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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 19, 2016.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, 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.

HOMELAND SECURITY

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

Mr. QUIGLEY. Madam Speaker, in today's world, the threats we face are constantly changing. Our ability to keep America safe relies on our capacity to adapt quickly to these new and evolving threats.

In the years following 9/11, the U.S. made significant changes to our intelligence and law enforcement capabilities that have stopped over 60 terror plots against the U.S. and saved countless American lives.

But 9/11 was 15 years ago. The threats we face today are vastly different than the threats we faced then. It is time we reprioritize resources to confront this new reality.

The recent terror attacks in Brussels and Paris confirm that one of our largest security vulnerabilities is soft targets, relatively unprotected venues where large groups of people gather. Soft targets include places we all frequent, like airports, transit systems, stadiums, restaurants, and shopping malls. They are easy to attack and difficult to protect.

The recent attacks also showed that threats are becoming harder to detect. The ability to collect intelligence on terrorist intentions and terror plots is more challenging because of new encryption technology and the reliance on lone-wolf attacks.

Because specific and credible threats are increasingly more difficult to uncover, we need to redouble our efforts and reprioritize our funding to reduce our vulnerabilities. Yet, alarmingly, current funding for the Federal programs designed to keep America safe fails to meet the new and growing threats we face.

The primary responsibility of the Federal Government under the Constitution is to ''provide for the common defense,'' but, in recent years, Congress has made significant cuts to the Homeland Security programs that were designed to protect things like soft targets. Since the majority took over the House in 2010, Homeland Security grants to help States and localities protect against and respond to terror attacks have been cut in half.

Urban Areas Security Initiative grants, which large cities like my hometown of Chicago use to invest in the training and equipment necessary to respond to their unique security threats, have been cut by over $200 million. Transit security funding, used by the Chicago Transit Authority to invest in camera systems that protect against terror attacks and have lowered crime by 50 percent, has been reduced by over 60 percent. And Buffer Zone Protection grants, which once helped cities defend critical infrastructure like stadiums, are no longer funded.

To the detriment of our security, many of my House colleagues have championed the harmful, across-the-board spending cuts of sequestration that restrict our intelligence and law enforcement capabilities and, in 2014, forced a hiring freeze at the FBI. They champion these cuts even as the Secretary of Defense calls sequestration the ''biggest strategic danger'' to our national security, and the Chairman of the Joint Chiefs argues it poses a greater threat to national security than Russia, China, North Korea, Iran, and ISIS.

Last year, the House majority took the budget irresponsibility even further by threatening to shut down the Department of Homeland Security over a partisan fight over immigration. All the while, Congress continues to prioritize billions in funding to respond to threats posed by a cold war that ended decades ago.

For example, we are spending $350 billion over the next decade on our outdated nuclear weapons policy. By simply eliminating our strategically obsolete stockpile of ICBMs, we could free up $2.6 billion a year, money that could be spent on intelligence, cybersecurity, and homeland security.

While the goal of our intelligence and law enforcement communities to deter, detect, and prevent terror attacks remains the same, how we accomplish and fund that goal must continue to evolve to meet the new challenges we face.

Protecting against new and evolving threats will not necessarily require additional spending, but it will require smarter spending. When it comes to national security, we must continue to

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ask ourselves what really keeps America safe in today's world.

REINING IN GOVERNMENT: A NEW ATTITUDE AND A NEW DAY

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

Mr. YOHO. Madam Speaker, it is a great day here in America.

Four years ago I came to Congress with a desire to change the business-as-usual politics in Washington, D.C. That road has been tough, but change has been achieved. My efforts, along with the efforts of like-minded colleagues, changed the leadership of this House for the better. There has been a renewed work ethic and excitement to set forth an agenda for the American people that puts them first, not Big Government, not Big Business. There is truth in the saying: Do not grow weary in well doing.

Madam Speaker, with positive incremental changes taking hold, the keystone to our success will be a change in leadership at 1600 Pennsylvania Avenue. Our current administration has done everything it can to avoid working with Congress. Time and again, Republicans have sent legislation to the President's desk on behalf of the American people, only to have each one of them vetoed. With every veto, the President casts aside the will of the very people who elected us to serve, telling them, essentially: I know what is best for you. Or he rules with a pen and a phone.

Every Member of Congress takes their work and the work of the American people seriously as Representatives and as a legislative body. If this administration, in their remaining time in office, doesn't want to work with Congress on anything, then the Republicans in the House and the Senate must take action to address the issues facing the American people.

Due to the President's policy of stonewalling Congress, the legislation that we have passed has no chance of gaining his signature. Compromise, once accepted as a means to accomplish the greater good, now seems to be a thing of the past. The executive branch, whether held by Democrats or Republicans, has grown accustomed to exercising unilateral power to reinterpret existing law and twist it to fit its own ideology.

Again, I want to repeat. The executive branch, whether held by Republicans or Democrats, has used that power and twisted it to fit its own ideology.

Congress has no answer to the authoritative rulemaking process used by government agencies today. Madam Speaker, we need to reestablish a check on those agencies that are willingly disrupting business across America.

I am not talking about rules that were crafted with an understanding of the industry and a truly thoughtful process which included all stakeholders. I am talking about the rules, like the Clean Power Plan, endorsed by radical environmental groups with no reasonable knowledge of what affordable energy means to people who live paycheck to paycheck and follow an ideology of their own.

To blunt these rules, Congress must have a tool that truly is a check on the executive, one that forces the executive and legislative branch to work things out together.

One tool that scholars repeatedly pay lip service to is the power of the purse. We talk about it all the time, but we don't see it in action. While historically being an important tool to enforce the will of Congress, nowadays, a fight over spending devolves into a blame game over shutting down the government. It is a black eye to our system of government; it is a black eye to the notion of stability; and it is an insult to the American people and furthers the dysfunction of this great institution.

The balance of power in our government is out of alignment, and it is up to us in Congress to reclaim what used to be ours—the legislative veto. The legislative veto used to be a potent check on the executive branch for the better part of the 20th century. However, a broad ruling by the United States Supreme Court in 1983, INS v. Chadha, nullified the legislative veto in over 280 statutes. This was a sweeping decision, one that both handed more authority to the executive branch while limiting Congress' ability to stand up to Federal bureaucracies.

In his dissent, Justice Byron White, who was nominated to the Court by President Kennedy, correctly identified the fallout from the decision, and I quote: ''Without the legislative veto, Congress is faced with a Hobson's choice: either to refrain from delegating the necessary authority, leaving itself with a hopeless task of writing laws with the requisite specificity to cover endless special circumstances across the entire policy landscape or, in the alternative, to abdicate its lawmaking function to the executive branch and independent agencies. To choose the former leaves major national problems unresolved; to opt for the latter risks unaccountable policymaking by those not elected to fill that role.''

As members of the legislative branch, we all must take this seriously. We may be in the middle an election year, but if we play party politics when it comes to the struggle between the executive and the legislative power, neither party wins, and the American people lose. What is at stake, and more important than party politics, is the survival of our very form of government, a constitutional Republic.

This is the time to come together, not as Republicans or Democrats, but as Americans, to bring this power back.

FAILURE TO PASS A BUDGET

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

Ms. ESTY. Madam Speaker, last Friday, this House blew right through the statutory deadline to enact a budget resolution.

Let's set aside, for a moment, the fact that passing a budget last Friday was required by law. The real injustice to the American people is that Congress has once again failed to fulfill the most basic responsibilities that the American people sent us here to carry out.

A budget is supposed to reflect the values of the American people. It should be a roadmap of Congress' plan for supporting working families, creating middle class jobs, and strengthening our education system. It should be a roadmap for lifting barriers to opportunity, supporting our Nation's innovators, and helping startups and small businesses to get off the ground. It should be a roadmap for keeping Americans safe at home and abroad.

Now, let's be clear. The proposal that came out of the Budget Committee did none of these things. Dismantling Medicare won't improve our economic security. Abandoning public schools won't lift barriers to opportunity.

But the way forward is not to simply throw up our hands and abandon the budget process entirely. A budget is not a political exercise. We don't pass budgets when doing so is easy and walk away from our jobs when it gets hard.

Republicans and Democrats need to come together to craft a budget that reflects the priorities of the American people, a bipartisan budget that envisions a smarter, leaner government, one that creates predictability and support for good-paying jobs and increases opportunity for all.

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We need a budget to rebuild America by investing in our transportation and infrastructure. I worked very hard to successfully pass the 5-year highway bill that was signed into law late last year.

But according to the American Society of Civil Engineers, the United States needs to invest more than $3.6 trillion by 2020 to bring our infrastructure up to basic standards.

Nowhere is this truer than in my home State of Connecticut where we have some of the oldest infrastructure in the country and where we rely on Federal funding to fix crumbling roads, bridges, and transit systems.

Our budget should encourage innovation and entrepreneurship. Connecticut has a long, proud manufacturing tradition. We are home to 5,000 manufacturers, many of them small and family owned, and I know they can compete with anyone if they have a level playing field. We need a budget that helps us create one.

Supporting innovators means investing not just in infrastructure, but in

infostructure, our electrical grid and the physical building blocks of the Internet, which are vital to the success of startups and small businesses throughout the country.

Madam Speaker, in Connecticut and around the Nation, we need a budget that invests in STEM education and 21st century jobs, commits to growing our manufacturing sector, and provides the resources we need to fight the opioid epidemic that is tearing apart so many families.

The American public wants to see Congress take bold action. Our budget should set us on a path to leadership in today's and tomorrow's global economy.

A budget is much more than a statement of principles. It is a roadmap to lifting barriers to opportunity. It is an investment in our infrastructure and in the research and development we need to power 21st century careers. It is an investment in the American people.

It is time that we in this House put our responsibility to the American people before partisanship and political games. When the people we represent at home stop doing their jobs, they don't get paid.

In Congress, we should work the same way. We should pass the No Budget, No Pay Act because Members of Congress should only get paid when they do their jobs. If we worked under No Budget, No Pay, I guarantee you the House would have passed a budget last Friday.

So I call on my colleagues. Let's do the job the American people sent us here to do. Let's do the job we are paid to do. Let's go to the table—Democrats and Republicans—and hammer out a budget that supports good-paying jobs, grows our economy, keeps us safe, and truly reflects the priorities of the American people.

WASTING TAXPAYER MONEY IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Madam Speaker, I have brought to the floor today a prophetic political cartoon. Let me describe it very quickly.

There is Uncle Sam sitting in a wheelchair, and he shouts out with great excitement: I can see Greece from here. Behind the wheelchair pushing is President Obama. Behind President Obama is a donkey representing the Democratic Party, and behind the donkey is an elephant representing the Republican Party, the point being that all of us are guilty of heading this country towards Greece, and that means an economic collapse is forthcoming.

Madam Speaker, we are $19 trillion in debt.

Another reason I am on the floor today is that the continued waste of the taxpayer money in Afghanistan is becoming astounding.

Madam Speaker, I include in the RECORD an article titled, ''Report cites wasted Pentagon money in Afghanistan.''

[From USATODAY.com, Jan. 20, 2016]

REPORT CITES WASTED PENTAGON MONEY IN AFGHANISTAN

(By Tom Vanden Brook)

WASHINGTON.—The embattled Pentagon agency blamed for building a budget-busting gas station in Afghanistan and renting luxury housing for its employees also imported Italian goats to boost the cashmere industry in the impoverished, war-wracked country, according to a government investigator.

Meanwhile, the former head of the Task Force for Business Stability Operations, Paul Brinkley, blasted back Wednesday at the government inspector general, accusing him of inaccuracy and hype.

At a Senate hearing, John Sopko, the Special Inspector General for Afghan Reconstruction (SIGAR), said in prepared testimony that the task force lacked ''strategic direction'' and suffered from a ''scattershot approach to economic development.''

Among the more egregious examples of boondoggles he cited: ''importing rare blond Italian goats to boost the cashmere industry.'' The $6 million program included shipping nine male goats to western Afghanistan from Italy, setting up a farm, lab and staff to certify their wool.

A chart summarizing task force initiatives shows the inspector general did not conduct an audit of the program. The program, according to a contractor's analysis, may have created as many as 350 jobs. Sopko ripped the Pentagon and the task force for failing to track its spending. It's not unclear, for instance, if the goats were eaten.

''We don't know,'' Sopko said. ''This was so poorly managed.''

Sopko testified Wednesday on his report, ''Preliminary Results Show Serious Management and Oversight Problems.'' The task force was charged with jump starting the economy of Afghanistan with nearly $800 million in U.S. taxpayer funds.

Sen. Kelly Ayotte, R–N.H., who chaired the hearing, called the allegations about the filling station troubling and called for a full accounting of task force spending.

''What happened to the money?'' Ayotte asked. ''All of it?''

Sen. Claire McCaskill, D–Mo., was livid about task force spending and called the natural gas-station program ''dumb on its face,'' given the cost of converting cars to natural gas exceeds the average income of Afghans.

''This is a terrible waste of taxpayer money when we have so many other uses for it,'' McCaskill said.

In a letter and other documents, Brinkley, who led the task force in Iraq and later Afghanistan from 2006 to 2011, defended his oversight of the agency and lashed out at the government's watchdog.

''A meaningful and balanced review cannot be accomplished through a sustained media campaign or a practice of repeating uncorroborated allegations,'' Brinkley wrote to the Senate Armed Services Committee.

Sopko has released several provocative reports charging the task force with waste and shoddy accounting practices. Among the most eye-catching: a $43 million natural-gas filling station that should have cost $500,000 and proved of no use to average Afghans; and $150 million spent on renting luxury villas for task force staff and visitors. Those alleged boondoggles have drawn ire from Capitol Hill and cast Brinkley as a profligate spender.

Brinkley, through his lawyer, bristled at the charge from the inspector general that he had approved of programs without knowing their cost. Brinkley told investigators on Dec. 17 that his task force had no contracting authority, relying instead on career military officials to make deals within government regulations, according to his lawyer.

''This was done, in fact, in fact to ensure proper oversight—not to avoid it,'' Brinkley's lawyer, Charles Duross, wrote Wednesday to the inspector general's office.

The Pentagon on Wednesday also took issue with Sopko's price tag for the gas station, saying it was closer to $5 million, not $43 million. Brian McKeon, a top Pentagon policy official, said in a statement to USA TODAY that the methods used Sopko were ''flawed, and the costs of the station are far lower.''

The refueling station itself cost $2.9 million, and the balance of the $5 million paid for associated buildings and equipment, McKeon said.

Brinkley, in his letter, challenged the assertion that he and his staff lived in luxury, eschewing the basic, free accommodations offered by the military in Afghanistan.

In a previous report, Sopko criticized the task force for spending $150 million on ''western-style hotel accommodations'' that included flat-screen TVs, private bodyguards and ''three-star'' menus for staff and guests. Bunking with the Army, Sopko suggested, could have saved taxpayers tens of millions of dollars.

Living conditions during his tenure, Brinkley wrote, were far from luxurious—''basic and minimal, with multiple bunks in shared living quarters'' or on military bases.

''When this was not possible or practical, the challenge was to find facilities that did not continually smell of raw sewage, and food that did not frequently sicken our personnel or visiting government and business leaders—a challenge we never fully overcame,'' Brinkley wrote.

The task force's final grade is not yet in, McKeon said.

''Ultimately, time will tell whether the task force succeeded in its overall objectives,'' McKeon said. ''Reports that the (Pentagon) commissioned to assess the Task Force's work—as well as SIGAR's work—tell us that the Task Force had a mixed record of success, with some successes and some failures.''

Mr. JONES. In this story, John Sopko, the Inspector General for Afghanistan Reconstruction, tells that the worst boondoggle he has ever seen is the fact that the Department of Defense spent $6 million to buy nine goats—nine goats—for $6 million.

The sad thing about that is he testified before the Senate: We can't find the goats. What does that mean to the taxpayers? I don't know anymore. That is why they are so outraged, quite frankly,

Madam Speaker, I include in the RECORD a second article titled, ''12 Ways Your Tax Dollars Were Squandered in Afghanistan.''

[From NBC NEWS.com, March 5, 2016]

12 WAYS YOUR TAX DOLLARS WERE SQUANDERED IN AFGHANISTAN

(By Alexander Smith)

The United States has now spent more money reconstructing Afghanistan than it did rebuilding Europe at the end of World War II, according to a government watchdog.

The Special Inspector General for Afghanistan Reconstruction (SIGAR) said in a statement to Congress last week that when adjusted for inflation the $113.1 billion plowed

into the chaos-riven country outstripped the post-WWII spend by at least $10 billion.

Billions have been squandered on projects that were either useless or sub-standard, or lost to waste, corruption, and systemic abuse, according to SIGAR's reports.

NBC News spoke to SIGAR's Special Inspector General John F. Sopko about 12 of the most bizarre and baffling cases highlighted by his team's investigations.

Paraphrasing Albert Einstein, Sopko said the U.S.'s profligate spending in Afghanistan is ''the definition of insanity—doing the same things over and over vain, expecting a different result.''

The Pentagon spent close to half a billion dollars on 20 Italian-made cargo planes that it eventually scrapped and sold for just $32,000, according to SIGAR.

''These planes were the wrong planes for Afghanistan,'' Sopko told NBC News. ''The U.S. had difficulty getting the Afghans to fly them, and our pilots called them deathtraps. One pilot said parts started falling off while he was coming into land.''

After being taken out of use in March 2013, the G222 aircraft, which are also referred to as the C–27A Spartan, were towed to a corner of Kabul International Airport where they were visible from the civilian terminal. They had ''trees and bushes growing around them,'' the inspector general said.

Sixteen of the planes were scrapped and sold to a local construction company for 6 cents a pound, SIGAR said. The other four remained unused at a U.S. base in Germany.

Sopko called the planes ''one of the biggest single programs in Afghanistan that was a total failure.''

The Tarakhil Power Plant was fired up in 2009 to ''provide more reliable power'' to blackout-plagued Kabul, according to the United States Agency for International Development, which built the facility.

However, the ''modern'' diesel plant exported just 8,846 megawatt hours of power between February 2014 and April 2015, SIGAR said in a letter to USAID last August. This output was less than 1 percent of the plant's capacity and provided just 0.35 percent of power to Kabul, a city of 4.6 million people.

Related: U.S. Spent $43M on Gas Station But Can't Explain Why

Furthermore, the plant's ''frequent starts and stops . . . place greater wear and tear on the engines and electrical components,'' which could result in its ''catastrophic failure,'' the watchdog said.

USAID responded to SIGAR's report in June 2015, saying: ''We have no indication that [Afghan state-run utility company] Da Afghanistan Breshna Sherkat (DABS), failed to operate Tarakhil as was alleged in your letter.''

U.S. officials directed and oversaw the construction of an Afghan police training facility in 2012 that was so poorly built that its walls actually fell apart in the rain. The $456,669 dry-fire range in Wardak province was ''not only an embarrassment, but, more significantly, a waste of U.S. taxpayers' money,'' SIGAR's report said in January 2015.

It was overseen by the U.S. Central Command's Joint Theater Support Contracting Command and contracted out to an Afghan firm, the Qesmatullah Nasrat Construction Company.

SIGAR said this ''melting'' started just four months after the building was finished in October 2012. It blamed U.S. officials' bad planning and failure to hold to account the Afghan construction firm, which used poor-quality materials. The U.S. subsequently contracted another firm to rebuild the facility.

Sopko called the incident ''baffling.'' ''Afghans apparently have never grown or eaten soybeans before,'' SIGAR said in its June 2014 report. This did not stop the U.S. Department of Agriculture funding a $34.4 million program by the American Soybean Association to try to introduce the foodstuff into the country in 2010.

The project ''did not meet expectations,'' the USDA confirmed to SIGAR, largely owing to inappropriate farming conditions in Afghanistan and the fact no one wanted to buy a product they had never eaten.

''They didn't grow them, they didn't eat them, there was no market for them, and yet we thought it was a good idea,'' Sopko told NBC News.

''What is troubling about this particular project is that it appears that many of these problems could reasonably have been foreseen and, therefore, possibly avoided,'' the inspector general wrote in a letter to Agriculture Secretary Tom Vilsack in June 2014.

The U.S. Army Corps of Engineers built some 2,000 buildings to be used as barracks, medical clinics and fire stations by the Afghan National Army as part of a $1.57-billion program. When two fires in October and December 2012 revealed that around 80 percent of these structures did not meet international building regulations for fire safety, Sopko said he was ''troubled'' by the ''arrogant'' response from a senior USACE chief.

Major General Michael R. Eyre, commanding general of USACE's Transatlantic Division, said the risk of fire was acceptable because ''the typical occupant populations for these facilities are young, fit Afghan soldiers.'' Writing in a January 2014 memo published by SIGAR, Eyre said these recruits ''have the physical ability to make a hasty retreat during a developing situation.''

Sopko told NBC News that Eyre's comments ''showed a really poor attitude toward our allies.'' He added: ''It was an unbelievable arrogance, and I'm sorry to say that about a senior officer.''

Despite the Department of Defense spending $597,929 on Salang Hospital in Afghanistan's Parwan province, the 20-bed facility has been forced to resort to startling medical practices.

''Because there was no clean water, staff at the hospital were washing newborns with untreated river water,'' SIGAR's report said in January 2014. It added that the ''poorly constructed'' building was also at increased ''risk of structural collapse during an earthquake.''

NBC News visited the hospital in January 2014 and witnessed some disturbing practices: a doctor poking around a dental patient's mouth with a pair of unsterilized scissors before yanking out another's tooth with a pair of pliers.

Related: $600K in U.S. Taxpayer Cash Buys Medieval Hospital in Afghanistan

The United States Forces-Afghanistan responded to SIGAR's report in January 2014 saying it would investigate why the building was not constructed to standard.

In a separate report, SIGAR said that USAID reimbursed the International Organization for Migration for spiraling costs while building Gardez Hospital, in Paktia province.

The IOM's ''weak internal controls'' meant it paid $300,000 for just 600 gallons of diesel fuel—a price of $500 per gallon when market prices should not have exceeded $5, SIGAR said.

The so-called ''64K'' command-and-control facility at Afghanistan's Camp Leatherneck cost $36 million and was ''a total waste of U.S. taxpayer funds,'' SIGAR's report said in May 2015.

The facility in Helmand province—named because it measured 64,000 square feet—was intended to support the U.S. troop surge of 2010.

However, a year before its construction, the very general in charge of the surge asked that it not be built because the existing facilities were ''more than sufficient,'' the watchdog said. But another general denied this cancellation request, according to SIGAR, because he said it would not be ''prudent'' to quit a project for which funds had already been appropriated by Congress.

Ultimately, construction did not begin until May 2011, two months before the drawdown of the troops involved in surge. Sopko found the ''well-built and newly furnished'' building totally untouched in June 2013, with plastic sheets still covering the furniture.

''Again, nobody was held to account,'' Sopko told NBC News, adding it was a ''gross . . . really wasteful, extremely wasteful amount of money.''

He added: ''We have thrown too much money at the country. We pour in money not really thinking about it.''

A now-defunct Pentagon task force spent almost $40 million on Afghanistan's oil, mining and gas industry—but no one remembered to tell America's diplomats in Kabul, according to SIGAR, citing a senior official at the U.S. embassy in the city.

In fact, the first the U.S. ambassador knew about the multi-billion-dollar spend was when Afghan government officials thanked him for his country's support, SIGAR said.

The project, administered by the Task Force for Business and Stability Operations (TFBSO), was part of a wider $488 million investment that also included the State Department and USAID. These organizations ''failed to coordinate and prioritize'' their work, which created ''poor working relationships, and . . . potential sustainability problems,'' according to SIGAR.

