able to assist in that effort by advancing the efforts of the study of the

brain that have been initiated by this President, by President Obama and his administration, is a very, very worthy investment.

It will tell us much about several diseases out there and allow us to again approach an issue with dignity and facts at our fingertips that will then provide for the best prioritization of how to respond to those issues.

Now, much has been said about research here tonight, and rightfully so. It is very critical that we, you know, grow the investment on research. I have participated in our annual town halls that are called for in the National Alzheimer's Project Act, and that National Alzheimer's Project Act requires that we gather together to understand how well the services are coming together, what the needs are, and how we plan appropriately for ongoing budgets.

There you receive, all of us, the very disturbing testimony that reaches us, impacts our thinking, and certainly speaks to our hearts and souls about what we need to do, painful journeys that individuals have made. I can vividly recall a high school friend mentioning that her husband no longer knew her name but knew her voice. These are painful bits of testimony to absorb, and they motivate us. They ought to motivate us and challenge us to move more quickly in this effort to fund research and find a cure and find better treatments.

The efforts that I think are important here that follow the National Alzheimer's Project Act is to put together a more clinical response, and I think the Alzheimer's Accountability Act, which I have cosponsored, allows for H.R. 4351 to respond to the Alzheimer's planning in a way that clinicians and those directly involved in the service delivery system to the Alzheimer's community, they will advise what those budgeted amounts should look like in an annual effort from here to the threshold year of 2025. That is an absolute essential.

I applaud our efforts here in the House with Representative GUTHRIE and others—as I said, I am a cosponsor—looking to make certain that we have a much more accountable, logistic, well-planned, and professional-driven estimate that will move us forward with each and every budget year to respond to this crisis in America, and it indeed is at crisis proportion.

So Representative GARAMENDI, these are efforts that I think need to be made. The commitment that starts with the human element, the compassion that needs to be expressed on behalf of the people of this country via this House, via Congress, both Houses speaking to a legitimate request that authorizes the investment in research, that puts together a plan that is run by clinicians that advise the United States Government as to how to best respond, what those levels, those thresholds should be from now to the benchmark year of 2025, and to make certain that we do it all within our professional capacity in harnessing the resources that are required.

We grow, we cultivate an intellectual capacity in this country of which we are very proud, and one that should serve us abundantly well, and it is important to have our hearts and souls measure that opportunity, to put together the best blueprint for addressing this crisis. Let's move forward with a sound, resounding commitment of support to these individuals and their caregivers.

You know, when we look at the statistics out there, one in nine over the age of 65 is impacted by Alzheimer's, one in three in age category 85-plus. And guess what? That is the fastest-growing age demographic in our country. So in order to plan and plan well for the onslaught of baby boomers who will enter into these given demographics, we need to make commitments, and we need to again bend that cost curve by investing now in research, preventative therapies, and certainly study of the brain, efforts that are promoted by the President and the administration to make certain that we can move forward effectively and compassionately and allow for the best choices to be made.

So I thank you for leading us in this very important discussion, Representative GARAMENDI, and I am convinced that with the facts at our fingertips and with the elements of compassion and dignity that should respond to the Alzheimer's community, we can get these important measures achieved.

Mr. GARAMENDI. Mr. TONKO, thank you so very much for your bringing to us the information about actions that have already been taken. The Alzheimer's plan that you discussed lays out a process by which the National Institutes of Health will develop a program of research, bring it directly to Congress so that we can then analyze it and hopefully fund that research. It is the pragmatic way of dealing with it. As you said, it is based upon a studied step-by-step process to get to the solution of Alzheimer's.

There is also other legislation. Our former colleague, now Senator MARKEY, put together a bill that is called the HOPE Act, and that is one that would require that Medicare take specific account of Alzheimer's, and that in the Medicare program, there be a method for Medicare to fund early diagnosis of Alzheimer's and then the early treatment. As was said by one of our colleagues earlier, a delay of a couple of years or 3 or 4 years in the onset of serious Alzheimer's is extraordinarily beneficial to the individual and to the family, and, in a larger context, to the budget of the individual family, their insurance company, as well as the Federal government through Medicare and Medicaid.