It was, according to Sopko, ''a real disaster.''

One USAID official told the watchdog it would take the U.S. ''100 years'' to complete the necessary infrastructure and training Afghanistan needs to completely develop these industries.

SIGAR said the U.S. military has been unable to provide records answering ''the most basic questions'' surrounding the mystery purchase and cancellation of eight patrol boats for landlocked Afghanistan.

The scant facts SIGAR were able to find indicated the boats were bought in 2010 to be Used by the Afghan National Police, and that they were intended to be deployed along the country's northern river border with Uzbekistan.

''The order was cancelled—without explanation—nine months later,'' SIGAR said. The boats were still sitting unused at a Navy warehouse in Yorktown, Virginia, as of 2014.

''We bought in a navy for a landlocked country,'' Sopko said.

Despite the U.S. plowing some $7.8 billion into stopping Afghanistan's drug trade,'' Afghan farmers are growing more opium than ever before,'' SIGAR reported in December 2014.

''Poppy-growing provinces that were once declared 'poppy free' have seen a resurgence in cultivation,'' it said, noting that internationally funded irrigation projects may have actually increased poppy growth in recent years.

The ''fragile gains'' the U.S. has made on Afghan health, education and rule of law were being put in ''jeopardy or wiped out by the narcotics trade, which not only supports the insurgency, but also feeds organized crime and corruption,'' Sopko told U.S. lawmakers in January 2014.

Afghanistan is the world's leader in the production of opium. In 2013, the value of Afghan opium was $3 billion—equivalent to 15 percent of the country's GDP—according to the United Nations Office of Drugs and Crime.

Sopko told NBC News the picture is no more optimistic today. ''No matter which

metric you use, this effort has been a real failure,'' he said.

The USAID-funded Shorandam Industrial Park in Kandahar province was transferred to the Afghan government in September 2010 with the intention of accommodating 48 business and hundreds of local employees. Four years later, SIGAR inspectors found just one active company operating there.

This was due to the U.S. military building a power plant on one-third of the industrial park to provide electricity to nearby Kandahar City, causing ''entrepreneurs to shy away from setting up businesses'' at the site, SIGAR said in its report of April 2015.

After the military withdrew in mid-2014, the investigators were told that at least four Afghan businesses had moved into the industrial park. However, SIGAR said that it could not complete a thorough inspection because USAID's contract files were ''missing important documentation.''

The DOD spent nearly $82 million on nine incineration facilities in Afghanistan—yet four of them never fired their furnaces, SIGAR said in February 2015. These four dormant facilities had eight incinerators between them and the wastage cost $20.1 million.

In addition, SIGAR inspectors said it was ''disturbing'' that ''prohibited items,'' such as tires and batteries, continued to be burned in Afghanistan's 251 burn pits. U.S. military personnel were also exposed to emissions from these pits ''that could have lasting negative health consequences,'' the watchdog said.

The Department of Defense said it was ''vitally interested in exploring all possible ways to save taxpayer dollars and ensure we are good stewards of government resources.''

A spokesman added: ''We'll continue to work with SIGAR, and other agencies, to help get to the bottom of any reported issues or concerns.''

A spokesman for Afghanistan's President Ashraf Ghani declined to comment on this story.

Mr. JONES. Madam Speaker, we have already spent more in Afghanistan than it cost to rebuild Europe after World War II. In fact, last week I asked my staff to draft a letter to Speaker PAUL RYAN.

In the letter, I asked the Speaker of the House, PAUL RYAN, to meet with John Sopko, who is the Inspector General for Afghanistan Reconstruction, and listen to this absolute waste that is going on in Afghanistan.

Yet, sometime soon we will mark up the NDAA, National Defense Authorization Act, and I will guarantee you there will be billions of dollars in OCO funds going to Afghanistan.

There will be those of us on both sides of the aisle that would like to take that money out or significantly reduce the money. Last year it was over $43 billion in OCO funds, which is nothing but a slush fund.

Madam Speaker, there is a famous line about Afghanistan. It says that Afghanistan is the graveyard of empires.

I predict today—but I hope I am wrong—if we continue to spend and waste billions of dollars in Afghanistan, there will be a headstone in that graveyard that says: USA.

I hope that does not happen. But we had better wake up, as Members of Congress, and stop supporting programs like money for Afghanistan that are a total waste of the taxpayers' money.

Madam Speaker, I will ask God to continue to bless our men and women in uniform and ask God to continue to bless America.

TRIBUTE TO PAUL BARKLA

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

Mr. KIND. Madam Speaker, today I rise to celebrate the life and legacy of my good friend, Paul Barkla. I met Paul when I first ran for Congress. He was one of my earliest supporters.

I still vividly recall meeting him at the end of a Democratic primary debate when he introduced himself as a former Bill Proxmire staffer, as I was, and then promised to do everything he could to help me get elected. It was the beginning of a 25-year friendship, during which time he became a member of our family.

Paul is a native of the Pacific Northwest and was raised in Eugene, Oregon. Paul was a firm believer in good, old-fashioned, shoe-leather politics, and he pounded the pavement for Democratic candidates across the country, where he met many friends along the way.

In 2004, he traveled to New Hampshire to volunteer for the Presidential campaign of General Wesley Clark. In 2008, he again loaded up his dog and traveled around the country, showing up in battleground States and volunteering for President Obama. He believed we all had an obligation to participate in our democracy.

After college, Paul moved to Washington, where he received a master's degree from George Washington University and worked as a Capitol policeman.

He also went to work for numerous Congressmen and then worked for Senator Proxmire of Wisconsin, where he became engaged with Wisconsin politics.

It was during his time in Washington that he became active in the civil rights movement, participating in the March on Washington in August 1963. He enjoyed telling stories of his life during those times.

Paul met his wife, Nancy, who also worked for Senator Proxmire in Washington, in 1958. And then, in 1968, they moved their family to Wisconsin, where he continued to work on progressive causes and campaigns. There he worked as a caregiver and manager of group homes.

Paul and Nancy raised three children: Ann Fedders of New Richmond, Sidney Scott of Fall City, and Paul Barkla, Jr., of Ellsworth. He was very proud of his 12 grandchildren and six great-grandchildren.

Paul believed in our democratic process and public service. That is why he ran for and was elected to the Pierce County Board in 2004 and later became the board chair.

Pierce County residents knew Paul as a community leader and advocate for the needs of his neighbors. He wasn't afraid to tackle tough issues.

He told me he enjoyed serving on the county board because it was less partisan, driven more by the local needs of the Pierce County residents rather than strict adherence to party ideology.

Although Paul was gruff on the outside, he was fiercely loyal to his family and friends. We had many discussions over the years. I knew I could always count on Paul to provide an honest opinion, and he was never afraid to speak his mind.

He made many friends over the years through politics and public service. He befriended many of my staff whom he talked to frequently and stayed in touch with even when they moved on to other opportunities.

For those who are lucky enough to cross paths with Paul, from folks in Washington to Oregon to Washington, D.C., he will not be forgotten.

Paul exemplified what was great about America: deep love for his country, the importance of public service, and the need to fight for the most vulnerable and less fortunate in our society.

In short, Paul was a great patriot and a great American. For those whose lives he touched, Paul will be greatly missed.

HOLDING INTERNAL REVENUE SERVICE ACCOUNTABLE

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

Mr. PERRY. Madam Speaker, yesterday was tax day—or at least the deadline for filing and paying your taxes. I can't imagine very many citizens look forward to that.

We all know that we have to do our part, but we are often frustrated by the unacceptable waste of government spending. We all work hard; yet, they take our money and oftentimes spend it on things that we find objectionable or, worse, they simply waste it.

To add insult to injury, government doesn't have to follow the same standards that every citizen has to. Nowhere is this more obvious than in the IRS and its Commissioner, who scoffs at the very same rules that every other citizen has to abide by.

Now, I would just ask you: If you got subpoenaed to produce documents and to protect documents and just ignored it, how do you think that would go for you? If you lied to government officials—let's say government officials in the IRS—about your tax records, knowing that they are requirements, and you just refused to provide them, how do you think that that would be for you?

This is just another example of two sets of standards, one for the ruling class and another for the rest of the citizens. It was never intended to be this way, essentially where we are forced to serve our government.

In this particular case, these folks just had the wrong opinions about their government and they were sure that they would be protected under the First Amendment, protected from reprisal and punishment, but that is simply not the case.

Exactly what happened is that the IRS sought to cover up and blame others that had nothing to do with what happened.

Remember, the feared and omnipowerful IRS targeted and punished certain Americans solely because of what they thought of their government, violating their First Amendment right provided by God and enumerated in our Constitution.

Think about that. The full power and authority of the massive Federal Government and its endless resources focused on a few citizens because they dared to disagree. Is this a Communist country? Is this something worse?

Let's remember how this started. The inspector general did an investigation and said they were going to file a report.

Hearing that, Lois Lerner takes a planted question and lies about who did it. She blames it on the good workers in Cincinnati. The President calls for a criminal investigation, and the Commissioner is fired.

However, when it really came to conducting that investigation, the Department of Justice really just couldn't be bothered. Then the person at the center of the issue comes to Congress and pleads the Fifth.

Congress has to now look elsewhere for the truth. They are not going to get it from Ms. Lerner. So they look to her email communication.

Subpoenas are issued, two of them, and three protective orders, one by the IRS itself. The IRS violates literally all of it while saying they went to great lengths in search of the truth.

Come on. Great lengths? They didn't even check Ms. Lerner's BlackBerry.

The new Commissioner, Mr. Koskinen, hired to clean things up, knows that 422 backup tapes were destroyed, including 24,000 of Ms. Lerner's emails; yet, he waits 4 months to tell Congress while coming multiple times to testify to Congress during that period. You lie about your lost documents for 4 months and see what happens.

Mr. Koskinen violated his duty to preserve and provide the information. He violated his duty to disclose, he violated his duty to be truthful, and he violated his duty to correct the record about what he knew. Mr. Koskinen violated the public trust on multiple accounts.

The issue at hand is that the agency Mr. Koskinen represents violated the constitutionally guaranteed rights of American citizens and nothing has been done about it.

This simply cannot stand. We cannot have two separate standards of justice, one for the ruling class, one for the government, and one for the governed.

Congress has a duty to get to the truth. As Representatives of the citizens, we don't have a police force. We are Representatives. We can't fire the Commissioner. We are Members of Congress. The only remedy that Congress has is the constitutional check of impeachment.

Impeachment proceedings are the only way we can hope to get some relief from this agency which has been wantonly unaccountable in the most egregious fashion.

It is the only way we will be able to determine whether the Commissioner violated the standards of trust set down for government officials.

It is the only way we can start to move to a circumstance where our government serves the people as opposed to citizens being forced to serve their government.

So, Madam Speaker, as we reflect on tax day, I respectfully request the resolution regarding the impeachment of Commissioner Koskinen be forwarded to the Judiciary Committee and to this floor for consideration.

GUN VIOLENCE

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

Ms. SPEIER. Madam Speaker, since 1970, more Americans have died from domestic gun violence than in every war dating back to the American Revolution.

If all the victims of gun violence since 1970 were put on a wall like the Vietnam Veterans Memorial, it would contain 1.5 million names and stretch 2½ miles. That is 25 times as long as the actual Vietnam Veterans Memorial.

□ 1030

We are quick to hold moments of silence on this floor, but we are not quick to act. I have had enough of Congress' failure to lead. So to draw attention to the slaughter going on in this country each and every month, I will recite the names each month of every person killed in a mass shooting during the previous month. I have also created my own memorial wall in the hallway outside of my office.

Here are the stories of some of the victims of the 31 mass shootings in March of this year. There have been so many people this month affected by mass shootings, that I don't have time to list the injured, but I recognize the trauma they have endured as well.

Deonte Fisher, age 7, was killed sitting in a parked car outside a convenience store on March 4 in Columbus, Ohio.

Anthony Renee Beamon, Jr., age 36, was killed while leaving a party on March 6 in Compton, California.

Pablo Villeda Estrada, age 19, was killed at a birthday party on March 6 in Chelsea, Massachusetts. He loved music and was a family jokester.

Austin Harter, age 29; Clint Harter, age 27; Jake Waters, age 36; and Michael Capps, age 41, were killed by their neighbor on March 7 in Kansas City, Kansas. The shooter also killed Randy J. Nordman, age 49, the next day while fleeing police.

Ishmael Haywood, age 20, and Demontray Keshawn Mackay, age 17, were killed in a car on March 8 in San Antonio, Texas.

Jerry Shelton, age 35; Tina Shelton, age 37; Brittany Powell, age 27; Chanetta Powell, age 25; and Shada Mahone, age 26, were killed at a family cookout on March 9 in Wilkinsburg, Pennsylvania. Chanetta was 8 months pregnant.

John Smith, age 65, and Jamil Goodwin, age 43, were killed while sitting on their porch on March 11 in Detroit, Michigan.

Douglas Hearne, age 48, was killed at a bar on March 12 in Wichita Falls, Texas.

Alyric Fouch, age 17, was killed by her mother's boyfriend on March 12 in Elberton, Georgia. She was trying to protect her mother from gunfire.

Deosha Jackson, age 19, and Daryl Hunt, age unknown, were killed on March 19 in Wetumpka, Alabama.

Serge Pierre Dumas, age 28, was killed at a house party on March 20 in Plantation, Florida. He is survived by his 15-month-old son pictured here on this poster next to me.

Billie Jo Hettinger, age 32, and her children Collin Hettinger, age 5, and Courtney Hettinger, age 4, were killed by their husband and father on March 20 in Louisville, Kentucky.

Kelly Russler, age 39, and her sons Jayden Evans, age 10, and Laing Russler, age 7, were killed by Kelly's husband and Laing's father on March 21 in Sherman, Texas.

Elizabeth Janie Woods, age unknown, was killed by her husband on March 25 in Lauderdale County, Alabama. He also shot their two sons, who were in critical condition but have survived.

Virginia State Trooper Chad P. Dermyer was killed by a gunman at a bus station on March 31 in Richmond, Virginia. He was a Marine Corps veteran and had two young children.

May the dead rest in peace, the wounded recover quickly and completely, and the bereaved find comfort.

Members, colleagues, mothers and fathers, when will we do more than call for moments of silence?

AUTISM AWARENESS MONTH

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

Mr. CURBELO of Florida. Madam Speaker, I rise to recognize April as Autism Awareness Month, an opportunity for our communities to come together and become more educated and understanding of autism and its impacts on our students and society.

Reports from 2014 state that autism affects 1 in 68 children in the United States, a 119 percent increase from the year 2000. Despite the great scientific

strides that have been made to understand autism, not much is known about how the disorder actually develops in the brain.

The BRAIN Initiative is an ambitious program which aims to advance our understanding of how the brain functions. It is my firm belief that the BRAIN Initiative is an instrumental step toward revolutionary breakthroughs in neuroscience. For these reasons, I introduced the Mental Health Awareness Semipostal Stamp Act to help raise additional funding for the BRAIN Initiative, at no expense to taxpayers. I am confident that together we can make great strides for autism awareness, and I hope that you join me in lighting it up blue for the rest of April.

TEAM VISION

Mr. CURBELO of Florida. Madam Speaker, I rise today to recognize M-Vision Miami, a group comprised of young professionals in the Youth Leadership Miami program, sponsored by the Greater Miami Chamber of Commerce.

M-Vision, in partnership with PACE Center for Girls, has worked to create a career development and college preparatory lab for PACE students. The M-Vision program focuses on financial literacy training, interview etiquette, college preparation, career awareness, exploration, and community service. This group, which is completely volunteer based, has dedicated countless hours to building relationships throughout Miami-Dade County in order to support their mission.

I thank M-Vision and centers like PACE Miami for their efforts to ensure that all children, regardless of their socioeconomic class, have an opportunity to achieve college and career success. They have done a remarkable job, and I am certain that they will continue doing great work for years to come.

CONGRATULATING DEBBIE BRADY

Mr. CURBELO of Florida. Madam Speaker, I rise today to recognize Debbie Brady, the executive director of the Dade County Farm Bureau, who will be retiring this year after a life dedicated to educating others on the importance of agriculture in our daily lives. Debbie is also the president of the Florida Agri-Women, a member of the American Agri-Women, and a longtime resident of South Dade. She has worked in agribusiness for over 30 years and has a true passion for farming. Her knowledge and experience are unparalleled, and she will be greatly missed.

I have had the privilege of meeting with Debbie on many occasions and know how much of a resource she has been to both me and my staff. We have strongly advocated together on behalf of the South Dade farmers, especially during the recent oriental fruit fly quarantine and devastating floods that crippled the region's ag community. Her immense knowledge of the issues has helped us make very positive gains on behalf of the farmers in South Dade.

Debbie, thank you for dedicating your life to helping our community. We wish you the best in your retirement. You have certainly earned it.

END CHILD ABUSE AND NEGLECT FATALITIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. LANGEVIN) for 5 minutes.

Mr. LANGEVIN. Madam Speaker, I would like to spend a few minutes this morning discussing the recent report of the Commission to End Child Abuse and Neglect Fatalities. Chartered by Congress under the Protect our Kids Act of 2013, the Commission's goal is to provide a framework for ending child maltreatment fatalities in the United States. For 2 years they have studied and examined this problem, and now we have the results.

The death of any child is a tragedy. While the data on child deaths related to abuse and neglect is incomplete, the Commission estimates that there were over 1,500 such cases in 2014. The majority of the children in these heartbreaking cases were younger than a year old, and many of them only days and weeks into their young lives. Three-quarters of the deaths occurred in children under age 3.

Madam Speaker, these are shocking figures, but we are talking about much more than just numbers. These stories of lives cut short, of senseless deaths, are a rallying cry for action, and no community or State is immune. In my home State of Rhode Island, at least four children have died in State care since October, two of them infants.

In neighboring Massachusetts, Bella Bond's story is a heartbreaking reminder of our moral obligation to act in defense of all children. Bella only ever knew abuse and neglect. She died before her third birthday, allegedly beaten to death by her drug-addicted parents. Despite two neglect complaints against Bella's mother, there was never any recognition that this toddler's life was in danger. The State never sent anybody to check on her safety, and her death remained hidden until her body was discovered.

The problems in the Bella Bond murder, though, sadly, are not unique. The Commission's report highlights a lack of communication between State child welfare agencies and law enforcement in every State. Noting the high correlation between domestic violence and child deaths, the Commission recommends that States treat this as a broad public health issue and call for better coordination between child welfare agencies and law enforcement.

Cross-agency collaboration will allow social workers to use law enforcement data to find the most at-risk children and intervene when necessary to protect the child. Just as we would take action to stop disease before it kills the patient, we can and we must intervene when a child's life is at risk.

However, the Commission also notes that the most successful interventions are the ones that prevent a crisis from happening in the first place. Not all of these interventions involve foster care or removing a child. Early intervention of the most at-risk families will allow social workers to tailor and deliver the most effective interventions for each family, and even sometimes small interventions early on can make the biggest difference. The report makes clear that crisis breeds crisis. It is the self-perpetuating, repetitive cycle.

Parents suffering from mental health issues or drug addiction are much more likely to harm or kill their child. The stresses of unemployment and poverty are also linked with child abuse, neglect, and death.

Madam Speaker, States need to engage in an all-of-the-above approach to child safety. We must also ensure that funding is in place to allow for meaningful interventions. Child welfare agencies need to be held accountable for results, and empowered to deliver services and interventions to at-risk children and families when they are required.

Despite these challenges, I would like to close on a hopeful note, embodied in the title of the report itself: Within Our Reach.

Madam Speaker, we can put a stop to these tragic deaths. Law enforcement, child welfare, and community groups have to work together to provide a network of support and intervention for families and children at risk of abuse. We in Congress have to fully fund these agencies and empower them to deliver meaningful change.

Madam Speaker, the time to act is now.

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

□ 1200

AFTER RECESS

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

PRAYER

Pastor Kevin Hintze, Zion Lutheran Church, Georgetown, Texas, offered the following prayer:

Gracious Lord of our Nation, we thank You for the continued preservation of our blessed country and all who uphold civil duties of leadership within our borders.

We pray today for all the Members of Congress and their staff that they may be endowed with wisdom from Your spirit as they serve with the authority of government in our land.

Bless their daily work and encourage our leaders of this Nation to fulfill

their elected duties with mercy and justice in a sacrificial spirit for the common welfare.

Bless us all with sincere and joyful hearts of service as we serve this country in each of our vocations. We pray justice and concord may abide, peace and prosperity be kept secure, for You, God, are everlasting.

We seek You with all our hearts knowing full well that You hear our prayers. Praying as I have been taught, I close now in the name of my Lord and Savior Jesus Christ.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS 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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER

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

TAXPAYER IDENTITY THEFT PROTECTION ACT

(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, the Federal Trade Commission recently ranked the St. Louis metropolitan area, my district and hometown, as having the highest rate of identity theft regarding Federal income tax returns. This is absolutely unacceptable and why I introduced the Taxpayer Identity Theft Protection Act.

My legislation would require the IRS to issue an identity protection personal identification number, or IP PIN, to any individual who requests one to better protect their Social Security numbers from criminals who are looking to steal their identity and file fraudulent tax returns.

Missourians and all Americans deserve peace of mind when filing their taxes with the IRS, but, instead, we are seeing an unconscionable increase in data breaches and identity theft.

A new GAO report found many deficiencies in the IRS' security program that blatantly expose taxpayers' personal and financial data. My legislation will help stop this reckless exposure.

This essential bill holds the IRS accountable and forces the agency to do the most important job: assist and protect taxpayers.

At a time when trust in government is so low, I am committed to fixing this growing problem and providing another level of security to protect Americans from fraudulent activity.

REMEMBERING TOM HENNESSY

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

Mr. LOWENTHAL. Mr. Speaker, Tom Hennessy was a beloved columnist at the Long Beach Press-Telegram for nearly 30 years. Tom passed away recently with his Duchess Debbie by his side.

For his readers, Tom was Mr. Long Beach. He was a humorist, he was an advocate, he was our favorite uncle, and our closest neighbor.

He was a friend who lived in the same world, but somehow saw it so much more clearly and never shied away from using his Irish wit to say so.

Every morning for three decades Tom was the champion of what was right, good, and decent in Long Beach. I was fortunate to have read him, I was lucky to have known him, and now I will join his readers, his family, and his friends in missing him.

ONLY CONGRESS CAN WRITE LAWS

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday the U.S. House of Representatives was represented at the Supreme Court during oral arguments for United States v. Texas, the challenge by 25 States to the President's illegal executive action on illegal aliens.

Article I of the Constitution is clear: only Congress can write laws. Sadly, the President has overstepped his authority by acting alone after repeatedly saying that he did not have the authority he claimed.

I was grateful to vote in favor of the resolution, which authorized Speaker PAUL RYAN to file a brief in the Supreme Court, the first by the House as a whole. Speaker RYAN deserves recognition for his remarkable leadership in standing up for the Constitution and rule of law.

United States v. Texas filings reveal the President's failed immigration policy, which should be to enforce existing laws. As an attorney who has practiced immigration law, I know firsthand the benefits of a lawful system welcoming new citizens following the law.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

The SPEAKER pro tempore (Mr. FARENTHOLD). Members are reminded to refrain from engaging in personalities toward the President.

NATIONAL AUTISM AWARENESS MONTH

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

Mr. HIGGINS. Mr. Speaker, 1 in 68 children are diagnosed with autism, and 3.45 million Americans are living with it.

April is National Autism Awareness Month, a time to direct attention to and appreciate the special gifts of these Americans.

In Congress, it is a time to redouble our commitment to them by supporting the Autism CARES Act, which authorizes research in early intervention programs; the Individuals with Disabilities Education Act, which includes early intervention and education services for people with autism; and the BRAIN Initiative at the National Institutes of Health.

In western New York, I have been proud to support $5.7 million in Federal grants for promising work at the Institute for Autism Research at Canisius College.

There is a great deal to be done to piece together the mysteries of autism and support the individuals and families living with it every day.

RECOGNIZING HANESBRANDS FOR ENVIRONMENTAL ACHIEVEMENTS

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

Ms. FOXX. Mr. Speaker, today I rise to recognize HanesBrands, a company headquartered in Winston-Salem, North Carolina, with a long history of innovation, product excellence, and brand recognition.

Hanes recently earned its seventh consecutive partner-of-the-year award from the U.S. Environmental Protection Agency's Energy Star program.

The company was recognized for its continued excellence in energy conservation, carbon emissions avoidance, and environmental sustainability.

Since 2007, Hanes, the world's largest marketer of basic apparel, has reduced its energy use by 25 percent, water use by 31 percent, and carbon emissions by 21 percent.

Last year Hanes derived 25 percent of its worldwide energy needs from renewable sources, including biomass, hydroelectric, geothermal, and wind.

With its continued commitment to excellence, Hanes is a valued corporate

partner in the local community. It is a pleasure to have this outstanding company in North Carolina's Fifth District.

U.S. INCREASES TROOPS IN IRAQ AND SYRIA: WHEN WILL CONGRESS ACT?

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

Mr. McGOVERN. Drip, drip, drip, Mr. Speaker. That is the sound of U.S. escalation in Syria and Iraq. Yesterday, the Pentagon announced that the U.S. will send 217 additional troops to Iraq, pushing the official number of U.S. troops there to more than 4,000.

Mainly Army Special Forces, they will be embedded with Iraqi brigades and battalions. They will be stationed close to the front lines. They will include trainers and maintenance crews for the new deployment of Apache helicopters.

More U.S. commandos could also head to Syria, bolstering the roughly 50 Special Operations Forces advising and training rebel forces on the ground.

Just when is the House going to debate and vote on an authorization for deploying U.S. troops in Iraq and Syria?

When is the House going to debate these escalations that add more firepower and put more U.S. troops close to the front lines?

Our troops carry out their constitutional duties. When will Congress act and carry out its constitutional responsibility?

The American people are tired of endless wars. Putting these wars on remote control, with no debate and no votes, is shameful.

ENSURING INTEGRITY IN THE IRS WORKFORCE ACT

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

Mr. GIBBS. Mr. Speaker, with tax day yesterday and millions of Americans feeling the sting of a burdensome government agency, the House will focus its efforts on giving taxpayers relief from the bureaucratic mess known as the IRS.

When the scandal broke that the IRS improperly targeted conservative 501(c)(4) groups, the Nation was shocked, but not surprised. After thorough investigations by Congress and unrelenting criticism by liberals and conservatives, several high-level officials resigned.

While the IRS can and has fired many low-level employees for other abuses and poor performance, a report by the IRS Inspector General found that many of the IRS employees were rehired.

That is why this week we are passing the Ensuring Integrity in the IRS Workforce Act, which will prevent the agency from rehiring anyone who was previously terminated for misconduct.

Government employees, especially those in the IRS, who work with private and sensitive data of American citizens should not be given the chance to do it again.

This week the House will show the American people that we take our responsibility to stop corruption, misconduct, and abuse of power in the Internal Revenue Service seriously.

BUDGET RESOLUTION DEADLINE

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

Mr. KILDEE. Mr. Speaker, last week the House Republican leadership blew past the deadline to adopt the budget.

Instead of coming together to enact a budget that invests in American jobs, grows our economy, and builds the paychecks of American workers, Republicans actually decided intentionally not to pass a budget at all.

Even worse, in my hometown of Flint, Michigan, 100,000 people can't drink their water because it has been poisoned by lead through decisions made by its own State government. It is in crisis.

There is a bill in the Senate and there is a bill in this House to provide relief to this great city during a disaster, and this Congress won't bring up that bill, nor will it bring up legislation to deal with the opioid epidemic or the Zika virus epidemic.

This is shameful. This is the Congress of the United States. We are supposed to do the work of the American people. We have people in crisis in my own hometown, and we can't get Congress to act, not on a budget, not on health for Flint, and not on Zika.

We need to do our job in the body of this United States Congress.

SUPPORTING THE TEXAS-LED CHALLENGE TO THE PRESIDENT'S UNILATERAL AMNESTY

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

Mr. MARCHANT. Mr. Speaker, this week the Supreme Court heard oral arguments in the United States v. Texas case. This is the Texas-led challenge to the President's executive orders on immigration, a challenge that I strongly support.

By granting unilateral amnesty to 5 million illegal immigrants, the President has blatantly disregarded his duty to enforce our laws. Instead, he is trying to rewrite them altogether. It doesn't work this way.

Article I of the Constitution is clear. All legislative powers shall be vested in Congress. Erosion of this principle is a threat to the rule of law. That is why this challenge by Texas and other States is so important.

This fight is about asserting the will of Americans and defending the authority of Congress. I am pleased that the House has voted to put its full support behind Texas and our Speaker. Lower courts have already ruled to halt the President's illegal amnesty.

On behalf of my constituents, I strongly urge the Supreme Court to do the same.

□ 1215

CONGRATULATING J.W. OAKLEY ELEMENTARY SCHOOL

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

Mr. VARGAS. Mr. Speaker, I rise today to recognize J.W. Oakley Elementary School for their academic and civic accomplishments.

Over the past 18 years, Oakley's commitment to academic excellence has enhanced the lives of their students and earned them statewide recognition. Oakley has been recognized as a California Title I Achieving School and California Distinguished School. In doing so, Oakley has consistently placed among the top performing schools in our district, with a California Academic Performance Index score of 804.

Furthermore, their extraordinary participation in the Jump Rope for Heart program has helped raise over $200,000 for research initiatives.

I would like to commend the hardworking administrators and teachers for their work—teachers like Maryann Vasquez-Moreno, an educator of 15 years, who in addition to preparing her students to succeed, also organizes yearly food drives during the holidays for her community.

I am delighted to recognize Oakley Elementary School for their commitment to our children.

COMMENDING U.S. GREEN BUILDING COUNCIL FOR ENCOURAGING WOOD USE IN BUILDING CONSTRUCTION

(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, Pennsylvania's Fifth Congressional District, which I am proud to represent, has a deep heritage with wood products and timber industries. Wood is the ultimate green building material and should be encouraged for its environmental benefits.

Unfortunately, USDA's Bio-Preferred Program did not recognize wood products, despite the obvious benefits of using such material in buildings. Because of this, I authored the Forest Products Fairness Act of 2013. This legislation, which was ultimately included in the 2014 farm bill, modified USDA's definition of bio-based products to specifically include forest products.

Mr. Speaker, I rise today to commend the U.S. Green Building Council

in taking the next step with the recent changes to their Leadership in Energy Environmental Design, or LEED, green building rating system.

This change will encourage more use of domestic wood in building construction. The change includes lumber companies certified by the American Tree Farm System and landowners certified by the Sustainable Forestry Initiative or the Forest Stewardship Council.

This decision by the U.S. Green Building Council is another step in the right direction and will provide a boost to many across Pennsylvania involved in the industries that rely on our significant timber resources.

RECOGNIZING THE PAMELA SILVA CONDE SCHOLARSHIP FUND

(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, I rise today to recognize an outstanding south Floridian and her initiative, the Pamela Silva Conde Scholarship.

Having graduated from my alma mater, Florida International University, with a degree in broadcast journalism and a master's degree in business, Pamela understands the importance of higher education.

While Pamela calls Miami home, her work as a six-time Emmy Award-winning journalist has taken her all over the world. With her success, Pamela has made it a point to be civic-minded and engaged in our community, primarily on children and college education issues.

Always wanting to do more, Pamela founded the Pamela Silva Conde Scholarship, which focuses on assisting first-generation, low-income business or journalism majors and help them attend college.

Today I ask my Congressional colleagues to join me in honoring Pamela Silva Conde, and thank her for all that she has done and will continue to do for students in our south Florida community.

RECOGNIZING NORTH CAROLINA'S TEACHER OF THE YEAR

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

Mr. MCHENRY. Mr. Speaker, I rise today to recognize the 2016 North Carolina Teacher of the Year, Bobbie Cavnar, from my district in Gaston County.

Mr. Cavnar has spent the last 13 years teaching British literature at Belmont's South Point High School. He spent the last year receiving awards, tremendous awards, in fact. In May, he was named Gaston County's Teacher of the Year. Then, in December, he was named the best teacher for North Carolina's southwest region.

Mr. Cavnar's students describe him as an engaging teacher who asks your opinion and values what you say and believe—maybe something we in the House could learn from—and the type of teacher who makes you want to come to school, perhaps the highest compliment you could pay to a high school teacher these days.

Please join me in congratulating Bobbie Cavnar, and thank him for his dedication to the students of Gaston County.

OBAMA CAN'T MAKE IMMIGRATION LAWS

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

Mr. SMITH of Texas. Mr. Speaker, yesterday the State of Texas argued before the Supreme Court that the President's executive amnesty violates Federal immigration laws and the separation of powers enshrined in the Constitution.

The Constitution is clear: Congress has the sole power to write laws, including immigration laws; and the President must faithfully execute the laws, whether he agrees with them or not.

In fact, President Obama has said dozens of times that he doesn't have the power to unilaterally rewrite immigration laws. However, when the House of Representatives refused to approve the President's mass amnesty policies, he violated his own words and acted alone.

The Supreme Court should uphold the rule of law and stop the President's unprecedented executive amnesty policies.

HEALTHIER ACT OF 2016

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

Mr. DUNCAN of Tennessee. Mr. Speaker, Remote Area Medical is a nonprofit organization that sends teams of doctors and nurses to give free medical care to our Nation's poorest people. I am proud that it is headquartered in my district and founded by my constituent, Stan Brock.

RAM, as we call it, is world-renowned for its great work. For over 30 years, many thousands of people in the U.S. and worldwide have benefited from the free medical services provided by RAM's volunteers. RAM has been featured on 60 Minutes and recognized for its excellence by media outlets such as Time Magazine, BBC, and countless others.

I have introduced the HEALTHIER Act of 2016, which would give a financial incentive to any State that does pass, or already has passed, laws that enable groups like RAM to volunteer more easily across State borders to provide free medical services to our Nation's neediest. Unlike many recent healthcare initiatives, this is not a Federal mandate. It uses funds already available and does not require new funding. It protects State's rights.

My bill makes those who can't afford good health care a priority. It unites them with people who are always searching for ways to help others. That is what health care is all about—helping others.

I ask my colleagues to cosponsor my legislation so that our doctors and nurses can volunteer their skills and expertise to help their fellow citizens who desperately need help and health.

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, April 19, 2016.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 19, 2016 at 10:56 a.m.:

Appointment:

Evidence-Based Policymaking Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1206, NO HIRES FOR THE DELINQUENT IRS ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 4885, IRS OVERSIGHT WHILE ELIMINATING SPENDING (OWES) ACT OF 2016

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 687 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 687

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1206) to prohibit the hiring of additional Internal Revenue Service employees until the Secretary of the Treasury certifies that no employee of the Internal Revenue Service has a seriously delinquent tax debt. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-47 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; (2) the further amendment printed in the report of the

Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4885) to require that user fees collected by the Internal Revenue Service be deposited into the general fund of the Treasury. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-50 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. STIVERS. Mr. Speaker, on Monday, the Rules Committee met and reported a rule for H.R. 1206, the No Hires for the Delinquent IRS Act, and H.R. 4885, the IRS Oversight While Eliminating Spending (OWES) Act of 2016.

House Resolution 687 provides a structured rule for H.R. 1206 and a closed rule for H.R. 4885.

The resolution makes all germane amendments offered by Members in order.

Additionally, the resolution provides each bill 1 hour of debate equally divided between the chair and the ranking member of the Committee on Ways and Means.

Mr. Speaker, each April, Americans send a large portion of their hard-earned income to the Internal Revenue Service. Often, they don't get a good return on their investment from the agency tasked with collecting their tax dollars.

Since I joined Congress in 2011, I have heard from countless constituents struggling to understand how to comply with the complex Tax Code or with other directives from the Internal Revenue Service. Often, they turn to my office because they have no help within the agency and nobody willing to give them help.

I know that these problems aren't new and they aren't issues just contained in my district. They impact all Americans who have representatives here in Congress, from both the Republican and the Democrat side.

We owe our constituents improvements in customer service from all Federal agencies. In the end, everybody who works for our government is in the job of customer service to provide a service for our citizens.

And, of course, this week is tax week, so it is a natural week to advance some bills aimed at restoring our American people's confidence in their public institution and improving the taxpayer experience with the Internal Revenue Service.

This rule makes two bills in consideration: No Hires for the Delinquent IRS Act, sponsored by the gentleman from North Carolina (Mr. ROUZER), and IRS Oversight While Eliminating Spending (OWES) Act, sponsored by the gentleman from Missouri (Mr. SMITH).

□ 1230

Under current law, the IRS is required to terminate any employee who willfully fails to file his Federal tax return or intentionally understates his tax liability. A report from last year by the Treasury Inspector General for Tax Administration found that the IRS consistently reduces penalties for current employees who violate tax laws. The Treasury Inspector General reported that, of the 1,580 employees who were found to have willfully violated tax laws between 2004 and 2013, only 39 percent were terminated, resigned, or retired.

The No Hires for the Delinquent IRS Act would prohibit the hiring of additional IRS employees until the Secretary of the Treasury can certify that current IRS employees do not have serious delinquent tax debt. The vast majority of Federal employees pay their taxes in full and on time, but this bill would give the American people and American taxpayers the confidence in knowing that Internal Revenue Service employees are following the same laws that the American people follow and that the agency is tasked with enforcing.

The other bill under consideration under this rule is the IRS Oversight While Eliminating Spending Act, which would repeal a provision of the current law that enables the Internal Revenue Service to spend user fees that are collected by the agency without any congressional approval or without an appropriation. Under this bill, these fees would be directed to the Treasury's general fund, helping to ensure the agency operates in a transparent and accountable manner. It would also help us as we are trying to close in on our deficit spending and are trying to balance our budget.

The funds from these fees have historically supported taxpayer services, but in fiscal year 2015, the IRS spent only 10 percent of this money for that purpose. It diverted the other 90 percent for other purposes. In fact, the Ways and Means Subcommittee on Oversight found that the IRS is purposely diverting these funds away from taxpayer services and towards other functions, like the implementation of ObamaCare and other items.

Together, these bills would take important steps toward improving the IRS' customer service to taxpayers, and it would give Americans the peace of mind that the Internal Revenue Service and its employees are following the same laws that the American people and taxpayers are required to follow.

I reserve the balance of my time.

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

I thank the gentleman from Ohio for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise to oppose the closed rule providing for the consideration of both H.R. 1206, the No Hires for the Delinquent IRS Act, and H.R. 4885, the IRS Oversight While Eliminating Spending Act of 2016.

Mr. Speaker, when we began this Congress, we were told that it would be the most open Congress that we have had in our great Nation. The general public does not quite grasp, at least I believe, the significance of rules being closed or rules being open.

When there is an open rule for whatever the subject matter is, then every Member of the House of Representatives has an opportunity, if he or she chooses, to make potential amendments to the subject matter that is before the House. My colleagues on the other side have chosen a different tack. I might add, at other times—in my opinion, wrongly—Democrats have done the same thing, and that is to have closed rules and shut out the rest of the people who may have interesting and necessary proposals with reference to whatever the subject matter is.

In this particular instance, we are now numbering, with these two bills, 55 times that we have come here to the floor with closed rules. I bring that to the attention of the general public with an eye toward hoping that there will be some pressure, as there was when I came here, on the majority body to begin to open up this process so that all Members can participate. These bills are nothing more than partisan messaging bills that the majority hopes to use to score cheap political points during the tax season deadline, which was yesterday.

H.R. 1206 would freeze hiring at the IRS until the Treasury Secretary certifies that there are no IRS employees with seriously delinquent tax debt. I agree—and I believe Democrats agree—

that IRS employees should pay their taxes. In my view, that is common sense. The good news is that the IRS' department, the Treasury, has the lowest tax delinquency rate—at 1.19 percent—throughout the entire executive branch. So, instead of solving the actual important problems that are facing our Nation, my Republican friends—and the presenter of this measure is my friend—have, apparently, decided it is more important to try and invent problems to solve.

There is then H.R. 4885, yet another one of these grab bag proposals that we bring here with more than one rule at a time. This bill would prohibit the IRS from supplementing its annual appropriations funding through user fees, but what it really amounts to is an end-around attempt to cut an additional 4 percent from the IRS' budget. We already cut that budget, rather substantially, previously. Now we seek, under this measure, to cut even more.

In other words, the majority often complains that the IRS is not good at its job, and in their wisdom, the answer to this concern is to cut the agency's budget even more and make it harder to hire the people it needs. The IRS is already drastically underfunded and understaffed, so, naturally, my friends on the other side think the solution is to cut more and hire less. This counter-intuitive logic is not making the IRS a more successful agency. No. Instead, these proposals will simply make the IRS' already difficult task of enforcing the tax law and serving the American people even more difficult.

Mr. Speaker, more importantly, last week, I asked my colleagues on the other side of the aisle: Where is the budget? I had the pleasure of working with my friend from Ohio in presenting yet another rule that was going nowhere like this one is. I asked him to have a colloquy with me regarding the budget. I won't bother him with that this week. I am sure that, doubtless, he and I will be back here next week and will be talking about the ongoing negotiations, as he told me last week, on the side of the majority.

This week, now that we have blown past the statutorily mandated deadline to pass a budget resolution, through my colleague on the other side and you, Mr. Speaker, I will just ask my colleagues on the other side of the aisle: Where is the budget? Perhaps the American people would like to ask them the same thing: Where is the budget?

Mr. Speaker, it is not just the fact that we have no budget; it is the fact that we are not addressing, for example, Puerto Rico's debt crisis, that we are not funding a response to combat the risk posed by the Zika virus. Let me footnote that particular situation.

My understanding is that, yesterday, in the Rules Committee, the chairman of the Rules Committee indicated that he thought that there were 20 States that had this problem but that he felt that Texas didn't have the problem. He did assert, with all of the horrible rain and flooding that occurred in certain areas of Texas yesterday, that the residual from that likely will allow, as summer proceeds, for added mosquitos.

What has transpired that is little understood by the public is that this matter is now affecting as many as 20 States, according to the chairman. My recollection, from just the news alone, indicates that there may be as many as 33 States in which this pronounced virus has shown up. There are now 80 examples of its having occurred in the State of Florida—7 of them in the congressional district that I am privileged to serve. This particular virus that affects pregnant women and their children is likely to mutate, and scientists signified—the NIH department testified here earlier this week—that this may now be something that we are going to have to look at with adults, who may very well wind up with this problem.

If this thing blows up, then we are going to have a crisis in this Nation, and that needs to be addressed right now, not at such time as many people are affected. We can reasonably expect that, with what has occurred, the President has requested nearly $2 billion to address this problem. The Republican majority sent back to the President: take it out of Ebola, and take it out of other areas. The NIH indicates that they would then have to go into other funds, which they are going into, including the fund for tuberculosis.

Here again, we have a similar example as to what we have going on here. Rather than addressing a real crisis, we are addressing matters that are going nowhere fast. We are not taking steps to ensure that men and women are paid the same for the same work. We are not working to reform our criminal justice system or our broken immigration system. In fact, under the leadership of this Republican majority, we are not doing much of anything here to solve any of the problems that are facing our country—a broken infrastructure that we have been begging about right here in the Nation's Capital. Aside from all of the potholes, the Memorial Bridge may very well be shut down as well as thousands of bridges in this country; yet we cannot do the things that are vitally necessary that we should be doing in a bipartisan fashion.

Mr. Speaker, the Republican Conference's inability to govern means, instead of addressing the many important problems that are facing this great Nation of ours, we are here today, attacking an already underfunded and understaffed agency so that the majority can score political points. Sadly, this has become the status quo with my friends on the other side of the aisle.

I reserve the balance of my time.

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

I want to address a few issues with regard to the rule on the two bills.

The Rules Committee did approve every amendment that was found germane. There were many amendments that were found not germane to these bills. For example, there was an amendment filed that would have declared that water district rebates are not taxable, but because neither of these bills actually amends the Tax Code and defines what is taxable and what is not, that was not germane. Of every amendment the Rules Committee actually found germane, we included it to be voted on. One of these bills has an amendment, and the other one had no germane amendments filed. The rule did include some opportunities for that.

I appreciate the gentleman from Florida's impassioned plea on things like infrastructure and Zika, on which we do have bipartisan agreement—the gentleman is correct—and we need to work to solve those problems.

□ 1245

In this rule, we have two bills from the Ways and Means Committee. It is tax week. Frankly, it is a week for us to increase the transparency and accountability of the Internal Revenue Service, and that is what these two bills do.

Frankly, the IRS has 100,000 employees. So by the gentleman's own math, Mr. Speaker, of 1.5 percent, that is 1,500 employees with serious delinquencies in the IRS, working to process other people's taxes.

There is some work we need to do to, again, to give some belief to the American people that the employees of the Internal Revenue Service play by the same rules that the American people do and that the American taxpayers do. I think that is the purpose of the bill.

As soon as the Treasury Secretary can verify that we have weeded out those with serious delinquencies from the IRS, then they could continue to hire. So there is nothing that gets in the way there.

The other bill from the gentleman from Missouri (Mr. SMITH) makes sure that, when there are user fees that aren't appropriated, they can't be used. They have to go back to the Treasury.

Frankly, Article I of our Constitution says that Congress will appropriate money for government services and government agencies. When we have unaccountable fees that are not used through the appropriations process, it creates a problem. It is a constitutional problem. It is time we stand up for the Constitution, and that is what we are doing today with Mr. SMITH's bill.

I yield 5 minutes to the gentleman from Texas (Mr. SESSIONS), the distinguished chair of the Rules Committee.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from Ohio (Mr. STIVERS), who is a member of the Rules Committee, for not only yielding me the time, but also for the service that he gives to the Rules Committee, the

hours of deliberate work, reading, and thought process.

I also want to address, if I can, as the gentleman from Ohio (Mr. STIVERS) did, with great admiration not only to Judge HASTINGS for always constantly staying with issues and ideas that not only affect his district in Florida, but that really address the entire country.

I was delighted yesterday when the gentleman brought up in a most thoughtful, genuine way: Where is the answer to these important questions?

What we are here today, Mr. Speaker, to do is—as the gentleman from Ohio (Mr. STIVERS) talked about, we are here to have, I think, once again a thoughtful debate about some problems that we think we see.

The role of the United States Congress, on behalf of the American people, is to make sure that we provide proper oversight, that we fund well and faithfully the running of the government.

As we see things that happen from time to time, it is our role to make sure that we are providing the debate, the argument, the facts of the case, and that is what we are doing today about the IRS.

The gentleman from Ohio (Mr. STIVERS) did talk about H.R. 4885, IRS Oversight While Eliminating Spending Act. There is more to the story about fees that are being collected by the IRS.

I am going to read here directly about what they have done. Mr. Speaker, traditionally, the IRS has used this money that they collect in fees, that they collect for work that they do that goes directly back into customer service, sustaining themselves in the eyes of the public, taking calls, answering questions, trying to be of a service nature.