So that program also speaks to the caregiving that is necessary and Medicare picking this up. It is clearly going to be the illness that will bust the bank unless we can get ahead of it, and that is where the research comes into focus and into play. We can do this.

There is another angle to this. I was going to take this up with Mr. FATTAH when he was here. He was talking about other agencies and other governments that are involved in dealing with this. About a month ago I had the opportunity to spend about an hour with the new Secretary of Veterans Affairs, Mr. McDonald, and we were talking about the various challenges that the Department of Veterans Affairs has dealing with all of the veterans, and it wasn't long before the conversation turned to traumatic brain injury and PTSD, post-traumatic stress syndrome, both of which are illnesses or problems of the human brain.

We were discussing how the Department of Veterans Affairs is dealing with this. It turns out that they also have a research budget, and we know that he was unaware of some of the research that was going on both at the NIH and what Mr. FATTAH talked about, the One Mind program that our former colleague Mr. Kennedy is involved in in pulling together the research that is available around the world, bringing that research together so that the synthesis of it could be a much more rapid solution to the problems that Mr. McDonald faces in the Veterans Administration dealing with post-traumatic stress illnesses as well as traumatic brain injury.

So all of these things come together, and in dealing with it, ultimately we carry a heavy burden of responsibility here in Congress.

Mr. TONKO. Absolutely. You talked too about the caregivers, and it is theorized that nearly 60 percent of those caregivers who respond to Alzheimer's patients and those living with dementia are impacted with tremendous emotional stress, and they rate that as high or very high. And then of that 60 percent of caregivers, literally one-third is suffering from some order of depression. So the impacts here continue to sprawl and cause greater expenditure for those who are doing their good deed, responding to the needs of loved ones or friends or the patient population out there, and then they are impacted by this order of depression.

□ 1800

It is assumed that has added additional cost to the system of our health care drain, and that is at $9.3 billion. That estimate goes over the year of 2013, so it is very easy to begin to do the calculus here on the cost of status quo, of not responding in deep measure or in wise capacity, so as to put together the sort of research that we require and the respite relief programs that are essential.

Having talked to a number of caregivers during my tenure here, now closing out my third term, but before that in the State Assembly of New York, I would routinely hear from folks who would deal with these situations, these family issues in ways that they never imagined would be possible.

I know of some spouses that indicated to me that, while they stayed home full time being the caregiver, they eventually sought employment and used every bit of that salary that came from that new employment to go toward the cost of caregivers. Now, they did that in order to save a relationship.

It was a tremendous emotional drain on their relationship because it is not easy serving as a caregiver. Individuals have told me, as spouses, that they have gone out and sought full-time employment and again passed over that salary to the respite person.

That is the sort of painful pressure under which individuals and couples—families—are living. It is a very difficult assignment many have chosen to keep their loved one at home.

There are issues of safety, economic duress, and certainly our system has to respond to that, so the sooner we set our sights on a cure, on funding that is adequate and effective for research purposes and for developing the responsiveness of the medical teams out there, via perhaps pharmaceutical assistance and development there, the better our economic situation will be in regard to these struggles.

Here is a chance for Congress to respond in very magnanimous terms that will allow us to state cumulatively that we get it, that we are there in order of compassion, that we understand it is about a dignity factor, it is about quality of life, and it is about providing hope to situations that may be rendered hopeless.

Isn't that the best element of work that we can do here to bridge that order of hope to those who have been so stressed and who have been given a walk in life, a journey that is powerfully painful?

I just appreciate the fact that we are utilizing these opportunities, such as this Special Order, to bring to the attention of those concerned with these issues to a laser-sharp focus and to allow for people to speak out there as the general public in support of measures that can be taken, of budget appropriations that can be secured, of opportunities that come in securing the resources essential to go forward and offer the fullest response that we can.