We understand the IRS is an organization that is there to collect taxes and very few people want to pay certainly more than what they have to. But in doing that, in complying with the law, it is not unusual that a taxpayer would want to contact the Service to learn more about paying their taxes, properly reporting their taxes, and properly doing things.

So, historically, the user fee account has primarily supported taxpayer services in the past. However, the Ways and Means Subcommittee on Oversight found that, in fiscal year 2015, the IRS deliberately diverted resources away from taxpayer services toward other agency functions, including implementation of the Affordable Care Act.

So they took their eye off the ball that they had previously done to change that. In fiscal year 2014, the IRS spent $183 million in these user fees on taxpayer services, which was 44 percent of the user account fees. That is what they used it for: 44 percent.

In fiscal year 2015, however, the agency spent only $49 million—from $183 million to $49 million on taxpayer services and only 10 percent of user fees from those accounts that came in. That decision amounted to a 73 percent reduction in user fee allocation.

Now, Mr. Speaker, what we are trying to say today to the IRS—because this is how we give them oversight. We hold a hearing. We do a markup. We bring the ideas to the Rules Committee.

The Rules Committee notifies all the Members that, if you have an idea about how you would like to talk about this bill, there is an amendment process. For both the rules that we are doing today, we made all of the amendments in order that were germane.

What we are saying here, Mr. Speaker, is that we disagree with the IRS. We are going to force the IRS to begin using these user fees in the way that they have historically done so that the public, which are taxpayers, have a chance to comply with the law, to get their questions answered, and to do business as is necessary.

The IRS has intentionally changed the way they do business to the detriment of the customer. Republicans all the time argue we ought to be more like customer services or a business-type organization.

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

Mr. STIVERS. I yield an additional 3 minutes to the gentleman from Texas.

Mr. SESSIONS. Mr. Speaker, so what we are trying to say today, which we would like to do on a bipartisan basis, which we would like to do straight up and look right at the IRS, is say: We would like to meet you in a way to where you know what we think. We would like to be very specific. We would like to show you exactly what we are talking about. We would love to have you comply.

In this case, it is taking a piece of legislation that we think is in the best interest of the IRS—because we are helping them protect themselves—and Congress that has oversight and an administration that we would welcome this opportunity. This is not some sneaky attempt to do something wrong. This is the right attempt.

The second part of the rule is H.R. 1206, No Hires for the Delinquent IRS Act. That simply says that we want to make sure that the Commissioner of the IRS understands that they should not hire any new employee if they have a tax problem.

I would think that would be part of the agreement. I would think that an employee of the IRS would understand that, to be faithful to their job, they should not be given an extra status better than any taxpayer who pays their taxes, has done what they are supposed to do, and follows the law.

Mr. Speaker, that is why Republicans are on the floor of the House of Representatives today. I am proud of what Congressman STIVERS is doing. I support this rule that is a fair and logical rule for the best interest of us working with the IRS, with our colleagues that are Democrats and Republicans, and with the administration.

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

I ask the chairman if he would remain just a moment to engage in a colloquy with me.

Mr. Chairman, with great respect, do you agree with me that, between the years 2010 and 2015, Congress cut the IRS budget by 17 percent?

Mr. SESSIONS. Will the gentleman yield?

Mr. HASTINGS. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman engaging me in a colloquy.

In fact, on a bipartisan basis, that was achieved, and the President of the United States signed the legislation. That was because of the gross examples of the IRS' conduct as it was related to politicalization. That would be correct.

Mr. HASTINGS. So, then, having cut their budget by 17 percent and then not allowing them to undertake the user fees under the measure that is before us in a manner as you assert to undertake a mandate that they had, do you agree with me that the IRS, under the Affordable Care Act, is mandated to implement that act?

Mr. SESSIONS. Yes, sir. In fact, I do. But I also recognize—and the gentleman knows this. You are making a very, very good point. They did not use it for something they were not authorized to do.

My point is that I think what we are trying to say is we would like to get the IRS to answer more questions. Some of the people who might be asking questions, it might be related to the Affordable Care Act because, in fact, it is a new portion of the law. And the IRS, I believe, has a duty to at least balance what they do, sir.

Mr. HASTINGS. I appreciate that very much, Mr. Chairman.

Then, for all of our edification, not needing a response unless you care to give one, I said earlier in my remarks that it was less than 2 percent of the delinquencies that occurred in the executive branch, inclusive of the IRS.

I don't mean to beat up on staff and Congress people, but congressional employees have less than 6 percent, about 5.8 percent, delinquencies.

Now, I am not arguing for delinquencies. But if we are going to go after the IRS, then we might want to take care of our own.

I yield to the gentleman from Texas, if he cares to respond.

Mr. SESSIONS. Mr. Speaker, the gentleman makes a very important point. I would respond back by saying it is probably my fault and Members' fault. We do not ask that question.

I do not have a determination. I generally do not do a full background check. I do not have access to their records. I would not know if they were telling me the truth or not.

If you were a law enforcement organization or if you were a hospital looking for certification, if you were the IRS, you would have pretty much data available to you so that you didn't ask a question that you couldn't verify. So I think the gentleman makes a point.

I will tell you that this Member of Congress is now and has always been faithful and has not done anything with his taxes. I pay mine every year.

Mr. HASTINGS. Mr. Speaker, I am not just talking about Congresspersons, I am talking about throughout the bureaucracy.

Mr. SESSIONS. Well, I agree with that. Once again, I don't ask the question, but the IRS should.

Mr. HASTINGS. Yes, I follow you. I don't have a problem with that. I thank the chairman for his forthright commentary.

Mr. Speaker, I would advise my colleague from Ohio that I have no further speakers. I think we have made our time deadline of 1:50. So I am ready to close.

Mr. STIVERS. Mr. Speaker, I also have no further speakers and am prepared to close.

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

If we defeat the previous question, I am going to offer an amendment to the rule to bring up a bill that would ensure that American corporations that enjoy the benefits of operating in our country continue to pay their fair share of taxes by closing the tax inversion loophole.

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

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

There was no objection.

Mr. HASTINGS. Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question.

These partisan messaging bills are not what the American people want or deserve. These bills are what the extremists in the Republican Party that didn't come here to govern want.

□ 1300

Instead of debating and passing a budget, we are here today ignoring the important work of governing so the majority can try and score political points and appease the insatiable extreme wing of their party that turned down their party's own budget proposal.

By the way, the Republican budget proposal, the one they couldn't get enough votes in their own conference to pass, would have ended the Medicare guarantee for seniors. It would have made $6.5 trillion in cuts, the sharpest ever proposed by the House Committee on the Budget. It would have repealed the Affordable Care Act and dismantled the affordable health care of 20 million Americans.

And yet, that Republican proposal, as extreme as I view it to be, was still not enough to get the extremist wing to agree to it. When I say ''the extremist wing,'' we are talking about roughly 40 Members of the House of Representatives. Maybe it flows as high up as 47 or as low as 35. They seem to be the tail that is wagging this elephant.

So here we are. No budget, and we aren't addressing any of the real pressing issues facing our country. Rather, we are debating partisan messaging bills with no hope of becoming law. I don't think that there are companion measures in the United States Senate, and I can pretty much assure everybody that when we finish the discussion here today and the Republicans pass this measure—and a handful of Democrats may vote for it; I doubt that—but when we pass it, that will be the end of it and tax season will go on. We will have made the measure look like it is something that the American people are going to have as law.

The House of Representatives is not just some messaging platform that the majority can use to try and score transparently cheap political points. It is a place where the issues facing our Nation should be addressed and solved in a bipartisan manner.

I want to lift from Roll Call—and for purposes of those in the general public of our great country that do not know, we have two or three little papers here inside the beltway, inside the capital, and Roll Call is one of them. They, today, say the following:

''Governing by crisis has become the norm in Congress in recent years, but so far this year even that hasn't happened.

''Puerto Rico is on the verge of economic collapse, an average of 78 people are dying every day from opioid overdoses,'' and 90-plus people from gun violence, accidental or otherwise, ''and mosquitoes carrying the Zika virus have been found in 30 States. But Congress has shown no urgency about addressing those issues.

''Maybe that's not surprising from a Republican majority that can't even adopt a nonbinding budget resolution after months of 'family' discussions.''

Mr. Speaker, the Republican Conference has cowered to the extremists in their party, which is truly shameful and not doing one thing to help the people of this great Nation that we have been elected to serve.

Let me make a prediction. This measure will pass. Both these bills will pass the House of Representatives, and tomorrow we will be back here talking about some more measures that are not going to pass as law. Several reasons why. The Senate, first, is not likely to take it up, and even if they did, the administration policy is widely known that the measures would be vetoed.

So why are we doing this instead of Zika? Why are we doing this instead of equal pay for women? Why are we doing these things instead of dealing with our infrastructure? Why are we doing these things instead of giving us a budget so that the appropriations process can do more than end with a measure that will throw everything together at the end of this session? Why are we doing these things and where is the budget? That is what I ask my colleagues.

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

Mr. STIVERS. Mr. Speaker, I appreciate the gentleman's points on things we should be doing, and I agree and hope we can get a budget agreement in the next coming days or weeks, hopefully as soon as we can get it done. There are other pressing issues that face this country: issues of infrastructure, the Zika virus and how we are ready for it.

But today we are here on two bills that can increase the transparency and accountability of the Internal Revenue Service. I believe both of those bills are well intentioned. I think they would both bring more accountability and more taxpayer confidence to that agency, and I would urge my colleagues to support both the rule and the underlying legislation.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 687 OFFERED BY MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 415) to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 415.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the

opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

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

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

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

Mr. HASTINGS. 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 question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 4890, BAN ON IRS BONUSES UNTIL SECRETARY OF THE TREASURY DEVELOPS COMPREHENSIVE CUSTOMER SERVICE STRATEGY, AND PROVIDING FOR CONSIDERATION OF H.R. 3724, ENSURING INTEGRITY IN THE IRS WORKFORCE ACT OF 2015

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 688 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 688

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4890) to impose a ban on the payment of bonuses to employees of the Internal Revenue Service until the Secretary of the Treasury develops and implements a comprehensive customer service strategy. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-49. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3724) to amend the Internal Revenue Code of 1986 to prohibit the Commissioner of the Internal Revenue Service from rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-48 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on House Resolution 688, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Committee on Rules. The rule provides for consideration of H.R. 4890, Ban on IRS Bonuses Until Secretary of the Treasury Develops Comprehensive Customer Service Strategy, and H.R. 3724, Ensuring Integrity in the IRS Workforce Act of 2015.

For each of these two bills, the rule provides for 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and also provides a motion to recommit. H.R. 4890 will be considered under a structured rule, while H.R. 3724 will be considered under a closed rule, as none of the amendments submitted were germane.

Yesterday the Committee on Rules received testimony from members of the Committee on Ways and Means. Both pieces of legislation covered by this rule were considered and marked up by the Committee on Ways and Means and enjoyed discussion before that committee. H.R. 3724 passed the committee by a voice vote, and H.R. 4890 was also passed and reported by the Committee on Ways and Means.

It is fitting that the House consider these bills to rein in and reform the IRS this week, as Americans across the country have had to face tax day yesterday.

Our Tax Code is overly burdensome and complex and penalizes hardworking Americans. Tax dollars belong in the hands of Americans who have earned them, not in the hands of Washington bureaucrats.

The bills before us today help to rein in the IRS, protect taxpayer money, and hold the IRS accountable.

H.R. 4890, introduced by the gentleman from Pennsylvania (Mr. MEEHAN), prohibits the IRS from paying bonuses to employees until it creates and submits to Congress a comprehensive strategy to improve customer service.

The IRS' mission is to ''provide America's taxpayers top quality service by helping them understand and meet their tax responsibilities. . .''

Unfortunately, the IRS has fallen woefully short of this stated goal. The IRS does not have a comprehensive customer service strategy to ensure that it is providing effective and efficient service. In fact, in fiscal year 2015, only 38 percent of the callers wanting to speak to an IRS representative were able to reach one. This is unacceptable.

No one likes to pay their taxes, but the IRS has a responsibility to provide service and assistance to those who are trying to meet the burdensome obligation.

H.R. 4890 makes clear that until the IRS meets its obligation to the taxpayers who fund the agency, IRS employees will not get bonuses. To me, this is common sense. We should not be rewarding agency employees when they are not meeting their mission. H.R. 4890 helps hardworking Americans by ensuring that the IRS implements a comprehensive customer service strategy.

H.R. 3724, introduced by the gentlewoman from South Dakota (Mrs. NOEM), prohibits the IRS Commissioner from rehiring any employee who was let go from the agency for misconduct.

Now, just think about that one for a second. We are in a place with the IRS where we have to prohibit by law that agency from rehiring people who they have fired for misconduct. No wonder people shake their heads.

I can tell you this—a businessman or woman in Georgia would think twice about hiring someone they had to fire, but the IRS, which has access to sensitive taxpayer data, is repeatedly doing just that, according to the agency's own inspector general.

In fact, according to Treasury Inspector General for Tax Administration, the IRS rehired 141 former employees who had been removed from service for issues ranging from falsification of official forms to abuse of IRS leave and property policies.

□ 1315

Americans deserve better. They deserve to know their tax and personal information is protected and that those handling it are held accountable. It is past time we hold the IRS to a higher standard.

I would like to thank Ways and Means Committee Chairman BRADY, Congresswoman NOEM, Congressman MEEHAN, and their staffs for their work in bringing together these important reforms.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and I want to thank the gentleman from Georgia (Mr. COLLINS) for yielding me the customary 30 minutes.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise in very strong opposition to this rule, which provides for consideration of H.R. 4890, under a structured process, and H.R. 3724, under a completely closed process. These two pieces of legislation are part of the House majority's effort this week to micromanage the IRS and undermine its ability to enforce our tax laws.

This is not a serious attempt at legislating. These bills are press releases. Let's be honest. They are press releases for my friends in the majority to use on the campaign trail, and they are serving as a distraction from the business the Republican leadership has failed to act upon.

Last Friday, House Republicans missed the legally mandated deadline for Congress to enact a budget, and it appears as though we are not going to see a budget resolution on the floor this week—or anytime soon. It is pretty sad that Speaker RYAN, a former Budget Committee chairman himself, can't get the House to pass a budget.

In 2011, Speaker RYAN said that failing to enact a budget is a ''historic failure to fulfill one of the most basic responsibilities of governing.'' In 2012, the Speaker went on to say that not passing a budget ''has serious consequences for American families.''

But the extreme budget proposed by the Republican leadership—a budget that would end the Medicare guarantee, gut antipoverty programs, and demand $6.5 trillion in cuts—was not extreme enough for House Republicans, so they can't get a majority within their ranks. This is a failure of the majority to do its job, plain and simple.

Demands by a vocal group of conservative Members to abandon a bipartisan agreement reached last year on spending caps has put a budget in jeopardy and the promise of regular order for the appropriations process out of reach. Don't be surprised if all these spending bills get crammed in during a lame duck session after voters have cast their ballots and we have this big monstrosity that comes before the Congress—nobody knows what is in it—and it gets passed. That is the way the business of this House will proceed. I don't think that is what the American people want; and if you want to talk about what makes the American people shake their heads, it is that.

Forgive me if I find it ironic that we are here today telling the IRS how to do its job while this Republican majority can't even do its job of passing a budget and fulfilling its most basic responsibility of governing.

So if my Republican friends don't want to pass a budget, there are other important things we can do besides these message bills that are going nowhere:

Negotiations have stalled on legislation to help Puerto Rico avoid a default. We could do that.

A bill to provide aid to families in Flint, Michigan, has not reached the floor for a vote. Clearly, I think everybody in this country was horrified when they learned of the fact that the residents of Flint, Michigan, were being poisoned by the water that was coming out of their faucets. We could do something about that, but we are not.

A bipartisan, comprehensive immigration reform bill that passed the U.S. Senate has been blocked by the leadership in this House for the past 3 years. We could actually fix our immigration laws rather than just complain about them, but we are not going to do that, I guess, either.

I might also suggest to my friends that, if they need bills to consider on the floor, we could respond to the thousands and thousands of constituents from all over the country that have been rallying at the Capitol during the past week as part of the Democracy Spring and Democracy Awakening movements and take up legislation to reform our campaign finance system. Let's do something about getting the money out of politics. Let's remove the influence that special interests have on congressional elections—and all elections—because of our broken campaign finance laws. We could do that, but we are not. We are doing messaging bills that are going nowhere.

We could join millions of our constituents and people across the globe in celebrating Earth Day by considering climate change legislation. I know that may be a heavy lift on my Republican friends, because a big chunk of the Republican Conference doesn't even believe that climate change is an issue.

We could do tax reform. Let's simplify the Tax Code. Let's remove all these loopholes that allow big corporations to escape paying taxes while regular, hardworking people have to pay taxes. Let's do tax reform. That would be a good thing to do during this week, but we are not going to do that.

And perhaps we can maybe debate an AUMF, an Authorization for Use of Military Force, something that I have been urging this place to do for a long, long time now. Yesterday, the Pentagon announced hundreds more U.S. forces will be deployed in Iraq. We are getting sucked into this war even more deeply. I think people are tired of endless wars. Our troops are expected to perform their responsibilities when we send them to places like Iraq and Syria, but why aren't we expected to do our job and actually debate these

issues and vote on them? Instead, we are silent; we are indifferent.

So we have a lot that we can do. Unfortunately, we are not doing any of those things. This place is becoming a Chamber where trivial issues are debated passionately and important ones not at all. We need to do better, and we need to start coming together and figuring out how to solve some of these problems.

H.R. 3724, which is unnecessary at best, prohibits the IRS Commissioner from rehiring any former employee that was terminated for misconduct, even though there are already processes in place to ensure employees with significant performance or conduct problems are not rehired. This legislation is not even necessary.

H.R. 4890 prevents the Treasury Department from paying bonuses to IRS employees until the Secretary submits to Congress a customer service strategy that has been approved by the Treasury Inspector General for Tax Administration. Again, an added layer of bureaucracy.

Mr. Speaker, I include in the RECORD a letter sent to all Members of Congress from The National Treasury Employees Union, which is opposed to H.R. 4890 and a number of the other bills that we are debating here today.

THE NATIONAL
TREASURY EMPLOYEES UNION,
April 12, 2016.

DEAR REPRESENTATIVE: As President of the National Treasury Employees Union (NTEU), representing over 150,000 federal employees in 31 agencies, including the men and women at the IRS, I am writing to express opposition to several bills scheduled to be considered by the House Committee on Ways and Means on April 13. NTEU believes all of these bills would weaken IRS' ability to carry out their taxpayer service and enforcement missions, and undermine efforts to retain dedicated and experienced employees.

H.R. 4885, the ''IRS Oversight While Eliminating Spending (OWES) Act of 2016,'' would require IRS collected user fees to be deposited in the general fund of the U.S. Treasury and would prevent the IRS from spending the user fees ''unless provided by an appropriations act.'' NTEU strongly opposes eliminating IRS' ability to use the user fees that it collects, as provided by law. The IRS charges user fees for various services: to assist taxpayers in complying with their tax liabilities; to clarify the application of the tax code to particular circumstances; and to ensure the quality of paid preparers of tax returns, among others. While user fees have historically been used, in large part, to fund traditional taxpayer service activities, recent budget cuts in excess of $900 million since Fiscal Year (FY) 2010 have forced the IRS to reallocate a greater portion of these user fees to implement a number of significant legislative mandates, nearly all of which came with no additional funding. These include the Affordable Care Act (ACA), the Foreign Account Tax Compliance Act (FACTA), and the Achieving a Better Life Experience (ABLE) Act.

While proponents of this legislation claim the bill is simply an attempt to ensure proper congressional oversight of the IRS, in reality these measures are designed to undermine and weaken the IRS's ability to enforce enacted laws. While NTEU takes no position as to whether any particular tax statutory provisions remain or are repealed, NTEU believes it is important to remember that the IRS, and its personnel, are charged with implementing each and every tax law passed by Congress, including the ACA. Therefore, it is imperative that the IRS be provided with the resources necessary to carry out its responsibilities under the law, and to retain the flexibility to allocate user fee revenues as necessary to do so.

Prohibiting the IRS from accessing the roughly $400 million in user fees it collects each year is effectively an immediate cut of $400 million to its budget, and will simply force the IRS to divert resources from other critical taxpayer service and enforcement programs to carry out its statutory mandates.

NTEU also urges you to oppose H.R. 1206, the ''No Hires for the Delinquent IRS Act'' which would prohibit the hiring of additional IRS employees until the Secretary of the Treasury certifies that no employee of the IRS has a seriously delinquent tax debt.

While NTEU believes that each and every IRS employee should pay their taxes in full and on time, we have serious concerns about how the bill defines a seriously delinquent tax debt, and believe basing IRS' ability to hire additional personnel on such an uncertain standard is unjustified, and will only further undermine its ability to meet its taxpayer service and enforcement missions.

Under H.R. 1206, a tax debt is considered ''seriously delinquent'' by the filing of a notice of a federal tax lien (NFTL). Unfortunately, using notice of a lien as an indication a debt is seriously delinquent is inappropriate since it is not a final determination of tax liability. Section 6321 of the Internal Revenue Code establishes that a lien can be filed immediately upon the assessment of tax. In many instances, the IRS may file an NFTL to simply secure the government's future potential interest and establish its priority as a possible creditor in competition with other creditors. Therefore, the filing of the NFTL is not a true indication that a tax debt is ''seriously delinquent.''

In addition, it is unclear why this legislation is even necessary. The bill specifically singles out the tax status of employees at the IRS who have an overall tax compliance rate of over 99%, the highest in the federal government, and a much higher compliance rate than the general public. Furthermore, for those employees at the IRS that do have tax debts, the existing Federal Payment Levy Program already allows the IRS to levy federal salaries to recover federal tax debts.

We also believe restricting the IRS' ability to hire qualified applicants based upon an uncertain tax status standard of its employees is misguided, and will simply further impede its ability to provide quality services to American taxpayers. The IRS workforce has been reduced by more than 15,000 employees over the past five years, including many front-line customer service and enforcement personnel. Therefore, it is critical that the IRS have the ability to hire additional personnel to provide the services taxpayers expect and to implement the laws passed by Congress.

Finally, NTEU urges you to oppose H.R. 4890 which would prohibit the IRS from paying performance awards to its employees until the Secretary of the Treasury develops and implements a comprehensive customer service strategy. NTEU believes this legislation is unnecessary, and will only serve to undermine IRS efforts to retain experienced employees that provide many of the critical taxpayer services. In fact, the IRS has already recently provided a detailed and comprehensive strategy to improve taxpayer services, and in particular, the phone level of service, as part of its FY 2017 budget request. However, implementation of this strategy will require a commitment by Congress to provide the IRS with the necessary resources and staffing. If members are serious about helping the IRS meet its mission of providing taxpayers with top quality service in a timely manner, Congress will fund the Administration's FY 2017 IRS budget request.

Furthermore, this measure is unfairly punitive to hard-working front-line employees who are not responsible for developing or implementing agency-wide policies and strategies, and who have already experienced significant pay hardships in recent years—stemming from the three-year pay freeze and furlough days, followed by three years of minuscule pay increases, and performance awards below one percent of their salaries. Like all federal agencies and effective employers, the IRS must be able to properly compensate its workforce, particularly at a time of a healthy job market, and to distinguish and reward higher performing employees.

For these reasons, we strongly urge you to oppose these bills during committee consideration on Wednesday, April 13. Please contact Matt Socicnat of my staff if you have any questions.

Sincerely,

ANTHONY M. REARDON,
National President.