Again, health care situations are driven by this. There are huge costs if we don't respond to the needs of individuals living with Alzheimer's, and then there is that ripple effect that is happening all too frequently for the caregiver community that is also worn thin because of this assignment, because of this mission that they embrace.

It is honorable that they do these things, but we also have to work the system here on the Hill in Washington, to respond to them with a degree of reverence and common sense and fully acknowledge that there are efforts that can be made here that bend that cost curve and speak to the situations at hand in the most effective manner.

Representative GARAMENDI, I thank you for bringing us together on this evening of thoughtfulness here concerning dementia and Alzheimer's as a particular stress.

Mr. GARAMENDI. Thank you, Mr. TONKO, for joining us in this Special Order hour. Working with you has always been a pleasure. I think this subject is one that you and I and our colleagues will want to take up as the days go forward.

In the spring, the 2015 Alzheimer's Day will occur once again here in Washington, DC. There will be thousands of people coming to Congress, knocking on our doors, grabbing our lapels, and asking us to pay attention to this illness.

I want to review some of the costs, and then basically wrap this up. You talked about home care. There are articles that appeared recently in The Sacramento Bee about elderly people taking care of each other, a wife taking care of her husband in their 50th year of marriage with severe Alzheimer's, the love that is so apparent, but also the difficulty of an elderly person taking care of another elderly person.

We can address that. That is what the HOPE legislation is all about, bringing Medicare into this.

The research thing that we talked about earlier, I am going to put up very, very quickly a couple of charts. This one, what is going to happen to the Federal budget if we do not address Alzheimer's, it is $122 billion today; in 35 years or 40 years, we are going to look at over $800 billion, and that doesn't include the private sector. It is going to be $1.2 trillion spent on this, so we are going to bust the budget. If you are a deficit hawk, you should be paying attention to this.

What do we need to address it? Well, we certainly need care for the caregivers. We have talked about that. We also need research. The plan that was in the earlier legislation laying out the Alzheimer's plan called for an additional $200 million this year on top of the $566 million that we are currently spending.

Keep in mind that, for cancer, it is nearly $5.5 billion; for HIV/AIDS, nearly $3 billion; and cardiovascular illnesses, just about $2 billion annually spent in research at the National Institutes of Health.

They are very good, it is very important, and not a nickel should be taken away from that, but we should add $200 million this year as we complete the appropriation process right now.

People ask, ''Where can we find the money?'' Well, let's see. We just said we are going to spend $5.6 billion in Syria and Iraq—new money. I know that my work on the Armed Services Committee—I am on the Strategic Forces Subcommittee. We are talking about more than $12 billion over the next 6–7 years rebuilding a nuclear bomb that nobody knows what to do with.

Maybe there are choices that we can make. Would America be better off with a new nuclear weapon or rebuilt nuclear weapon, spending $12 billion or so on that, or maybe spending it on Alzheimer's research?

Our work is about choices, Mr. TONKO. How are we going to allocate the resources of this Nation? My suggestion is we go where every family in America will be affected, every family, either directly as my family has been directly impacted by this. My mother-in-law lived with us the last 3 years of her life, dying at the age of 92; yes, we were affected.

We know the genetic issues. My grandchildren are looking out there and saying, ''This is a genetic thing, Papa. What about me?'' So that worry carries through our family, and I suspect it carries through every family in America, either directly or indirectly.

Let's make a choice. Let's make a choice to attack with research, with care, with funding the most expensive, most common, most deadly illness in America and in other developed countries: dementia and Alzheimer's.

We can do it. This is not an impossible task. This is simply a task of focusing like a laser on this issue, and when we do, we will find the same success that we have seen with heart, cancer, and HIV/AIDS—not cured, not stopped, but a very significant drop in the deaths associated with those illnesses.

Mr. TONKO, I have completed my statements tonight. I think you have another comment.

Mr. TONKO. I would just like to attach my comments to those you have just closed your statement by.

This bankruptcy that is driven by certain catastrophic situations with health care costs are impacting far too many families, and this order of work here in the Congress is about prioritizations. We have spent trillions on war, and we have really diminished the investment in domestic programming, including health care.

We come up with all sorts of efforts called sequestration, which is a hidden attack on investments in our domestic agenda. We have to be cautious about how we are guiding those priorities that we are establishing in our budgeting here in Washington, but if we were to prioritize based on where the public demands are, let me suggest, in closing, that I have gone to the Alzheimer's walk in my district for the past several years, and every year, the same statement is made: ''This is the largest crowd ever assembled.''

It keeps growing. It tells me the consciousness of this country, that we want something done for this dreadful disease, doing something that will cure individuals who are walking and living with Alzheimer's and dementia.

The people have asked for this by their participation in local fundraising events. Is that the way that we respond to a crisis, by hoping we have good weather on the walk day, that we reach our intended goal that given year, as people are strapped with expenses of caregiving and medications?

There is a better way to complement that, to lead the effort here in Washington with the research, with the cure that can be found, with the advancements in the pharmaceutical industry to be able to extend life and enhance life and the quality of life. That is what I think is so powerful about the opportunity we have here.

I believe we can be those agents of hope. I do believe firmly that the priority here is to address this crisis that is devastating our American families and our economy. Let's go forward and be those agents of hope. Let's provide for a better tomorrow, and let's show people that there is a compassion that accompanies the efforts here in Washington.

Representative GARAMENDI, thank you for bringing us together on an important discussion that needs to be followed up with resources and public policy and certainly prioritization that brings us to the threshold of responsiveness that is so needed and so deserved and is so correct.

Mr. GARAMENDI. I thank you very much, Mr. TONKO, for joining us tonight. I also thank my colleagues, Mr. FATTAH from Pennsylvania and Ms. SPEIER from California, for joining us on this important subject.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 5069. An act to amend the Migratory Bird Hunting and Conservation Stamp Act to increase in the price of Migratory Bird Hunting and Conservation Stamps to fund the acquisition of conservation easements for migratory birds, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1000. An act to require the Director of the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ADERHOLT (at the request of Mr. MCCARTHY of California) for today on account of a family illness.

Mr. DOYLE (at the request of Ms. PELOSI) for today on account of family medical issues.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 3, 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:

8124. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Financial Market Utilities [Regulation HH; Docket No.: R-1477] (RIN: 7100-AE09) received November 21, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8125. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Federal Credit Union Ownership of Fixed Assets (RIN: 3133-AE05) received November 24, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8126. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Commission's semiannual report from the Office of Inspector General for the period April 1, 2014 through September 30, 2014; to the Committee on Oversight and Government Reform.

8127. A letter from the Secretary, Department of Health and Human Services, transmitting the semiannual report on the activities of the Office of Inspector General for the period ending September 30, 2014; to the Committee on Oversight and Government Reform.

8128. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's Performance and Accountability Report for Fiscal Year 2014; to the Committee on Oversight and Government Reform.

8129. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's Fiscal Year 2014 Agency Financial Report; to the Committee on House Administration.

8130. A letter from the Trade Representative, Executive Office of the President, transmitting a letter regarding a new trade agreement in the World Trade Organization aimed at eliminating tariffs on a wide range of environmental goods; to the Committee on Ways and Means.

8131. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Qualified Transportation Fringe (Rev. Rul. 2014-32) received November 25, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8132. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Treatment of Certain Amounts Paid to Section 170(c) Organizations under Certain Employer Leave-Based Donation Programs to Aid Victims of the Ebola Virus Disease (EVD) Outbreak in Guinea, Liberia, and Sierra Leone [Notice 2014-68] received November 25, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8133. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Salvage Discount Factors and Payment Patterns for 2014 (Rev. Proc. 2014-60) received November 25, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIIONS

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. HENSARLING: Committee on Financial Services. H.R. 3240. A bill to instruct the Comptroller General of the United States to study the impact of Regulation D, and for other purposes (Rept. 113–640). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4200. A bill to amend the Investment Advisers Act of 1940 to prevent duplicative regulation of advisers of small business investment companies (Rept. 113–641). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4569. A bill to require the Securities and Exchange Commission to make certain improvements to form 10–K and regulation S–K, and for other purposes; with an amendment (Rept. 113–642). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 766. Resolution providing for consideration of the bill (H.R. 5771) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, and for other purposes, and providing for consideration of the bill (H.R. 647) to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (Rept. 113–643). Referred to the House Calendar.