Mr. MCGOVERN. Mr. Speaker, if the majority is concerned with customer service at the IRS, we should be considering appropriations legislation to fully fund the administration's budget request for the agency. IRS funding has been slashed by nearly $1 billion since 2010, and as a result, the IRS had to cut 12,000 jobs, reduce employee training, and delay technology updates. So while I understand that my friends on the other side of the aisle don't like the IRS, it is their demands for steep funding cuts that have led directly to a degradation of customer service during the past several years.

Furthermore, the IRS has already developed and has begun to implement a strategy to improve taxpayer services, and here is the deal, Mr. Speaker. If this were really an issue, we could have brought this up at any time. We could come together and try to see whether we can work on bipartisan legislation, but instead, we bring up legislation attacking the IRS during the week that people have to pay their taxes. You don't have to be a rocket scientist to figure out that this is all about messaging and not about substance.

I think that people in this country are really sick and tired of the performance of this Congress—or the lack of performance of this Congress. We have a lot of challenges that we need to confront; we have a lot of problems that we need to solve; and rather than doing this, we ought to be doing the people's business. We ought to be legislating in a serious way and leave these press releases and these messaging bills for the Republican congressional campaign committee. It is beneath, I think, the standards that this Congress should uphold.

I reserve the balance of my time.

Mr. COLLINS of Georgia. I reserve the balance of my time to close.

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

have no speakers because everybody is so interested in this legislation that I think they would prefer to stay in their offices.

Let me just say, Mr. Speaker, I am going to urge my colleagues to defeat the previous question. If we do, I will offer an amendment to the rule to bring up Mr. VAN HOLLEN's bill that would restrict American companies' use of so-called tax inversions to shrink their tax obligations by hiding money in foreign countries. The bill would direct the money toward repairing our crumbling infrastructure.

That is exactly the type of legislation we ought to be debating here: something that is meaningful to the American people and to get American corporations that are trying to not pay their fair share to pay their fair share and to invest in repairing our crumbling infrastructure, whether it be water infrastructure that we see in such disrepair in places like Flint, Michigan, or our roads and bridges. Where I come from in Massachusetts, we have bridges that are older than most of your States, and they need repair.

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

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

There was no objection.

Mr. MCGOVERN. I urge my colleagues to vote ''no'' and defeat the previous question and to vote ''no'' on the rule.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I believe there is probably going to be debate on these bills this week on the House floor. But also, there are certain times when you just understand the bills are, as I say from my part of the world, just common sense, and we just need to get to them.

It is amazing that we actually have to tell the IRS to not rehire people that they fired for misconduct. That is just an amazing idea. There are a lot of things that need to go on over there, the least of which is to give them more money which they have shown, repeatedly over the past few years, that they use to target groups that they don't like.

So that is not the reason that they are problematic. There are other issues there that need to be dealt with.

As I said before, our tax system is out of control. Americans deserve to keep their hard-earned dollars. While I would like to dismantle the IRS—I am more of a fair tax proponent—while it exists, we must rein it in and hold it accountable.

This rule provides for consideration of legislation that will protect taxpayers. It takes important steps toward ensuring that the IRS is not abusing taxpayer dollars. For that reason I urge my colleagues to support this rule and H.R. 4890 and H.R. 3724.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 688 OFFERED BY MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3064) to authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3064.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on H.R. 688 will be followed by 5-minute votes on adoption of H.R. 688, if ordered; ordering the previous question on H.R. 687; and adoption of H.R. 687, if ordered.

The vote was taken by electronic device, and there were—yeas 240, nays 172, not voting 21, as follows:

[Roll No. 155]

YEAS—240

Abraham	Blum	Carter (TX)
Aderholt	Bost	Chabot
Allen	Boustany	Chaffetz
Amash	Brady (TX)	Clawson (FL)
Amodei	Brat	Coffman
Babin	Bridenstine	Cole
Barletta	Brooks (AL)	Collins (GA)
Barr	Brooks (IN)	Comstock
Barton	Buchanan	Conaway
Benishek	Buck	Cook
Bilirakis	Bucshon	Costello (PA)
Bishop (MI)	Burgess	Cramer
Bishop (UT)	Byrne	Crawford
Black	Calvert	Crenshaw
Blackburn	Carter (GA)	Culberson

Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—172

Adams
Aguilar
Ashford
Beatty
Bera
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—21

Bass
Becerra
Beyer
Blumenauer
Collins (NY)
DeSaulnier
Dold
Edwards
Fattah
Fincher
Garrett
Hinojosa
Jackson Lee
Johnson, E. B.
Lujan Grisham (NM)
Maloney, Carolyn
Meng
Rush
Stutzman
Van Hollen
Waters, Maxine

□ 1352

Mr. THOMPSON of California changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 242, noes 172, not voting 19, as follows:

[Roll No. 156]

AYES—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—172

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Beyer
Blumenauer
Collins (NY)
Dold
Edwards
Fattah
Fincher
Garrett
Hinojosa
Jackson Lee
Johnson, E. B.
Loudermilk
Lujan Grisham (NM)
Maloney, Carolyn
Meng
Rush
Stutzman
Van Hollen
Waters, Maxine

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1359

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1206, NO HIRES FOR THE DELINQUENT IRS ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 4885, IRS OVERSIGHT WHILE ELIMINATING SPENDING (OWES) ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 687) providing for consideration of the bill (H.R. 1206) to prohibit the hiring of additional Internal Revenue Service employees until the Secretary of the Treasury certifies that no employee of the Internal Revenue Service has a seriously delinquent tax debt, and providing for consideration of the bill (H.R. 4885) to require that user fees collected by the Internal Revenue Service be deposited into the general fund of the Treasury, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 173, not voting 21, as follows:

[Roll No. 157]

YEAS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—173

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—21

Bass
Beyer
Blumenauer
Carney
Collins (NY)
Dold
Edwards
Ellmers (NC)
Fattah
Fincher
Garrett
Hinojosa
Jackson Lee
Johnson, E. B.
Lujan Grisham (NM)
Maloney, Carolyn
Meng
Rush
Stutzman
Van Hollen
Waters, Maxine

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WESTMORELAND) (during the vote). There are 2 minutes remaining.

□ 1405

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 239, noes 173, not voting 21, as follows:

[Roll No. 158]

AYES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper

Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—173

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—21

Bass
Beyer
Blumenauer
Carney
Collins (NY)
Dold
Edwards
Ellmers (NC)
Fattah
Fincher
Garrett
Hinojosa
Israel
Jackson Lee
Johnson, E. B.
Lujan Grisham (NM)
Maloney, Carolyn
Meng
Stutzman
Van Hollen
Waters, Maxine

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1411

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I was unable to vote on rollcalls 153 through 158 due to a family emergency. Had I been present, I would have voted as follows:

On rollcall No. 153 on H.R. 4570, I am not recorded due to a family emergency, I would have voted "aye."

On rollcall No. 154 on S. 719, I would have voted "aye."

On rollcall No. 155 on the Motion on Ordering the Previous Question on H. Res. 688, I would have voted "nay."

On rollcall No. 156 on H. Res. 688, I would have voted "nay."

On rollcall No. 157 on the Motion on Ordering the Previous Question on H. Res. 687, I would have voted "nay."

On rollcall No. 158 on H. Res. 687, I would have voted "nay."

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, I was unable to be present in the House chamber for certain rollcall votes this week. Had I been present on April 18th and 19th 2016, I would have voted "yea" for rollcalls 153 and 154 and "nay" on rollcalls 155, 156, 157, and 158.

PERSONAL EXPLANATION

Mr. DOLD. Mr. Speaker, on rollcall Nos. 155, 156, 157, and 158, I was detained at a meeting at the White House. Had I been present, I would have voted "yes."

□ 1415

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.

PROVIDING INTERNAL REVENUE SERVICE PUBLICATION 17 FREE TO TAXPAYERS

Mrs. NOEM. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 673) expressing the sense of the House of Representatives that the Internal Revenue Service should provide printed copies of Internal Revenue Service Publication 17 to taxpayers in the United States free of charge.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 673

Whereas each year, Internal Revenue Service Publication 17, entitled ''Your Federal Income Tax'', provides individuals with general instructions on how to file their tax returns for the previous taxable year;

Whereas in each year prior to 2015, free printed versions of Internal Revenue Service Publication 17 were made widely available to taxpayers at libraries, post offices, and taxpayer service offices, and even by mail at the request of a taxpayer;

Whereas the Internal Revenue Service no longer disseminates a free printed version of Internal Revenue Service Publication 17 as it transitions to a fully electronic tax filing system, including an electronic system for providing instructions on filing tax returns;

Whereas the Internal Revenue Service directs taxpayers to the Internet to download an electronic version of Internal Revenue Service Publication 17, even though the limited availability of a printed version of this publication burdens individuals who do not have access to a computer or printer and individuals who struggle to navigate a computer;

Whereas the dissemination of printed copies of Internal Revenue Service Publication 17 is a basic taxpayer service that the Internal Revenue Service is ignoring;

Whereas the Internal Revenue Service should prioritize its resources on areas that are critical to the ability of taxpayers to file their tax returns in a timely and proper manner;

Whereas the decision of the Internal Revenue Service to stop disseminating printed copies of Internal Revenue Service Publication 17 adversely impacts populations that do not have access to, or understand how to use, a computer, and the decision unnecessarily burdens and restricts the ability of taxpayers to comply with the convoluted and complicated provisions of the Internal Revenue Code of 1986; and

Whereas Internal Revenue Service Publication 17 is clear evidence of the need for comprehensive tax reform that simplifies the Internal Revenue Code so that individuals can complete their tax returns and pay their taxes without needing the nearly 300 pages of instructions that currently make up Publication 17: Now, therefore, be it

Resolved, That the House of Representatives urges the Internal Revenue Service to—

(1) resume printing copies of Internal Revenue Service Publication 17; and

(2) provide free copies of such publication to the taxpayers of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from South Dakota (Mrs. NOEM) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentlewoman from South Dakota.

GENERAL LEAVE

Mrs. NOEM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Res. 673, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from South Dakota?

There was no objection.

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

I rise in support of H. Res. 673, and I thank the gentleman from Wisconsin (Mr. GROTHMAN) for introducing it.

The resolution is simple. It expresses a sense of the House that the IRS should make the individual income tax instructions widely available to Americans, free of charge.

Mr. Speaker, the Tax Code is broken. It is too long, too complicated, too confusing, and too old. Taxpayers spend somewhere around 6 billion hours in complying with our Nation's confusing tax laws, and they spend over $30 billion on computer programs and professional tax preparation just to figure these documents out. It is absurd, and the solution is fundamental tax reform.

My colleagues and I have been working hard to simplify the Tax Code and make it fairer for American workers and families, but it is a long and a difficult process. As we work toward this comprehensive solution that we need, the best thing that we can do is to make sure Americans have the information they need to comply with the law.

The Taxpayer Bill of Rights reads that taxpayers have the right to be informed about how to comply with Federal tax law. This is something the IRS' Publication 17 document—or the individual income tax form instructions—says taxpayers have a right to as well. As we move more and more to electronic tax filing, this is a promise the IRS is abandoning in some cases. While e-filing may be an attainable goal for some, there are millions of Americans who are without the access or the ability to find the information online or to make sense of it. Recently, the IRS stopped making the income tax services available to libraries, post offices, and taxpayer service offices. Instead, it requires a taxpayer to order a copy and then to pay for it. This is unacceptable.

The IRS, like many agencies, has faced reductions in budgetary allocations due to sequestration, but it is important to remember that budget reductions require prioritizations within an agency. Providing Americans with free access to the instructions that are necessary to file taxes should be a priority for the IRS.

Until we have a fairer, a simpler, and a flatter Tax Code, we need to make sure the people have the information they need to file their taxes correctly. H. Res. 673 expresses the sense of the House of Representatives that the Internal Revenue Service should provide U.S. taxpayers with free printed copies of IRS Publication 17, which is entitled, ''Your Federal Income Tax'' and provides individuals with general instructions for filing tax returns.

I strongly urge my colleagues to support this resolution.

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

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

This is ''bashing the IRS and its 80,000 employees'' week, but the two bills here today are very minor additions. Tomorrow and Thursday are the real problem proposals and the real culprits. They are the ones that really curtail the ability of the IRS to provide adequate service. Let me say just a few words about this bill.

It urges the IRS to make available printed copies of IRS Publication 17, as has been said—the tax guide for individuals—free of charge to taxpayers. According to the IRS, printing and shipping copies of this publication cost them more than $500,000 last year.

Will the Republicans fund this important service for taxpayers? No. Better yet, will they increase funding for customer services broadly, like answering taxpayer phone calls or investing in cybersecurity to prevent fraud? No.

Instead, Republicans have cut the IRS' budget by close to $1 billion since 2010. As a consequence of those cuts, the state of the IRS' customer service today is inexcusable. If Republicans want the IRS to improve the services they provide to taxpayers, they need to provide adequate funding for the IRS. They need to increase it instead of cutting it as they have in previous years.

This bill is also a distraction from the Republicans' inability to act on what really matters: the budget bill, the Flint bill—in terms of responding to the crisis there—and the Puerto Rico legislation.

In part because this is, simply, a sense of Congress, it is, more or less, innocuous except in its saying to the IRS: Pay yourselves—the IRS—for the printing and the shipping—$500,000 it cost last year—while, at the same time, the Republicans say: We are not going to provide the funding necessary for customer services. There is that total inconsistency.

I reserve the balance of my time.

Mrs. NOEM. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, one of the frustrating things about the Federal Government is that it acts without realizing the hardship it is causing other people.

The reason for this bill is that, recently, the IRS decided not to publish in paper form Publication 17, which is a necessary publication for anybody who has a moderately difficult income tax return to prepare. There are two classes of people who are affected by this—first of all, the people who do their own returns.

Like many other agencies, the IRS only looks at the costs that it is directly imposing on the citizenry. It doesn't look at the costs it is indirectly imposing on the citizenry. In this country, the average cost of a professionally prepared tax return is easily over $200. If we turned around and billed everybody $200 from the government, obviously, we couldn't pass that bill around here; but because of the complexity of our Internal Revenue Code and of people having to go out and pay that $200, we don't associate it with a tax, but it makes people poorer just as if we had directly increased their taxes. When you don't provide copies of instructions for a tax return, you are punishing people who are trying to save that $200, $250, $300 by doing their own returns.

Secondly, you are disproportionately affecting people who cannot navigate the Internet as well—in other words, our older population. It just seems offensive—as you have older people out there, some who are not familiar with the Internet—saying: No. No. We won't go with paper for now. That, again, is kind of—I guess I will call it—elitism on the part of the IRS because it doesn't need the paper form. It is saying the 75- or 80-year-old who is still doing his return doesn't need the form.

We are, therefore, asking for this bill to be passed and are asking the IRS to, one more time, have sympathy for the people who may not have the additional $200, $250, $300 to pay a professional preparer and for the older citizens who may not be comfortable preparing their return online.

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

I have listened. Here is the problem.

Under your rule, the IRS has been receiving less money than it needs—$900 million less than in 2011. You come here, and you complain—when you are really the source of the complaints, in large measure—of the people who can't access the booklet or who can't get through on the telephone. You are the cause of so much of this difficulty, and you come here and complain. You need to put the money behind your complaints. Do that.

I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mrs. NOEM. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Mr. Speaker, I rise in support of H. Res. 673, a commonsense bill that expresses the support of Congress for having the IRS continue to provide taxpayers with a paper copy of instructions on how to file their taxes.

I thank Representative GROTHMAN for introducing this resolution and for giving us the opportunity to discuss this important issue during tax week.

I hear from constituents all the time about how difficult it is to access paper tax forms, let alone how hard it is to file their taxes. Every year, millions of people continue to file their taxes on paper, but, every year, the IRS continues to make this process even more difficult.

As the IRS has transitioned to preferring an electronic filing system, many of my constituents are getting left behind. Not everyone is easily able to get access to paper forms on their own. The response that my constituents receive when they ask for help from the IRS is that all of the forms are easily available online. Unfortunately, more than 25 percent of all Americans lack regular or easy access to the Internet, and over 50 percent of seniors do not own a computer. Other people just want to file by paper. We need to preserve this option.

Beyond the accessibility concerns, we hear more and more about the dangers of electronic data security and tax fraud—dangers which are exacerbated by e-filing. Many of my constituents want to avoid these threats to their personal information, and the IRS is actively hindering them from taking sensible precautions.

I actually introduced legislation—the PAPER Act—in this Congress, which would require the IRS to send filing instructions and tax forms in paper format if someone traditionally files his taxes by paper. This seems pretty easy to me. While many of my constituents have concerns about how complicated their taxes are or about how high their rates are, they want to pay their taxes. We should not be keeping them from doing so.

I urge all of my colleagues to support this simple resolution. I think, if the IRS would stop going after individuals about their politics, they would have plenty of money with which to send out the forms.

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

I respect the gentleman from Michigan, my colleague, who talks about it becoming more difficult. The reason it is more difficult to reach the IRS on the phone or to, perhaps, get the forms is due to the failure of the Congress, under the Republican majority, to provide adequate resources for customer service. That is the long and short of this.

When we had a chance, we did add several hundred million dollars to the IRS that one year, and service improved; but now it is relapsing again because the Republican majority here simply will not provide adequate resources to the government agency that is supposed to work with our taxpayers. Also, the IRS is supposed to do some work in auditing tax returns. Because of the lack of resources, now fewer than 1 percent of taxpayers have any auditing of what they present to the IRS.

I understand the concerns. What I do not understand is the realization that you are the source, in large measure, of these concerns. Tomorrow, we will be debating bills that have a much greater impact in terms of the IRS and its employees. This is relatively innocuous, in part, because it is only a sense of Congress and because it is unlikely to pass the Senate. Even if it did, it would be nothing more than an expression of the sense.

□ 1430

What we really need are dollars and cents given to the IRS employees so that they can do the work they want to do so that the 50, 60, or whatever percent of the calls that come in never get through to those people who would like to respond to the people who are calling them.

I yield back the balance of my time.

Mrs. NOEM. I yield myself such time as I may consume.

Mr. Speaker, I have heard the gentleman's points on reducing the IRS' budget over the last several years, and we have done that. In fact, we have done that in the environment of where we have seen the abuse that the IRS has wrought on this country.

We have seen the lavish parties, and the American people said it was unacceptable. We have seen the extreme bonuses that were paid to employees. We have seen the targeting of individual groups based on what they work on.

We had hoped that the reduction in spending would be a reminder to the IRS of who they are to be accountable to, which is to the hardworking taxpayers, and that it would be the perfect opportunity for them to identify their priorities of what they should be doing, which is helping and servicing taxpayers who are trying to comply with the law instead of targeting individuals and instead of stopping to answer phone calls.

He talked about only 50 to 60 percent of the phone calls being answered. I think only 38 percent of those phone calls are being answered. And then, even if they are answered at times, they are dropped out of courtesy because the IRS simply isn't there to answer the questions the taxpayers have.

Taxpayers are spending somewhere around 6 billion hours preparing their taxes, $30 billion on computer programs and/or professional help to try to pay their taxes accurately so they can comply with the laws this country has in place.

The problem is that, by stopping this distribution of IRS publication 17, who we are harming the most are those who are disadvantaged, the elderly who don't have access to computers, the poor who don't have access to getting the kind of help that they need or have the funds to find and be able to pay professional tax preparers. That is who we hurt if we don't pass this bill today.

Let's help those who are disadvantaged. Let's make sure that they have the instructions necessary to pay their taxes accurately and on time. Let's reprioritize what the IRS should have done to begin with when they were reminded what their job was. Let's support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from South Dakota (Mrs. NOEM) that the House suspend the rules and agree to the resolution, H. Res. 673.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

PROHIBITING THE USE OF FUNDS BY INTERNAL REVENUE SERVICE TO TARGET CITIZENS OF THE UNITED STATES

Mrs. NOEM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4903) to prohibit the use of funds by Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4903

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

SECTION 1. PROHIBITION ON TARGETING BY THE INTERNAL REVENUE SERVICE BASED ON THE EXERCISE OF FIRST AMENDMENT RIGHTS.

None of the funds made available under any Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from South Dakota (Mrs. NOEM) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentlewoman from South Dakota.

GENERAL LEAVE

Mrs. NOEM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on H.R. 4903 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from South Dakota?

There was no objection.

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

I rise today, Mr. Speaker, in strong support of H.R. 4903, and I thank the gentleman from Georgia (Mr. ALLEN) for introducing the bill.

We live in a Nation that is founded on the idea of free speech. The government does not control our media. It does not control who we decide to associate with. We don't live in a place where we should have to think twice before supporting a group that aligns with their views or making their political beliefs known to others.

The heavy hand of the Federal Government should not control how an American shares their views. Yet, that is just what happened to nearly 300 groups that applied for tax-exempt status between 2010 and 2012.

These organizations were small gatherings of like-minded people who wanted to discuss their views and educate the public about those views. They filled out the necessary IRS paperwork to become tax exempt, as it is required by the law.

But months and even years after they applied, after answering intrusive questions, after providing mountains of documents, after having their activities monitored by IRS agents, after all of this, many of them still sat in IRS limbo.

During the investigation, the Ways and Means Committee staff reviewed upwards of 1 million documents and interviewed dozens of IRS and Treasury officials. This exhaustive, years-long investigation yielded the information that we now know, that 298 applications for tax-exempt status were put on hold. Over 80 percent of them were right-leaning and only 10 percent were left-leaning.

Thanks to the committee's investigation, we know that the former head of the IRS division that governs tax-exempt groups, Lois Lerner, was told that frontline agents noticed an uptick in groups referring to themselves with phrases like Tea Party. She said the Tea Party matter was very dangerous and suggested how to deny those applications.

We know she inserted herself into the supposedly nonbiased procedures that she had created. She then bypassed even those procedures and singled out certain taxpayers for additional scrutiny and audit.

We also know that the IRS bureaucracy in Washington went as far as setting up a surveillance program called a review of operations. In other words, an IRS unit in Dallas would monitor a group's activity, including their Internet postings, trying to build a case for an audit.

Over 80 percent of the groups that were flagged for this surveillance were right-leaning and, of the groups actually selected for the audit, Mr. Speaker, 100 percent of them were right-leaning.

When concerns about this activity reached Congress, my colleagues at Ways and Means asked multiple members of the IRS leadership about it. They assured the committee that all was well. We now know what was really going on.

When Lois Lerner finally admitted in 2013 that the IRS had targeted taxpayers based on their political beliefs, the President went on national television and promised to help Congress get to the bottom of the situation. He later changed his tune and blamed the targeting on a few rogue IRS agents.

If the Ways and Means investigation showed us anything, it is that the wrongdoing happened nowhere else but in Washington, D.C., and that the IRS employees on the front lines were not to blame.

We must make sure that political targeting like this never happens again. By passing this bill to reaffirm American taxpayers' First Amendment rights, we take a step toward that goal.

I strongly urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. LEVIN. I yield myself such time as I may consume.

Mr. Speaker, what is being prohibited here is already prohibited. It is prohibited in the law. It is prohibited by law that we passed in 1998.

It says that there shall not be action as to any taxpayer, taxpayer representative, or other employee of the IRS in violation of any right under the Constitution of the United States.

So maybe this bill is an effort to bring back the long discussion we had about the IRS procedures. I don't think this is the time to relitigate it.

I was there and you weren't, if I might say so. I thought maybe you would bring it up; so, I did go back to what happened.

The SPEAKER pro tempore. The Chair would like to remind the gentleman to direct his remarks to the Chair.

Mr. LEVIN. Mr. Speaker, I will do that.

I decided to go back to 2013 to the hearing of Ways and Means. After the inspector general gave his report—this is May 17, 2013—this is what I asked the inspector general: Did you find any evidence of political motivation in the selection of the tax-exemption applications?