Mr. BRADY of Texas: Joint Economic Committee. Report of the Joint Economic Committee on the 2014 Economic Report of the President (Rept. 113–644). Referred to the Committee of the Whole House on the state of the Union.

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. BENTIVOLIO (for himself, Mr. BROUN of Georgia, and Mr. STOCKMAN):

H.R. 5779. A bill to amend the Internal Revenue Code of 1986 to provide a deduction for elementary and secondary private school tuition, and for other purposes; to the Committee on Ways and Means.

By Mr. BRADY of Texas (for himself, Mr. MCDERMOTT, Mr. CAMP, Mr. LEVIN, Mr. RANGEL, Mr. LEWIS, Mr. SAM JOHNSON of Texas, Mr. BLUMENAUER, Mr. PASCRELL, Mr. GERLACH, Mr. BOUSTANY, Mr. BUCHANAN, Mr. ROSKAM, Mr. REED, Mrs. BLACK, Mr. GRIFFIN of Arkansas, Mr. KELLY of Pennsylvania, Mr. RENACCI, and Mr. VAN HOLLEN):

H.R. 5780. A bill to amend title XVIII of the Social Security Act to improve the integrity of the Medicare program, and for other purposes; to the Committee on Ways and Means, 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. VALADAO (for himself, Mr. NUNES, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Mr. CALVERT, Mr. LAMALFA, and Mr. COSTA):

H.R. 5781. A bill to provide short-term water supplies to drought-stricken California; to the Committee on Natural Resources.

By Ms. KAPTUR (for herself, Mr. FRELINGHUYSEN, Mr. GERLACH, Mr. LEVIN, Mr. QUIGLEY, Mr. STOCKMAN, Mr. CONNOLLY, Mr. PASCRELL, Mr. ENGEL, Mr. KEATING, and Mr. MORAN):

H.R. 5782. A bill to impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, and the Judiciary, 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. FOSTER (for himself, Mr. TAKANO, Mr. RUSH, Mr. HONDA, Mr. HINOJOSA, Mr. LANGEVIN, Mr. ENYART, Mr. CICILLINE, Mr. RYAN of Ohio, and Mr. CÁRDENAS):

H. Res. 767. A resolution expressing support for designation of December 3, 2014, as the ''National Day of 3D Printing''; to the Committee on Energy and Commerce.

By Ms. HAHN:

H. Res. 768. A resolution recognizing that Monsignor Diomartich through his passion of spreading the word of God, has inspired and guided the residents of Los Angeles and has brought unity and pride to the Croatian community; to the Committee on Oversight and Government Reform.

By Mr. TERRY:

H. Res. 769. A resolution expressing the sense of the House of Representatives that the healthcare, energy, telecommunications, and other sectors of the United States economy should continue their sector-specific efforts to protect critical infrastructure, to prevent information security breaches, and to prevent cybersecurity breaches; to the Committee on Energy and Commerce.

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. BENTIVOLIO:

H.R. 5779.

Congress has the power to enact this legislation pursuant to the following:

Article. I.

Section. 8.

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. BRADY of Texas:

H.R. 5780.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. VALADAO:

H.R. 5781.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18

By Ms. KAPTUR:

H.R. 5782.