And the inspector said: We did not, sir.

Look, we could spend hours talking about what has happened to the rules regarding 501(c)(4)'s in this country. We could go back and discuss the abuse of the 501(c)(4) provisions. We could go back and look at how much political money is being poured into this process by 501(c)(4)'s.

We could go back and discuss what was the original language in the 501(c)(4) legislation that no political money could be used. Instead, it was interpreted decades ago that it relates to the majority must not be.

So what has happened is that 501(c)(4)'s—by the way, most of them are rightwing organizations, most of them.

Most of the money has come from rightwing organizations using the mask of 501(c)(4)'s to essentially, I think, pollute the democratic processes in this country. We shouldn't really be doing that. You raised it; so, I am responding.

What this bill does is simply say that the constitutional rights should essentially prevail, and I fully agree. It is already in the 1998 legislation. So let's move on. Let's not use vehicles for political purposes.

Look, we have so much more we could be doing today in terms of tax legislation. We have legislation relating to inversions. A number of us have introduced it.

We complain that the executive uses too much power. They have used their power relating to inversions up to, I think, a legitimate point and have said to us in the Congress that we need to go further—the Congress does—to address the problem of inversions in this country. Essentially, we do nothing. We do nothing about this.

There was talk earlier today about tax reform. We have heard this talking endlessly, and there is no product. There is no product whatsoever.

So this bill simply restates what is already in the 1998 law which we completely, completely embrace. So I suggest we just get on with our business and try to do real business.

I reserve the balance of my time.

Mrs. NOEM. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentlewoman from South Dakota.

Yesterday marked the deadline for all Americans to file their 2015 taxes, and Americans from all walks of life disclosed some of their most private information and handed over their hard-earned dollars to the government.

With this in mind, last week I was proud to introduce legislation prohibiting the use of funds by the IRS to target citizens for exercising their First Amendment rights. Americans have seen Federal agencies abuse their power, and the IRS is one of the worst offenders.

The IRS has specifically targeted conservative groups simply for being conservative. This is a direct violation of the First Amendment.

My bill preserves the integrity of the First Amendment by ensuring its protections are never compromised by unelected Federal bureaucrats.

Specifically, H.R. 4903 protects Americans by prohibiting use of funds by the IRS and its rogue bureaucrats to carry out government abuse on citizens for exercising their constitutional rights. I can think of nothing more despicable than persecution for beliefs.

Tax day is stressful enough with the Tax Code we have in place. The IRS has no business in striking fear into the hearts of Americans for expressing their strongly held beliefs and convictions.

The Constitution is the law of the land, whether the IRS likes it or not. We must hold the IRS and its unelected bureaucrats accountable, especially because they have overstepped their constitutional bounds before, as my colleague pointed out. My colleague on the other side may dispute our legislation, but they can't dispute the facts, Mr. Speaker.

My colleagues serving on the Oversight and Government Reform committee and the Ways and Means Committee have been investigating the

IRS' unlawful targeting of conservative groups since 2012. They were dogged in their pursuit of justice for every American's fundamental right, the freedom of speech.

The investigation revealed that, as a result of the Supreme Court's decision in Citizens United v. Federal Election Commission, democratic leadership pressured IRS bureaucrats to fix the problem by taking an aggressive stance against political speech by tax-exempt entities.

□ 1445

My colleagues also found clear evidence and testimony that the Tea Party and other conservative organizations were targeted for enhanced scrutiny because their organizations' names reflected their conservative beliefs.

For 27 months, from February 2010 until May 2012, the IRS systematically targeted conservative tax-exempt applicants for additional scrutiny and delay. This is an egregious violation of the First Amendment rights of all Americans.

The leader of this scheme was Lois Lerner, an IRS official at the time, as was mentioned.

In April 2010, a sensitive case report on the targeted Tea Party groups is shared with Lerner, when she first learned of a spike in Tea Party applications.

In June and July of 2011, Lerner is briefed that employees are using such terms as ''Tea Party,'' ''patriots,'' ''9/12 Project,'' ''government spending,'' ''government debt,'' ''taxes,'' and ''make America a better place to live'' to flag applications.

Lerner, after learning about such terms, tells the Cincinnati office to revise its guidelines for flagging applications. The guidance is expanded to include ''organizations involved with political lobbying or advocacy for exemption under 501(c)(3) or 501(c)(4).''

Also, Lois Lerner's hard drive supposedly crashed that June, erasing 2 years worth of emails. How convenient was that?

In March 2012, DARRELL ISSA, then-chairman of the Committee on House Oversight and Government Reform, expressed concern to the IRS inspector general that Tea Party groups were being targeted by the IRS. Doug Shulman, IRS Commissioner at the time, vehemently denied on the record to Congress that the agency was targeting conservative groups.

In May 2013, Lois Lerner testified before the House Committee on Oversight and Government Reform. She proclaimed her innocence before invoking her Fifth Amendment right and refusing to answer questions from lawmakers. For 2 more years, the IRS circumvented Congress' investigations.

Lois Lerner, time and time again, refused to cooperate with Congress in its investigation of targeting conservative groups and, instead, hid behind the Fifth Amendment.

Before I was elected to Congress, my colleagues in the House of Representatives rightly voted to hold Lois Lerner in contempt of Congress for her refusal to cooperate with ongoing investigations into the agency's special targeting of groups with ''Tea Party'' or ''patriot'' in their names that were seeking tax-exempt status.

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

Mrs. NOEM. Mr. Speaker, I yield an additional 1 minute to the gentleman from Georgia.

Mr. ALLEN. Mr. Speaker, a decision to hold Lois Lerner in contempt of Congress was not taken lightly. Not surprisingly, the Obama administration's Department of Justice unilaterally decided not to prosecute Lois Lerner for her unlawful actions.

However, Congress vowed to continue to find answers and hold the IRS accountable for its actions. This is why I stand before you today. I refuse to allow another American to be persecuted and targeted by IRS bureaucrats for expressing their First Amendment rights, no matter their beliefs.

The House holds the power of the purse. As such, it is within our authority to gut the IRS where it hurts the most: their use of hard-earned tax dollars.

H.R. 4903 prohibits the IRS from using funds made available by any law to target citizens for exercising their First Amendment rights.

Today I urge my colleagues to stand with me to ensure that the IRS no longer oversteps its authority and supports the God-given constitutional rights of every American. No American should fear persecution from the government for expressing his or her strongly held beliefs and conviction.

Please join me in supporting H.R. 4903.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time to close.

I thought maybe this bill was an excuse to try to relitigate this issue. I was among the first who suggested that Lois Lerner be relieved of her duties. I did so because of, I thought, the incompetent way it was handled, but not because there was any evidence of political motivation.

Again, I want to go back to the question I asked the inspector general in 2013: ''Did you find any evidence of political motivation in the selection of the tax-exemption applications?''

Mr. George said: ''We did not, sir.''

So what has happened here is essentially getting up and reading a one-sided, often erroneous text, often conclusions that are not at all based on fact.

We really should not be relitigating this today. We should be acting on tax legislation, on the budget, and other necessary issues that face the people of this country.

I hope no one thinks that the passage of this bill will in any way imply on the part of any of us who have been involved with this on the Democratic side that there is any substance to the attack that has been launched here on the IRS and conclusions that have been reached that are not founded on fact.

It is kind of sad. The 1998 law says no IRS employee may violate the constitutional rights of a taxpayer. That is absolutely clear. It is absolutely clear.

So with this, I want to express my regret that this bill is being used as a vehicle for strictly political purposes. Let's abide by the Constitution and the 1998 law. Let's also abide by the responsibilities of this Congress, and that is to act on critical legislation and not use a bill as a vehicle to try to go over once and once again a case where there is deep difference of opinion and often deep misstatement of facts.

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

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

Mr. Speaker, let's not forget that what we are doing here today is ensuring that the IRS will never target Americans based on their political beliefs, on their First Amendment rights. This bill will just make sure that doesn't happen. Regardless of what the past was—and what is wonderful about the past and being at congressional hearings and taking part in them and serving on a committee or not serving on a committee is that they are public and that they are open, and that you can ask questions, and the general public at home can hear the answers that are given there.

Let me remind you that in 2013, Lois Lerner admitted that the IRS had targeted taxpayers based on their political beliefs. She said that the Tea Party matter was very dangerous. She suggested how to deny the applications. We know for a fact that she inserted herself into the supposedly unbiased processes that she had created and then bypassed even these procedures and singled out certain taxpayers for additional scrutiny and audit.

Do we think, really, that it was just a fluke that 100 percent of the audits and the groups that were selected for audit were right-leaning? I don't believe so, sir.

While that investigation may be over, it is still important to have discussions like this to reassure the taxpayers back home that this type of targeting will never happen, that we have legislation before us today that will stop some of the abuses that may have happened in the past and ensure that they won't happen in the future. That is why I am going to urge my colleagues to support the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from South Dakota (Mrs. NOEM) that the House suspend the rules and pass the bill, H.R. 4903.

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.

SERVICE PROVIDER OPPORTUNITY CLARIFICATION ACT OF 2015

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4284) to require the Administrator of the Small Business Administration to issue regulations providing examples of a failure to comply in good faith with the requirements of prime contractors with respect to subcontracting plans.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4284

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 ''Service Provider Opportunity Clarification Act of 2015''.

SEC. 2. GOOD FAITH COMPLIANCE WITH THE REQUIREMENTS OF PRIME CONTRACTORS WITH RESPECT TO SUBCONTRACTING PLANS.

Not later than 270 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue regulations providing examples of activities that would be considered a failure to make a good faith effort to comply with the requirements imposed on an entity (other than a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632)) that is awarded a prime contract containing the clauses required under paragraphs (4) or (5) of section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, the Small Business Act requires that when large businesses receive Federal prime contracts, they must negotiate a subcontracting plan outlining who they intend to use as small business subcontractors. That plan becomes part of the contract, and the results are supposed to be part of the past performance evaluation for the prime contractor.

Indeed, failure to make a good faith effort to comply with the agreed-upon plan can trigger liquidated damages. Even though this has been the law for 38 years, the Small Business Administration has never explained what it means to fail to make a good faith effort to comply with a subcontracting plan.

This failure is a double-edged sword. For bad actors, it lets them off the hook. For good actors, it leaves ambiguity about what they are expected to do. It also forces companies that take their compliance obligations seriously to compete against bad actors who never even report the results of their plans.

Failure to report is a real problem. As many as 40 percent of the companies with subcontracting plans don't report any results. As a result, subcontracting dollars with small businesses are at the lowest point in over 40 years.

My colleague, the gentleman from Florida (Mr. CURBELO), who chairs the Subcommittee on Agriculture, Energy and Trade of the Committee on Small Business has a commonsense solution for this problem. H.R. 4284 requires the Small Business Administration to explain what it means to fail to make a good faith effort to comply with the plan. It further explains that failing to meet the most basic obligation of the contract term—reporting back on results—cannot be good faith.

The beauty of Mr. CURBELO's legislation is that it solves a problem without placing any new burdens on compliant contractors while still ensuring that the American taxpayer gets the benefits anticipated in the contract.

This legislation was included as part of a larger bill that passed the Committee on Small Business in January, and it received bipartisan support.

I urge my colleagues to support and pass H.R. 4284.

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

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

I rise in support of H.R. 4284, the Service Provider Opportunity Clarification Act of 2015. It has long been the policy of Congress to ensure that a fair proportion of Federal contracts, prime contracts or subcontracts, be awarded to small businesses. In some areas there has been success in advancing this goal. In fiscal year 2015, small prime contractors received over $90 billion, amounting to over 25 percent of contracting dollars. As a result, the government, again, met its prime small business contracting goal.

However, prime contracting is only one part of the equation. For many small businesses, subcontracts are just as vital. These opportunities serve as an entry point for firms to the Federal marketplace.

Subcontracts are a way for firms to increase their capacity and prepare to eventually become prime contractors. Subcontracts also help entrepreneurs gain valuable insight into what is required when the Federal Government is your client.

Recognizing the importance of subcontracts, the Small Business Act requires that prime contractors submit subcontracting plans for contracts valued at certain levels and SBA to set goals for subcontracting dollars awarded to small businesses.

□ 1500

Yet, throughout the course of this Congress, our committee has heard testimony of countless witnesses indicating that not only are prime contractors not reporting their subcontracting dollars, but also that contracting officers are not holding these firms accountable for their subcontracting goals.

Even more egregious is the fact that some primes have been awarded contracts without a subcontracting plan at all. This is simply unacceptable.

The Service Provider Opportunity Clarification Act of 2015, introduced by Mr. CURBELO and Ms. CLARKE, seeks to rectify this problem by making the failure to submit the required subcontracting report a material breach, thus providing remedial options to agencies.

Procurement center representatives will also be allowed to review subcontracting plans and place a 30-day hold on the plan if they found that it did not adequately provide small businesses subcontracting opportunities.

Additionally, the bill requires that SBA update its regulations to give contracting personnel better examples of when prime contractors have acted in good faith compliance with the subcontracting plans.

These provisions will provide necessary oversight to ensure that prime contractors are adhering to subcontracting regulations and that small businesses are afforded maximum opportunity to participate in the Federal marketplace as a subcontractor.

I, therefore, ask my fellow Members to support this bill.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. CURBELO), who is the chairman of the Subcommittee on Agriculture, Energy, and Trade.

Mr. CURBELO of Florida. Mr. Speaker, last year I was proud to introduce the Small Entrepreneur Subcontracting Opportunities Act, or the SESO Act.

The bill would hold agency officials accountable for small-business subcontracting during their annual performance evaluations.

Subcontracting is an important entry point for new Federal contractors. If we have fewer subcontractors today, we will have fewer prime contractors tomorrow.

In turn, this would mean fewer small suppliers, manufacturers, and innovators and higher costs to the Federal Government or the taxpayers. We must ensure a healthy industrial base at all levels in our country.

I would like to thank Small Business Committee Chairman CHABOT and Armed Services Committee Chairman THORNBERRY for supporting that important language to hold agency managers

accountable for meeting subcontracting goals included in the Defense Authorization Act that was signed into law.

However, large contractors must also be held accountable for meeting subcontracting goals. While the vast majority of contractors honor these goals, some do not.

Currently, the Small Business Act holds bad actors accountable by imposing liquidated damages if prime contractors fail to make a good faith effort to meet the goals.

However, SBA regulations only offer examples of what they are supposed to do, not what would constitute a violation.

Consequently, the last time the law was enforced was in 1982. Because of this ambiguity, bad actors are able to continue receiving Federal contracts.

My legislation, H.R. 4284, the Service Provider Opportunity Clarification Act, or the SPOC Act, simply requires the SBA to issue rules explaining what a failure to act in good faith means, ensuring transparency and accountability in the subcontracting process.

I want to thank Congresswoman YVETTE CLARKE for her leadership promoting small-business participation in the procurement process and for cosponsoring this bipartisan effort.

I also thank chairman STEVE CHABOT for his leadership and Ranking Member NYDIA VELÁZQUEZ.

I thank the chairman for being an original cosponsor of this bill and for being a strong advocate for our Nation's emerging entrepreneurs. We must ensure that our local businesses have access to Federal contracts and subcontracts.

It is not just about helping the entrepreneurs. It is also about helping the workers they employ and keeping our community strong and prosperous. We should never forget the vital role that our local businesses play in our neighborhoods.

The reason small business is important, Mr. Speaker, is because small businesses have access and know the people who are in most need of jobs and opportunities.

Think of the immigrant family that recently arrived in this country and is hungry for opportunities to work or the kid who had to drop out of college to help his family.

It is these small firms, these small entrepreneurs, that have access to these needy people and can really help them rise up and give them these opportunities to work and prosper.

So I thank my colleagues for their support.

I urge passage of H.R. 4284.

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

Mr. Speaker, small firms continue expressing concern that it is increasingly difficult to find subcontracting opportunities as primes take on more of the work themselves. Agencies and contracting officers must do better to ensure that small businesses have access to these opportunities.

The government-wide subcontracting goal has continually been lowered, from 36 percent in the 2012 and 2013 fiscal years, to just over 34 percent in fiscal year 2014. Despite this decrease, the goal is not being met, with only 33 percent of subcontracting dollars awarded to small firms.

But even these numbers are deceiving, as the percentage is based only on the subcontracting dollars reported. It is estimated that as many as 40 percent of prime contractors are not submitting subcontracting reports.

The changes in H.R. 4284 will ensure that this no longer occurs and that there are real consequences to those companies that try and evade their subcontracting obligations.

I once again urge my colleagues to support this measure.

I yield back the balance of my time.

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

Mr. Speaker, in closing, clarifying an ambiguous provision in law in a way that promotes small-business participation without creating any new burdens on contractors is a win-win.

This provision helps contracting officers and large businesses better understand the law, aids small businesses looking to be subcontractors, and improves the quality of the data we use to make policy decisions.

This bill deserves the support of the House. I urge my colleagues to vote to suspend the rules and pass H.R. 4284.

I thank the ranking member of the Small Business Committee, Ms. VELÁZQUEZ, for working in a bipartisan manner on this bill, as we always try to do in the committee. I think we almost always achieve that goal. So I want to thank her for that.

I want to thank Mr. CURBELO again for his leadership. I thank Ms. CLARKE as well for working in bipartisan manner on this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4284.

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.

SMALL AGRICULTURE PRODUCER SIZE STANDARDS IMPROVEMENTS ACT OF 2015

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3714) to amend the Small Business Act to allow the Small Business Administration to establish size standards for small agricultural enterprises using the same process for establishing size standards for small business concerns, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3714

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 ''Small Agriculture Producer Size Standards Improvements Act of 2015''.

SEC. 2. AMENDMENT TO DEFINITION OF AGRICULTURAL ENTERPRISES.

Paragraph (1) of section 18(b) of the Small Business Act (15 U.S.C. 647(b)(1)) is amended by striking ''businesses'' and inserting ''small business concerns''.

SEC. 3. EQUAL TREATMENT OF SMALL FARMS.

Paragraph (1) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)(1)) is amended by striking ''operation: *Provided,*'' and all that follows through the period at the end and inserting ''operation.''.

SEC. 4. UPDATED SIZE STANDARDS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Small Business Administration shall, by rule, establish size standards in accordance with section 3 of the Small Business Act (15 U.S.C. 632) for agricultural enterprises (as such term is defined in section 18(b)(1) of such Act).

(b) REVIEW.—Size standards established under subsection (a) are subject to the rolling review procedures established under section 1344(a) of the Small Business Jobs Act of 2010 (15 U.S.C. 632 note).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, pursuant to the Small Business Act, the Small Business Administration sets size standards for approximately 1,100 industries every 5 years.

These standards determine what is a small business for purposes of regulatory analyses, procurement programs, capital access, and technical entrepreneurial development assistance.

The SBA sets these size standards in accordance with statutory guidelines and using notice and comment rulemaking. The Small Business Committee and, in particular, my colleague from Illinois (Mr. BOST), has spent a great deal of effort to make sure this is a transparent and accountable process.

However, agricultural enterprises have not been able to benefit from these advances due to a historic anomaly. Forty-six different industries, as diverse as cattle ranching and citrus

farming, are all subject to a single size standard that hasn't changed in nearly 20 years.

That means that, to qualify as small, a poultry farmer or a soybean producer can only have $750,000 in receipts each year. That is receipts, not revenues. For some agricultural producers, $750,000 does not cover the cost of a hobby farm.

H.R. 3714 levels the playing field for these small farmers. It does not set a size standard, but instead requires that the SBA examine the characteristics of these industries to develop size standards using the normal process. Recognizing that a small dairy doesn't look like a small corn farm is common sense.

My colleague, Mr. CURBELO of Florida, who chairs the Agriculture, Energy, and Trade Subcommittee of the Small Business Committee, held a hearing examining H.R. 3714, and the witnesses overwhelmingly supported this legislation.

H.R. 3714 was then included as part of a larger bill that passed the Small Business Committee in January, and it received bipartisan support.

I urge my colleagues to support and pass H.R. 3714.

I reserve the balance of my time.

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

I rise in support of H.R. 3714, the Small Agriculture Producer Size Standards Improvements Act of 2015.

Small businesses play a critical role in the American economy. They make up the vast majority of employer firms and create nearly two-thirds of new jobs.

Over the years, Congress has created numerous Federal program set-asides, tax preferences, and SBA loan programs to help small firms succeed.

Last year small businesses were able to access over $28 billion in capital and $90 billion in contracting opportunities because they met the definition of small. Many businesses used long-term loan proceeds to keep their doors open, retain employees, and create new jobs.

Since yesterday was tax day, I would also like to mention that small business-oriented tax provisions allow firms to write off expenses quickly, putting money back in their hands to create new avenues for growth.

However, the advantages conferred by this program can only occur if a business can show that they meet the industry-based definition of small business.

While, generally, SBA is tasked with defining size standards for over 1,100 industries that establish eligibility for its programs, agricultural standards have been exempted from this process.

Instead, Congress set a rigid gross revenue-base standard for all agriculture industries that has not been adjusted since 2000. However, since the time Congress first began setting the size standard, agricultural production has shifted dramatically.

The Small Agriculture Producer Size Standards Improvements Act, introduced by Mr. BOST and cosponsored by Ms. MENG, will eliminate the outdated size standard and gives SBA the authority to tailor standards that are reflective of the changes the industry has experienced as well as the variety of agricultural businesses across our country.

What is small for a cattleman is not the same for fresh produce producers or dairy farmers. The bill requires SBA to apply their current methodology, solicit feedback from industry stakeholders, and implement specific standards that can be tweaked periodically to respond to changes in the industry.

I, therefore, ask my fellow Members to support this bill.

I reserve the balance of my time.

□ 1515

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. BOST), who put a lot of hard work and thought into this, and I thank him for his leadership on this matter.

Mr. BOST. Mr. Speaker, I thank the gentleman for yielding and for his support of this legislation to update and modernize the agricultural producers' small business size standards.

President Eisenhower once said: Farming looks mighty easy if your plow is a pencil and the closest cornfield is a thousand miles away. Unfortunately, this quote is accurate when describing the statutorily established size standards for agriculture producers.

Agricultural production is an important contributor to the American economy. According to the USDA, the total value of farm production exceeds $390 billion, and the agricultural industry supports 16 million domestic jobs. Farmers and ranchers provide the food, fiber, and fuel that are critical to our daily lives.

Family-owned farms still account for the majority of farms and ranches in the United States. However, the advance of new technology has created increased productivity, leading to lower prices for many commodities. This downward pressure on prices is expected to increase, and newer technology will be adopted. As margins continue to thin, more and more single-owned family operations will consolidate into somewhat larger, multi-family-owned operations, but these are still small businesses.

Unfortunately, the current small business size standard for agriculture has been set in statute and is outdated. The standard is too low for a vast majority of farms and ranches to participate in potential government contracts and subcontracting opportunities.

Also, the SBA size standards are often used for Federal agencies to determine their obligations under the Regulatory Flexibility Act. This law helps ensure that the Federal agency establishes the potential impacts of proposed regulations on small businesses. It also informs the consideration of less burdensome regulatory alternatives.

Unfortunately, the statutory standard has no rational basis. It appears that the number was just grabbed out of the air by a previous Congress. As a result, small business agriculture producers do not enjoy the potential benefit of small business classifications.

In the 30 years since the enactment of the statutory size standard, the Small Business Administration has specifically improved its process for determining small business size standards. This should address whatever issue previous Congresses had when it established these size standards.

Now, I believe it is important that the Congress and the Federal agencies promote consistency in policymaking. My legislation will help ensure that consistency.