Congress has the power to enact this legislation pursuant to the following:

Art. 1 Sec. 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 411: Ms. DELBENE.
H.R. 1150: Mr. RUIZ.
H.R. 1351: Ms. KELLY of Illinois.
H.R. 1518: Mr. FORTENBERRY.
H.R. 2426: Ms. ROYBAL-ALLARD.
H.R. 2529: Ms. DEGETTE and Mr. JOHNSON of Georgia.
H.R. 2780: Mr. THOMPSON of California.
H.R. 2790: Mr. KILMER.
H.R. 2989: Mr. LYNCH.
H.R. 3116: Mr. STUTZMAN and Mr. PALAZZO.
H.R. 3369: Mrs. DAVIS of California and Mr. BRIDENSTINE.
H.R. 3424: Mr. THORNBERRY.
H.R. 3426: Mr. MCCAUL and Mr. GRIFFIN of Arkansas.
H.R. 3465: Mr. FORBES.
H.R. 3505: Mr. PRICE of North Carolina.
H.R. 3708: Mr. PAULSEN.
H.R. 3833: Mr. HECK of Nevada.
H.R. 3899: Ms. KAPTUR.
H.R. 3902: Mr. ISRAEL.
H.R. 4158: Mrs. WALORSKI.
H.R. 4215: Mr. LYNCH.
H.R. 4351: Mr. DENHAM.
H.R. 4361: Ms. SPEIER.
H.R. 4663: Ms. BONAMICI.
H.R. 4664: Ms. BONAMICI.
H.R. 4717: Mr. HECK of Washington.
H.R. 4748: Ms. BONAMICI.
H.R. 4885: Mr. BLUMENAUER.
H.R. 4920: Mr. AMODEI.
H.R. 4969: Mr. HUFFMAN.
H.R. 5136: Mr. CICILLINE, Mr. LEVIN, and Mrs. NAPOLITANO.
H.R. 5241: Mr. SHIMKUS.
H.R. 5364: Mr. LOEBSACK, Ms. PINGREE of Maine, Mr. TAKANO, and Ms. CLARKE of New York.
H.R. 5478: Mr. NADLER.
H.R. 5491: Mr. HASTINGS of Florida.
H.R. 5504: Mr. JOYCE.
H.R. 5505: Mr. LUETKEMEYER.
H.R. 5557: Mrs. MILLER of Michigan.
H.R. 5563: Mr. TAKANO.
H.R. 5589: Mr. WALZ, Mr. HIGGINS, and Mr. KING of New York.
H.R. 5620: Mr. SIMPSON.
H.R. 5644: Mr. KING of New York.
H.R. 5646: Mr. HECK of Washington.
H.R. 5650: Mr. RYAN of Ohio.
H.R. 5655: Ms. DELBENE and Mr. CLEAVER.
H.R. 5658: Mr. WALBERG, Mr. RIBBLE, and Mr. PETRI.
H.R. 5675: Mr. JOYCE, Ms. ESTY, Mr. RYAN of Ohio, Mr. YOUNG of Alaska, and Mrs. BUSTOS.
H.R. 5696: Mr. WALZ and Mr. ROHRABACHER.
H.R. 5697: Mr. KEATING, Mr. OLSON, and Mr. TIBERI.
H.R. 5706: Mr. SERRANO, Mr. HIMES, and Ms. CHU.
H.R. 5735: Ms. JACKSON LEE and Mr. SHERMAN.
H.R. 5739: Mr. YOUNG of Indiana and Mr. BRADY of Texas.
H.R. 5759: Mr. BYRNE, Mr. MCCLINTOCK, Mr. DUNCAN of Tennessee, Mr. JOLLY, Mr. PITTENGER, Mr. NUGENT, Mr. ROGERS of Kentucky, and Mrs. WAGNER.
H.R. 5765: Mr. COLE and Mr. RUIZ.
H.R. 5768: Mr. OLSON, Mr. SCHWEIKERT, and Ms. JENKINS.
H. Con. Res. 114: Mr. LOEBSACK.
H. Res. 190: Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 622: Mr. GIBBS.
H. Res. 757: Mr. BARLETTA.
H. Res. 761: Mr. BISHOP of Georgia and Mr. SWALWELL 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. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 5771, the Tax Increase Prevention Act of 2014, 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. KLINE

The provisions in H.R. 5771 that warranted a referral to the Committee on Education and the Workforce 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 House of Representatives.

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 5771, the Tax Increase Prevention Act of 2014, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.