I do want to thank the ranking member and the chairman for their support of this bill, and I appreciate the help and support that they have given.

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

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. CURBELO), who is chairman of the Subcommittee on Agriculture, Energy and Trade.

Mr. CURBELO of Florida. I thank the chairman for his steadfast leadership and advocacy on behalf of our Nation's small entrepreneurs.

Mr. Speaker, small business size standards are used by the Federal Government to determine eligibility to receive certain Federal contracts and SBA guarantee loans. They are also used by Federal agencies when they analyze the economic impact of new regulations on small businesses.

Size standards for most industries are developed through a congressionally mandated rulemaking process that is transparent and allows small businesses to provide input. The Small Business Administration analyzes a number of factors—average firm size, startup costs, entry barriers, industry competition, and the distribution of firms by size—and then proposes changes to small business size standards through the notice and comment rulemaking process. However, there is one glaring exception: the existing size standard for agricultural enterprises is established in statute and has not been updated in over 15 years.

The current standard for small farmers is $750,000 in annual receipts. It applies to 46 different agricultural subsectors, from citrus groves to beef cattle ranching.

Small farmers and ranchers have been neglected for too long. The size standard setting process for agricultural enterprises needs to be modernized. The existing statutory size standard does not account for changes in industry structure, cost of production, economic conditions, or other factors.

Florida is the country's largest producer of squash, fresh tomatoes, and

fresh snap beans, among a great deal of other fruits and vegetables. Obviously, this would not be possible without the hard work of our Nation's small farmers and ranchers.

I am proud to join Ranking Member MENG in cosponsoring the Small Agriculture Producer Size Standards Improvements Act, which was introduced by Representative BOST.

H.R. 3714 would strike the $750,000 statutory size standard and require the SBA to establish size standards for agricultural enterprises through the notice and comment rulemaking process.

It would also require those size standards to be periodically reviewed at least every 5 years. This will ensure that size standards for small farmers and ranchers are up to date so that they are able to compete for Federal contracts, have access to SBA guaranteed loans, and are considered when agencies draft new regulations.

Again, I want to thank Mr. BOST and Ranking Member MENG for their legislation. I also want to thank Chairman CHABOT and Ranking Member VELÁZQUEZ.

These are the types of bipartisan bills that will really improve the quality of life for our farmers and for all Americans. I urge passage.

Ms. VELÁZQUEZ. Mr. Speaker, like all other industries, the agricultural industry has changed over the last 30 years.

With new technologies, many agricultural businesses have been able to increase their production rates. The last Census of Agriculture found U.S. farms sold nearly $395 billion in agricultural products, a 33 percent increase from the sales of 2007. Crop sales also increased by 48 percent.

The changes made in H.R. 3714 will give SBA the tools necessary to set size standards for those in agricultural production. The bill ensures these adjustments are done with careful consideration as to the effects on small farms. I once again would urge my colleagues to support this measure.

I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, in closing, allowing the SBA to develop rational size standards for small farmers, rather than perpetuating a one-size-fits-all approach, simply makes sense. It will allow these farmers to access the appropriate SBA programs and helps ensure that regulations are properly crafted.

The provision doesn't have any cost since SBA is already doing this for all other industries. This bill deserves the support of the House, and I would urge my colleagues to vote to suspend the rules and pass H.R. 3714.

Again, I want to thank the ranking member and the other Members that have been mentioned here today for their work on this important measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 3714.

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.

MAXIMIZING SMALL BUSINESS COMPETITION ACT OF 2016

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4332) to amend the Small Business Act to clarify the duties of procurement center representatives with respect to reviewing solicitations for a contract or task order contract.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4332

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 ''Maximizing Small Business Competition Act of 2016''.

SEC. 2. DUTIES OF PROCUREMENT CENTER REPRESENTATIVES WITH RESPECT TO REVIEWING SOLICITATIONS FOR A CONTRACT OR TASK ORDER CONTRACT.

Section 15(l)(2) of the Small Business Act (15 U.S.C. 644(l)(2)(D)) is amended—

(1) by redesignating subparagraphs (E) through (I) as subparagraphs (F) through (J), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) review any solicitation for a contract or task order without regard to whether the contract or task order or part of the contract or task order is set aside for small business concerns, whether 1 or more contract or task order awards are reserved for small business concerns under a multiple award contract, or whether or not the solicitation would result in a bundled or consolidated contract (as defined in subsection (s)) or a bundled or consolidated task order;''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, the Committee on Small Business has spent this Congress taking a hard look at how the SBA administers its programs. Given that the single most common complaint I receive on Federal contracting is that contracts are unjustly bundled and consolidated so that small businesses are denied the opportunity to compete, the SBA's role in the process became a priority.

The committee learned that a few years ago, the SBA essentially gave contracting officers a get-out-of-jail-free card on bundling and consolidation when it issued new regulations governing which contracts it would review. The SBA said that it would not review multiple award contracts if a single seat on the contract was reserved for a small business—a single seat.

While at first this might seem like a good way to allocate resources, it ignores the fact that a contracting officer can now evade the SBA review by simply reserving one award for a small business, even if the small business never receives any work. It means the contracting agency doesn't need to do its homework on how the contract can be structured to maximize competition. It means small businesses are denied meaningful opportunities to compete for work.

The gentleman from Mississippi (Mr. KELLY) has found a solution for this problem. H.R. 4332 prohibits the SBA from limiting review based on a so-called reserve or similar procedural measure.

The committee has documented that over 25 percent of small businesses previously engaged in Federal contracting have exited the marketplace since 2012. Ensuring that contracts aren't rigged to prevent their participation is one of many steps the Small Business Committee is examining to rebuild our industrial base.

This legislation was included as part of a larger bill that passed the Small Business Committee in January and received bipartisan support. I would urge my colleagues to support and pass H.R. 4332.

I reserve the balance of my time.

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

I rise in support of H.R. 4332, the Maximizing Small Business Competition Act of 2016. Purchasing more than $400 billion in goods and services annually, the U.S. Government remains a consistent and reliable client for all businesses.

The Small Business Act requires that small businesses have a fair opportunity to compete for Federal contracts. To help facilitate awards to small firms, the act created a position of procurement center representatives, or PCRs. PCRs are placed throughout the country to monitor agencies' major buying activities, with the main goal of increasing the small business share of Federal procurement awards and ensuring that a fair portion of awards go to small businesses of all types.

These representatives are tasked with various duties, including initiating and recommending small businesses set-aside contracts. If the PCR feels that a contract or a portion of a contract can be set aside, he or she can file an appeal to an agency. However, due to decisions made internally at SBA, PCRs are no longer required to

review proposed solicitations that already include a small business set-aside. Thus, there would be no opportunity for them to file an appeal. As a result, an agency can get away with setting aside the bare minimum for small businesses without having a solicitation reviewed by the PCR, which deprives many small businesses of potential opportunities.

□ 1530

This has been particularly harmful with larger contracts that have been bundled or consolidated. For example, at the General Services Administration, we have seen large contracts worth billions of dollars not receive PCR review. A review could have opened up more of the contracts to small businesses.

The Maximizing Small Business Competition Act of 2016, introduced by Mr. KELLY of Mississippi, seeks to remedy the problem created by the SBA's decision to limit PCR reviews.

The bill would allow PCRs to review contracts regardless of whether the contract already includes a set-aside or partial set-asides for small businesses.

We cannot accept the bare minimum from agencies regarding contracting opportunities for small businesses. If PCRs see that an agency can include more small firms, they should be allowed to appeal the agency.

Therefore, Mr. Speaker, I ask my fellow Members to support this bill.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. KELLY) who in a relatively short period of time in this Congress is already showing considerable initiative and has taken a leadership role in the committee.

Mr. KELLY of Mississippi. Mr. Speaker, small business are mom-and-pop stores. They are contractors. They are all kinds of people across my district located on Main Street. They are families, they are veterans, and they are individuals in the First District of Mississippi and all across this great Nation.

Small businesses are the heart and soul of local and rural economies, especially in places in rural districts like my district.

H.R. 4332, Maximizing Small Business Competition Act of 2016, is part of an ongoing effort of the Small Business Committee to provide opportunities for small businesses and to promote greater accountability from the Federal Government.

The purpose of the SBA procurement center representatives is to review contracts across the government and make sure they are structured in a way that maximizes opportunities for small businesses to compete.

Unfortunately, the SBA changed their rules to say that, if a contract was restricted to small businesses in whole or in part, procurement center representatives would no longer review the contract.

This rule change has given agencies a way to get around small business administrative review. This rule change has led to contracts being consolidated or bundled, thus limiting opportunity for hundreds of small businesses to compete for work with the Federal Government.

H.R. 4332, the Maximizing Small Business Competition Act of 2016, provides a solution. This legislation makes clear that Small Business Administration procurement center representatives have the ability to review contracts, regardless of whether they are designated for award to small businesses, if the procurement center representative believes the requirement can be structured to improve small-business competition.

This legislation helps to ensure that there are not missed opportunities for small businesses contracting with the Federal Government.

Mr. Speaker, I appreciate the assistance and leadership shown by my chairman, Chairman CHABOT, and the bipartisan working relationship with Ranking Member VELÁZQUEZ in bringing this bill to the floor. I appreciate my colleagues' consideration and support of H.R. 4332.

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

Mr. Speaker, PCRs are the first line of offense and defense when ensuring small businesses get their fair share of Federal contracts.

It is troubling that SBA has limited the ability of these professionals to oversee contracts. This decision could result in small firms not receiving the maximum contracting opportunities.

Currently, if a contracting officer sets aside 5 percent of the contract for service-disabled, veteran-owned small businesses, PCRs are not reviewing these applications. A review could find that more could be set aside for these small businesses or perhaps other small-business groups.

This bill ensures that PCRs are seeking out additional opportunities for small business and not relying on contracting officers to guarantee that these businesses are afforded their fair share of prime contracts.

Mr. Speaker, once again I urge my colleagues to support this measure.

I yield back the balance of my time.

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

Mr. Speaker, in closing, allowing small businesses the opportunity to compete for contracts is simply common sense. Competition encourages innovation, lower prices, and job creation.

This bill will alleviate an unnecessary barrier to small-business competition. H.R. 4332 removes a regulatory hurdle. I urge my colleagues to vote to suspend the rules and pass H.R. 4332.

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 Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4332.

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.

UNIFYING SMALL BUSINESS TERMINOLOGY ACT OF 2016

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4325) to amend the Small Business Act to modify the anticipated value of certain contracts reserved exclusively for small business concerns.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4325

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 ''Unifying Small Business Terminology Act of 2016''.

SEC. 2. MODIFICATION OF THE ANTICIPATED VALUE OF CERTAIN CONTRACTS RESERVED EXCLUSIVELY FOR SMALL BUSINESS CONCERNS.

(a) IN GENERAL.—Section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1)) is amended by striking ''greater than $2,500 but not greater than $100,000'' and inserting ''greater than the micro-purchase threshold defined in section 1902(a) of title 41, United States Code, but not greater than the simplified acquisition threshold''.

(b) TECHNICAL AMENDMENT.—Section 3(m) of the Small Business Act (15 U.S.C. 632(m)) is amended to read as follows:

''(m) SIMPLIFIED ACQUISITION THRESHOLD.—In this Act, the term 'simplified acquisition threshold' has the meaning given such term in section 134 of title 41, United States Code.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, many of the contracting provisions in the Small Business Act were written in the 1960s and 1970s. As such, they predate the government's move to a set of standardized contracting terms in 1984.

In reality, this means that the Small Business Act uses outdated terms that make it hard to read in conjunction with other laws. Even the SBA has adopted the new terminology in their regulations, given that over 30 years have passed since it was first adopted.

My colleague and the ranking member of the Small Business Committee, Ms. VELÁZQUEZ of New York, introduced H.R. 4325 to update the Small Business Act. Thanks to her efforts, we will no longer use different terms for micropurchase or simplified acquisition than the rest of the government. This will make it easier for small businesses to understand the law and for contracting officers to implement the law.

This legislation was included as part of a larger bill that passed the Small Business Committee in January, and it received bipartisan support.

Mr. Speaker, I urge my colleagues to support and pass H.R. 4325.

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

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

Mr. Speaker, I rise in support of H.R. 4325, the Unifying Small Business Terminology Act of 2016. There are many places in which the statutes and regulations small businesses must understand are overly complex.

This problem is compounded by inconsistencies in the language. For example, there are entire sections of the Small Business Act that are one long sentence with multiple commas and clauses.

The act also predates many other statutes and regulations that we now use to govern how agencies purchase goods and services.

As such, the act uses outdated terminology when discussing Federal contracting. Additionally, there are places in which the definitions vary between the act and the corresponding regulations.

One such case is when a contract must be reserved for award to small businesses. While the act indicates that contracts valued over $2,000 and below $100,000 are to be reserved for small businesses, other statutes and even SBA's own regulations point to different values or use the terms the values are supposed to represent.

This causes confusion not only among small businesses, but also to contracting officers as they are left to determine which values to use.

That is why I introduced H.R. 4325, the Unifying Small Business Terminology Act of 2016. The bill amends the Small Business Act so that it has the same terms that are used in titles 10 and 41 of the United States Code and in SBA's own regulation when referring to procurement rules.

This will ensure that there is no confusion among contracting personnel as to which opportunities should be set aside for small businesses.

Mr. Speaker, our committee hears from small businesses almost daily about how difficult it is to navigate the Federal marketplace.

With businesses having to be familiar with small-business regulations, the Federal Acquisition Regulations, and each agency's own FAR supplement, as well as other statutes, the very least we can do is to make sure that all the terminology is consistent.

The changes made in H.R. 4325 will unify the terminology, providing much-needed certainty to both contracting officers and small businesses.

Mr. Speaker, I urge my colleagues to support this measure.

I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, in closing, the gentlewoman's bill is simply good government. We shouldn't have different terms and different laws if we are talking about the same thing.

Federal contracting is confusing enough for small businesses without the use of arcane terminology. Therefore, I urge my colleagues to vote to suspend the rules and pass H.R. 4325.

I would like to thank the gentlewoman, the ranking member, Ms. VELÁZQUEZ, for her leadership in this matter.

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 Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4325.

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.

SMALL AND DISADVANTAGED BUSINESS ENHANCEMENT ACT OF 2016

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4326) to amend the Small Business Act to expand the duties of the Office of Small and Disadvantaged Business Utilization, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4326

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 ''Small and Disadvantaged Business Enhancement Act of 2016''.

SEC. 2. EXPANDING DUTIES OF THE OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.

(a) IN GENERAL.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), as amended by section 870 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), is amended—

(1) by striking ''section 8, 15 or 44'' and inserting ''section 8, 15, 31, 36, or 44'';

(2) by striking ''sections 8 and 15'' each place such term appears and inserting ''sections 8, 15, 31, 36, and 44'';

(3) in paragraph (10), by striking ''section 8(a)'' and inserting ''section 8, 15, 31, or 36'';

(4) by redesignating paragraphs (15), (16), and (17) as paragraphs (16), (17), and (18), respectively;

(5) by inserting after paragraph (14) the following new paragraph:

''(15) shall review purchases made by the agency greater than the micro-purchase threshold defined in section 1902(a) of title 41, United States Code, and less than the simplified acquisition threshold to ensure that the purchases have been made in compliance with the provisions of this Act and have been properly recorded in the Federal Procurement Data System, if the method of payment is a purchase card issued by the Department of Defense pursuant to section 2784 of title 10, United States Code, or by the head of an executive agency pursuant to section 1909 of title 41, United States Code;''; and

(6) in paragraph (17) (as so redesignated)—

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

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

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

''(D) any failure of the agency to comply with section 8, 15, 31, or 36.''.

(b) TECHNICAL AMENDMENT.—Section 3(m) of the Small Business Act (15 U.S.C. 632(m)) is amended to read as follows:

''(m) SIMPLIFIED ACQUISITION THRESHOLD.—In this Act, the term 'simplified acquisition threshold' has the meaning given such term in section 134 of title 41, United States Code.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, the Offices of Small and Disadvantaged Business Utilization were created in 1978 to serve as advocates within Federal agencies for small businesses seeking prime contracts and subcontracts.

These small offices help review contracts to prevent bundling, make sure small companies are paid promptly, and ensure that solicitations are written in a manner that maximizes the use of small businesses.

H.R. 4326, introduced by Ms. ADAMS of North Carolina, makes two improvements to this program.

First, H.R. 4326 makes a technical correction to the Small Business Act. When these offices were created in 1978, there was no contracting program for service-disabled, veteran-owned small businesses or for businesses located in and employing people from distressed areas, commonly known as HUBZones.

Therefore, H.R. 4326 updates the act to make it clear that these small-business advocates are authorized to provide assistance to service-disabled veterans and HUBZone small businesses.

Second, the bill allows the Offices of Small and Disadvantaged Business Utilization to crack down on credit card fraud by Federal employees.

Last year we learned that the Department of Veterans Affairs had ignored the law and hidden almost $6 billion in spending by using these credit cards.

These contracts should have gone to service-disabled, veteran-owned small businesses, but the small-business office didn't have access to the data that would have let them catch this fraud. H.R. 4326 gives these small-business advocates access to this data.

This legislation was included, as I mentioned some of the other bills were, as part of a larger bill that passed the Small Business Committee in January, and it received bipartisan support.

Mr. Speaker, I urge my colleagues to support and pass H.R. 4326.

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

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

Mr. Speaker, I rise in support of H.R. 4326, the Small and Disadvantaged Business Enhancement Act of 2016. Over the years, Congress has sought to ensure that small businesses have fair opportunities to compete for Federal contracting opportunities.

There are various provisions that require agencies to set aside or reserve contracts for performance by small businesses so long as they can perform at a fair and reasonable price.

□ 1545

These tools have provided small businesses with opportunities that may have otherwise been closed to them. They have also diversified the government's available suppliers and increased competition, thereby strengthening our country's industrial base.

However, last year, the Committees on Small Business and Veterans' Affairs held a hearing in which senior procurement officials at the Department of Veterans Affairs alleged that the Department was circumventing contracting regulations. Rather than using a contracting vehicle, contracting personnel used purchase cards to buy goods and services such as pharmaceuticals and prosthetics.

If true, these uses of purchase cards by the VA directly violated contracting regulations. Many of these purchases were of such value, that they should have been procured using either the small business reserve or set-asides. Additionally, as a result of their use, veterans were put at risk, as the goods purchased using these cards came without the warranties and protections provided under a contract.

The Small and Disadvantaged Business Enhancement Act of 2016, introduced by Ms. ADAMS and Mr. HARDY, seeks to ensure that the fraud alleged at the VA does not happen there or at any other agency. The bill will require the Office of Small and Disadvantaged Business Utilization to review agency purchases made using government purchase cards to ensure compliance with the contracting mechanisms set forth in the Small Business Act.

Additionally, the bill provides OSDBU the ability to ensure that all small businesses have access to their services. We cannot allow agencies to bypass the protections afforded to small businesses.

I, therefore, ask my fellow Members to support this bill.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. HARDY), who is the chairman of the Subcommittee on Investigations, Oversight, and Regulations.

Mr. HARDY. Mr. Speaker, we hear about fraud, waste, and abuse as it pertains to the Federal Government spending too much in this country.

Last year, the Subcommittee on Investigations, Oversight, and Regulations within the Small Business Committee held a joint hearing with the Veterans' Affairs Committee to investigate the reports of fraud and manipulation at the VA when it comes to reporting small business goals. What we heard was shocking.

The VA unlawfully spent millions of dollars on medicine, medical care, and prosthetic contracts. And even more troubling, these contracts, if administered lawfully and transparently, would have allowed veteran and service-disabled veteran-owned small businesses the opportunity to compete.

That is why I stand in support of my colleague's bill, H.R. 4326, the Small and Disadvantaged Business Enhancement Act of 2016. It contains language to equip small businesses with the tools to root out deception and fraud.

By having access to data in their toolbox, the small business offices would have not only reduced fraud activities, but it could also have potentially saved money by allowing competition in the process.

I urge my colleagues to support this commonsense language to help reduce fraud, waste, and abuse.

Ms. VELÁZQUEZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. ADAMS), the author of H.R. 4326 and the ranking member of the Subcommittee on Investigations, Oversight, and Regulations.

Ms. ADAMS. Mr. Speaker, I rise today to encourage my colleagues to support H.R. 4326, the Small and Disadvantaged Business Enhancement Act.

This bill will expand oversight over the government purchase card system by ensuring that all small businesses contracting programs are under the purview of the Office of Small and Disadvantaged Business Utilization.

This legislation follows a joint Small Business Subcommittee on Investigations, Oversight, and Regulations and House Veterans' Affairs Subcommittee on Oversight and Investigations hearing, where we discussed reports that cited irregularities at the Department of Veterans Affairs. This hearing uncovered numerous violations of Federal procurement laws with regard to government purchase cards.

According to witness testimony, including individuals from the Department of Veterans Affairs, the VA's Office of Management issued government purchase cards that were being used illegally. This includes recipients using government purchase cards above the micro-purchase threshold in the same manner as micro-purchases.

As ranking member of the Small Business Subcommittee on Investigations, Oversight, and Regulations, I believe we must ensure that our small businesses have access to Federal contracts by guaranteeing that money associated with government purchase cards are not used for wasteful spending.

The reckless misuse of government funding uncovered at the VA has prevented some small businesses from accessing the Federal dollars owed to them. This legislation would ensure that every agency properly monitors purchase card activity to better free up the funds allocated to small businesses, including disadvantaged businesses.

We have a responsibility to our Nation's small businesses to guarantee that there is a level playing field for them to offer their products and services. We cannot provide that level playing field if there are inefficiencies and waste occurring within our Federal agencies.

Before I close, I would like to thank Representative HARDY for his support and cosponsorship.

I want to urge my colleagues to support the Small and Disadvantaged Business Enhancement Act because supporting small business is simply the right thing to do.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. COFFMAN). He is the chairman of the Oversight and Investigations Subcommittee of the Committee on Veterans' Affairs.

Mr. COFFMAN. Mr. Speaker, I rise today in support of the Small and Disadvantaged Business Enhancement Act of 2016.

In part, H.R. 4326 is the result of the outstanding joint effort between the House Veterans' Affairs Committee's Subcommittee on Oversight and Investigations and the Small Business Committee's Subcommittee on Contracting and Workforce.

Our investigative work and joint hearing on the improper, and at times illegal, use of purchase cards revealed billions of dollars worth of inappropriate purchases within the Department of Veterans Affairs alone. This work underscores the need for the reform legislation to be applied across the Federal Government.

The bill requires purchase card procurements to be reviewed if they are above $3,500 and less than $150,000, and requires them to be properly entered into the Federal Procurement Data System. You might think this was already a clearcut requirement, but it

wasn't. H.R. 4326 corrects this glaring loophole. The bill also spells out the role of the Office of Small and Disadvantaged Business Utilization, a much-needed clarification.

I encourage all Members to support this outstanding, bipartisan piece of legislation.

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

In closing, last year, we saw the government achieve record high percentages of dollars awarded to small business. Unfortunately, these numbers have been called into question due to allegations of fraud, waste, and abuse at the VA.

Ultimately, we do not know the total value of small business contracts at the VA, but estimates suggest that small businesses lost out between $2.8 billion and $3.7 billion of contracts as a result of personnel using their purchase cards. If this is true, it is a failure not just of the VA, but of the procurement system more broadly.

Time and time again, we are presented with similar allegations in which opportunities were improperly diverted away from those that they were intended to reach. Every time this happens, a deserving small business loses out on revenue that could help create jobs in local communities. The truth is that we need more oversight, and H.R. 4326 will provide it.

Before I yield back, I want to thank Ms. ADAMS for her efforts and the efforts of all of the members of the committee to work in a bipartisan manner to help small businesses gain access to the Federal marketplace.

I also would like to take this opportunity to thank Chairman CHABOT for his leadership on these matters, as well as other legislation that has passed out of the committee. I am happy to be working with him again to ensure that small businesses get the help they need to grow and continue to create jobs for our communities.

I also would like to add a thank you note to the staff on the majority, Emily Murphy, and on the minority, Eminence Griffin.

I yield back the balance of my time.

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

In closing, allowing service-disabled veterans access to small business advocates in Federal agencies is simply common sense. Allowing those advocates the tools necessary to detect fraud is good government.

This bill deserves the support of the House. I want to thank Mr. HARDY of Nevada for his leadership, Mr. COFFMAN of Colorado, Ms. ADAMS of North Carolina, and, as always, the ranking member, Ms. VELÁZQUEZ, for her leadership in this matter and all the other bills we had today. I urge passage of H.R. 4326.

I also want to thank the Speaker pro tempore for his time this afternoon. I particularly enjoyed his pronunciation of the great State of Ohio.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4326.

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.

BLOCKING PROPERTY AND SUSPENDING ENTRY INTO THE UNITED STATES OF PERSONS CONTRIBUTING TO THE SITUATION IN LIBYA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–124)

The SPEAKER pro tempore (Ms. MCSALLY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the ''order'') expanding the scope of the national emergency declared in Executive Order 13566 of February 25, 2011, with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the situation in Libya.

In the order, I find that the ongoing violence in Libya, including attacks by armed groups against Libyan state facilities, foreign missions in Libya, and critical infrastructure, as well as human rights abuses, violations of the arms embargo imposed by United Nations Security Council Resolution 1970 (2011), and misappropriation of Libya's natural resources threaten the peace, security, stability, sovereignty, democratic transition, and territorial integrity of Libya, and thereby constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. The order blocks the property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State:

- to be responsible for or complicit in, or to have engaged in, directly or indirectly, any of the following:
  - actions or policies that threaten the peace, security, or stability of Libya, including through the supply of arms or related materiel;
  - actions or policies that obstruct, undermine, delay, or impede, or pose a significant risk of obstructing, undermining, delaying, or impeding, the adoption of or political transition to a Government of National Accord or a successor government;
  - actions that may lead to or result in the misappropriation of state assets of Libya; or
  - threatening or coercing Libyan state financial institutions or the Libyan National Oil Company;
- to be planning, directing, or committing or to have planned, directed, or committed, attacks against any Libyan state facility or installation (including oil facilities), against any air, land, or sea port in Libya, or against any foreign mission in Libya;
- to be involved in, or to have been involved in, the targeting of civilians through the commission of acts of violence, abduction, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through conduct that would constitute a serious abuse or violation of human rights or a violation of international humanitarian law;
- to be involved in, or to have been involved in, the illicit exploitation of crude oil or any other natural resources in Libya, including the illicit production, refining, brokering, sale, purchase, or export of Libyan oil;
- to be a leader of an entity that has, or whose members have, engaged in any activity described above;
- to have materially assisted, sponsored, or provided financial, material, logistical, or technological support for, or goods or services in support of any of the activities described above or any person whose property and interests in property are blocked pursuant to the order; or
- to be owned or controlled by, or to have acted or purported to act for or on behalf of, any person whose property and interests in property are blocked pursuant to the order.

In addition, the order suspends entry into the United States of any alien determined to meet one or more of the above criteria.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, *April 19, 2016*.

EARTH DAY AND THE PARIS CLIMATE AGREEMENT

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

Mr. TONKO. Madam Speaker, the idea of Earth Day began as a single day for the Nation to focus on environmental protection. Soon after the very first Earth Day in 1970, the phrase ''every day is Earth Day'' became a

mantra among those who want to leave our planet in better shape than it was when we got here.

On Earth Day 2016, I am proud to note that the landmark Paris Climate Agreement is scheduled to be signed by more than 150 nations, including the world's biggest polluters: China, Brazil, and the United States. The quickest, most direct way we are making every day Earth Day, this Friday, is by implementing the largest international agreement the world has ever known.

Earth Day isn't just about the environment. It is about the people who inhabit it. It is about the air we breath, the water we drink, and the food we eat.

The Paris Agreement is already working, setting the foundation for an historic reduction in greenhouse gases, and paving the way to a thriving, clean global economy. Here at home, it is also about creating new jobs and empowering the private sector to once again harness that uniquely American brand on innovation to lead the global marketplace.

We may celebrate it once a year, but Earth Day truly is every day. That is a promise that is as important today as it was 46 years ago. And 46 years later, we are making Earth Day every day with the Paris Climate Agreement.

□ 1600

UNITED STATES V. TEXAS

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise to talk about families.

Yesterday, the Supreme Court heard oral arguments on DACA and DAPA. I challenge anyone to look at the children who were protesting in front of the Supreme Court yesterday and not feel an urgency to protect them and their families.

Our unjust and broken immigration system has forced millions of families to live in the shadows. Where is our compassion?

Immigrants, regardless of legal status, deserve justice and dignity. We are a Nation of immigrants. Uniting and keeping our families together is an integral American value. We should be protecting the stability of our hard-working immigrant families instead of tearing them apart.

Comprehensive immigration reform is the moral imperative of our time, and I urge this Congress to pass it.

EARTH DAY

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

Mr. SARBANES. Madam Speaker, this coming Friday, April 22, is Earth Day.

I had the pleasure this morning to be at Masonville Cove in Baltimore. This is the first national wildlife urban refuge that was established in the country. I was there with a class of young people—high school students from Benjamin Franklin High School—who are learning science in the classroom but then are taking that knowledge outdoors and are connecting to nature.

I am very excited that recently, when we passed the new reauthorization of the Federal Education Act, we embedded in it environmental education, which is now going to allow nonprofits, local school districts, and others to apply for competitive grant funding from the U.S. Department of Education to support environmental education and outdoor activities all across this country.

The excitement these young people have today shows that our planet is in good hands.

OBSTRUCTION OF JUDGE MERRICK GARLAND'S APPOINTMENT TO THE UNITED STATES SUPREME COURT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Michigan (Mr. CONYERS) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent for all Members to have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. CONYERS. Madam Speaker, I rise to implore the Senate to fulfill its responsibility and give fair consideration to President Obama's nomination of Judge Merrick Garland to the Supreme Court.

During my tenure in this honorable body, I have witnessed no comparable examples of partisan politics and complete obstructionism with respect to the consideration of a Supreme Court nominee.

I introduced H. Res. 661, together with my Democratic colleagues on the House Judiciary Committee. This resolution calls on the Senate to hold hearings and an up-or-down vote on the President's nomination of Judge Garland. The Senate majority's flat-out refusal to consider President Obama's nominee, regardless of the nominee's qualifications, is historically unprecedented and is part of a longstanding pattern of disrespect shown to this administration in particular. Our Constitution relies on a system of checks and balances; yet the Senate majority's continued stonewalling of the President's nominee threatens to throw the system into an imbalance.

The President, of course, has the constitutional authority and obligation to appoint Justices to the Supreme Court, pursuant to Article II, section 2, and he has fulfilled his duty with his nomination of Judge Garland. The Senate has both the authority and the duty to provide advice and consent on the President's nominee; yet the Senate has, thus far, refused to do its job, which is simply unacceptable.

It is clear the Constitution requires that both the President and the Senate fulfill their respective roles in the Supreme Court nomination process in order for the Supreme Court to be able to fully perform its constitutional role. Otherwise, what is to stop the Senate from grinding the Court—a coequal branch of government, I remind you—to a halt by simply refusing to consider any nominees to fill any vacancies on the Court?

There is no merit to their argument that we have to wait until we elect a new President. After all, the American people twice elected President Obama to fulfill the duties of President, including the duty to appoint Supreme Court Justices. A strong and independent judiciary is a prerequisite for a strong democracy. This remains as true in the last year of a Presidency as it does in the first. Moreover, there is ample precedent for Presidents nominating and the Senate confirming Supreme Court nominees in a Presidential election year. For example, in 1988, during the last full year of Ronald Reagan's Presidency, the Democratic-controlled Senate confirmed the nomination of Justice Anthony Kennedy by President Reagan by a vote of 97–0.

There are 9 months left in President Obama's term. The President has nominated an eminently qualified jurist in Judge Garland, and the Senate has more than enough time to consider and vote on his nomination. It is vital that the Supreme Court have a full complement of Justices so that the critical constitutional and legal questions before the Court can be given the full attention they need. Already, we have seen a number of 4–4 decisions that have left much uncertainty in place for the lower courts, for the litigants, and for Americans generally.

The Senate should do its job: comply with regular order, hold hearings on Judge Garland's nomination, and then have an up-or-down vote on the nomination.

Now it is with great pleasure that I yield to the gentleman from Maryland, Mr. STENY HOYER, the distinguished minority whip.

Mr. HOYER. I thank the gentleman for yielding and for his distinguished service.

Madam Speaker, I want to begin by expressing my appreciation to the ranking member of the Judiciary Committee for leading today's Special Order on the important issue of the vacancy on the Supreme Court and the Senate Republicans' unprecedented obstruction of the President's nominee.

That nominee, of course, is Judge Merrick Garland of the U.S. Circuit

Court of Appeals for the District of Columbia. He is one of the most highly qualified nominees ever. Let me repeat that. He is one of the most highly qualified nominees ever to be put forward for a seat on the Nation's highest court. He is a respected former prosecutor and is well regarded as an appellate judge. He was confirmed to his present position in 1997 by a vote of 76–23, with a majority of Republicans voting in favor.

Madam Speaker, in fact, notwithstanding the opposition of some Republicans, they articulated—in particular, Mr. GRASSLEY, who is now the chairman of the Judiciary Committee—that Judge Garland was eminently qualified and would be good for an appointment to another court but that he was not for expanding the Circuit Court of the District of Columbia, and it was for that reason alone that he voted against Mr. Garland.

Madam Speaker, today is the 21st anniversary of the Oklahoma City bombing. Judge Garland, as Deputy Assistant Attorney General during the Clinton administration, oversaw the successful investigation into the bombing and the prosecution of its perpetrators. His insistence on traveling to see the remains of the Murrah Building in the days after the attack and his hands-on approach to the investigation and prosecution won him praise across the political spectrum.

The Constitution is clear: the President has a responsibility to nominate Justices to the Court, and the Senate has the ability to advise and consent, but it also has the responsibility to provide its advice and consent with regard to these nominees. It can, of course, reject a nominee, and it can advise and consent to the appointment of a nominee; but the Senate has chosen to do neither. It has chosen to do nothing. It has chosen to perpetrate gridlock in the Supreme Court of the United States. President Obama met his responsibilities. Now the Senate must do the same. It needs to do its work. Senate Republicans can't just pick and choose when to do their jobs.

Last month, we saw the real-life consequences of an eight-member Supreme Court as it split 4–4 in a key case concerning the right of the teachers to organize and collect union dues. Madam Speaker, I was pleased with that particular outcome because the lower court had ruled in a way that I thought was appropriate. It is an example, however, of a case too important to be the result of a default to the lower court because of a split bench. In cases like these, the Court cannot set precedent. The American people, however, deserve a Court that operates at full strength so that it can establish precedent.

We cannot wait until after the election to vote on Judge Garland's nomination. Senate Republicans, Madam Speaker, continue to insist that, somehow, their obstruction is based in precedent—that a nomination ought not to be made in the final year of a President's term. Ranking Member CONYERS, the former chairman of the Judiciary Committee, just spoke to that. Nowhere in our Constitution is the President's authority limited by the number of days or months into or remaining in his or her term. The President is the President from January 20 until January 20 4 years later. This is yet another example of congressional Republicans holding this particular President to a different and unfair standard.

The Senate confirmed Justice Anthony Kennedy, as has been said, during the final year of President Reagan's second term. Thirteen other Justices have been confirmed during Presidential election years, including Louis Brandeis and Benjamin Cardozo—two of the great members of the Supreme Court of the United States.

During the Kennedy confirmation process in 1988, President Ronald Reagan said: ''The Federal judiciary is too important to be made a political football.''

I would hope that Senate Republicans, who often cite President Reagan as a guide for the kind of leaders they want to be, would heed this admonition. Some have had the political courage to reject their colleagues' disrespectful approach of refusing to even meet with Judge Garland. I congratulate them. They are doing their jobs.

□ 1615

Not only should all Members of the Senate give him the courtesy of a meeting, they ought to do their jobs as well and not stand in the way of hearings and consideration.

The Senate's duty to advise and consent certainly, Madam Speaker, was not envisioned by the Founders to be optional or that the Senate could effectively pocket veto a nomination to the Court. The Senate ought to do its job.

I don't think a single Founder would have conceived of the possibility of the Court receiving a nomination pursuant to the President's constitutional responsibility and authority and simply say: Too bad, Mr. President. Too bad, Supreme Court. We are not going to consider that nomination.

No Founding Father would have conceived that to be possible, and they, therefore, did not provide for a time limit in which the consideration could occur.

I suggest to you, Madam Speaker, that, if we meet our oath to the Constitution of the United States to uphold the laws of the United States, it is incumbent upon us to ensure that the Supreme Court of the United States is fully manned so that it can, in fact, assure the faithful execution and adherence to the laws and Constitution of this country.

I thank my colleague from Michigan (Mr. CONYERS) for leading this Special Order tonight on a subject of profound consequence to all Americans.

Mr. CONYERS. Madam Speaker, I thank the gentleman from Maryland for his incredible analysis.

I yield to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Madam Speaker, I thank the gentleman from Michigan.

I rise today to express my concern about the ongoing vacancy in the Supreme Court. The President has done his constitutional job, and that is to screen, to choose, to nominate, and to put forward a name.

The Senate must do its constitutional duty, to take a look at the nominee and give a vote. I don't know how the Senate would vote, depending on the nominee.

It is in their jurisdiction. It is in their individual right to take a look and to decide yea or nay. But it is their responsibility to take up that nominee. That is the constitutional requirement.

It has dire consequences for us when this vacancy is left unfilled. It has dire consequences for many, in particular, for example, the Latino community. Just yesterday the Supreme Court heard oral arguments in United States v. Texas, a challenge to the President's executive actions on immigration.

Because of the vacancy, we only have three Justices. So there is the clear possibility that it could be a 4–4 vote. That would leave in place the freeze on DACA and DAPA, and millions of immigrants' lives are hanging in the balance.

The Supreme Court must be able to make concrete decisions on the most pressing issues facing our country, but we are stuck in limbo.

Actually, if you think of the division of powers, we are purposely in a way hampering the power of that judiciary. It doesn't have to be that way.

President Obama has nominated Judge Garland, a worthy and a just successor to the late Justice Scalia's seat.

Yes, Senate Republicans refuse to give Judge Garland their consideration even though a majority of Senate Republicans voted to confirm this exact same judge to the D.C. Circuit Court of Appeals in 1997.

They refuse to consider his nomination. Why? Because they are looking to block any Supreme Court nominee at any cost.

There is too much at stake to leave the Supreme Court vacancy open. It is time for the Senate to fulfill their constitutional duty by filling the Supreme Court vacancy with undue delay.

Wasting time, playing political games with the highest of the Court, is irresponsible and is unacceptable.

Mr. CONYERS. Madam Speaker, I yield to the gentleman from Rhode Island (Mr. CICILLINE), a distinguished member of the Judiciary Committee.

Mr. CICILLINE. Madam Speaker, I thank the gentleman from Michigan for yielding and for his leadership on this Special Order hour.

Madam Speaker, 5 weeks ago President Obama fulfilled his constitutional responsibility and nominated Judge Merrick Garland to the Supreme Court.

Judge Garland is eminently qualified for this position. In 1997, he was confirmed to the United States Court of Appeals in the District of Columbia with a majority of both parties supporting his nomination. He oversaw the prosecution of Timothy McVeigh and Terry Nichols for the Oklahoma City bombing.

Before Judge Garland's nomination to the Supreme Court, Republican Senator ORRIN HATCH said he would be a consensus nominee and that there was no question he would be confirmed in the Senate.

Now, one month after President Obama nominated Judge Garland to the Supreme Court, Senate Republicans are refusing to hold hearings on his nomination or give him an up-or-down vote.

President Ronald Reagan said: The Federal judiciary is too important to be made a political football. But that is exactly what Senate Republicans are doing.

They are denying the American people a fully functioning Supreme Court and choosing to turn the Federal judiciary into a political football.

The Supreme Court was designated by the Founders of our country to make major decisions of law and to protect the rights of all Americans, but the Supreme Court can't function as it was designed without a full slate of nine Justices.

The Constitution makes clear that the President's job is to nominate Justices to the Supreme Court, and the Senate's job is to advise and consent on those nominations.

The President has done his job. It is outrageous and deeply offensive that Senate Republicans are saying they won't do their job for the remainder of the year.

This is yet another example, maybe the most consequential example, of Republican obstruction. The American people deserve more from their elected officials.

Leader MCCONNELL and Members of the Senate Republican caucus, do your job and consider Judge Garland's nomination as swiftly as possible. The American people deserve nothing less.

Mr. CONYERS. Madam Speaker, I yield to the gentleman from Illinois (Mr. FOSTER).

Mr. FOSTER. Madam Speaker, I would like to thank the gentleman from Maryland for coordinating this discussion, and I thank Ranking Member CONYERS for yielding.

Madam Speaker, a Supreme Court sitting with only eight Justices, including the Chief Justice, is not good for democracy.

The failure by the Senate to consider our President's nominee because of the electoral cycle is an abdication of constitutional responsibility that is without precedent and without reason.

Now, I am best known to my colleagues as the last Ph.D. scientist in Congress or perhaps as the businessman who founded a company with his brother that now manufactures most of the theater lighting equipment in the United States.

What is less well known is that I am also the son of a civil rights lawyer who wrote much of the enforcement language behind the Civil Rights Act of 1964. Like me, my father was a scientist, and he stepped away from his career in science to become a civil rights lawyer.

There was a decade between the Supreme Court decision in Brown v. Board of Education that held that racially segregated school systems were inherently unequal and the Civil Rights Act of 1964.

My father spent most of that decade traveling around the South, advising school boards and Federal judges on the nuts and bolts of school desegregation.

In August of 1969, President Richard Nixon nominated Judge Clement F. Haynsworth to be an Associate Justice of the Supreme Court. The nomination was to replace Justice Abe Fortas, a liberal from the New Deal era. The confirmation of Clement Haynsworth would have shifted the balance of the Court significantly to the right.

Many liberal Democrats were strongly opposed to the nomination on ideological grounds, but my father knew Judge Haynsworth from his years working in civil rights. He knew him to be an intelligent and a fair-minded man.

So my father was called to testify before the Senate Judiciary Committee in support of the nomination of Clement Haynsworth.

My father's testimony cited specific cases in which he, my father, as an avowedly liberal Democrat, would have decided otherwise. But he pointed out that the decisions could be sustained by a reasonable man and could be sustained under precedent.

In the closing of my father's testimony, he said:

> The question for me is not whether I would have made another nominee for the Supreme Court. It is rather the question of whether Judge Haynsworth possesses the qualities required to become a fine Justice of the Supreme Court.

This is the standard that should be employed by the Senate today. The President alone has the authority and the obligation to nominate a person to serve on the Supreme Court.

The Senate can defeat that nomination through a vote on the Senate floor after hearings and thoughtful considerations of a person's judicial temperament and intellect.

I believe that considering those characteristics makes it clear that Judge Merrick Garland is eminently qualified to sit on the Supreme Court. But from the Framers, to my father, to today, we have established frameworks for making those decisions.

The Supreme Court should not be, as a famous President once said, a political football, and filling the bench is vitally important.

So I urge my colleagues in the Senate to give Merrick Garland what liberal Democrats gave Clement Haynsworth: hearings and a vote.

In 1969, finally, the Senate voted to withhold its consent for the appointment of Clement Haynsworth 3 months after his nomination, with 38 Democrats and 17 Republicans voting against him.

I think that the process will make it clear how qualified Merrick Garland is and that he will be confirmed, but the Senate must follow the process established in the Constitution for reviewing a nominee.

Mr. CONYERS. Madam Speaker, I yield to the gentleman from California (Mr. SCHIFF), the ranking member on the Intelligence Committee and a former member of the House Judiciary Committee.

Mr. SCHIFF. Madam Speaker, last month President Obama nominated a fantastic jurist, Judge Merrick Garland, to the Supreme Court. Seconds later Republicans announced that he would not receive a vote, a hearing, or even a courtesy meeting in many cases.

Judge Garland has a sterling reputation as a brilliant centrist and, above all, a fair jurist. He has been praised by Members of both parties in the past.

He served in the criminal division of the Department of Justice before his nearly two-decades-long career as a U.S. circuit court judge.

Garland is a Harvard University and Harvard Law School graduate. He clerked for a U.S. Court of Appeals judge and then for Justice William Brennan on the U.S. Supreme Court.

During his stint with the Department of Justice, he was dispatched in the aftermath of the Oklahoma City bombing to help set up the prosecution team and help investigators build a case.

When Garland was appointed to the U.S. Court of Appeals, he received a broad and bipartisan vote. There is no doubt that Garland is superbly qualified.

This Nation's Constitution expressly states that the President has the power to appoint Supreme Court Justices with two-thirds of the Senate approving.

Nowhere is there some kind of an asterisk stating that, during their last year in office or even during the last few weeks of their term, the President must relinquish this power to a successor.

President Obama was elected by the American public in 2012 to serve another 4 years in office. With 9 months left in his term, there is no excuse for the Senate to block him from filling this Supreme Court vacancy.

Precedent demands action. In the past, six previous Supreme Court nominees were confirmed by the Senate in an election year, including current Justice Anthony Kennedy, who was nominated by then-President Reagan.

A Republican President who was in the final year of his term and a Democratic Congress hoping that one of

their own would replace him in The Oval Office, if that sounds familiar, it is.

But instead of the partisan gridlock in the midst of a heated presidential campaign, in 1988, Kennedy received a fair and lengthy hearing chaired by then-Senator JOE BIDEN and then received an overwhelming 97–0 bipartisan vote.

□ 1630

The Supreme Court is a coequal branch of government, not to be trifled with, not to be demeaned like some administrative backwater, and certainly not to be made the partisan and political plaything of a Senate GOP leadership desperate to hold on to its majority at all costs.

Judge Garland deserves a full and fair hearing before the Senate to discuss his qualifications and judicial philosophy, and he deserves an up-or-down vote on his nomination as soon as possible.

To do otherwise would set a dangerous new precedent that further politicizes the judicial nomination process and departs from our constitutional system.

Mr. CONYERS. Madam Speaker, I now yield to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I thank Mr. CONYERS for his leadership and for organizing this Special Order to highlight the grave consequences of Senate Republican obstructionism by blocking a simple up-or-down vote on the nomination of Judge Merrick Garland to the Supreme Court.

Republicans claim to love the Constitution, yet they refuse to acknowledge their constitutional duties. Senate Republicans have chosen to play politics instead of doing what is right for the American people. They simply don't want to do their job.

President Obama faithfully fulfilled his constitutional duty by nominating Chief Judge Merrick Garland to the Supreme Court, but Senate Republicans refuse to even hold a hearing to consider, to just consider, Chief Judge Garland's nomination.

This refusal to fulfill a constitutional duty of theirs to vet and vote on this nominee is indicative of Republicans' 8-year strategy of obstructing President Obama at every opportunity.

And who loses? The American people do.

The worst excuse that I have heard as to why Senate Republicans are shirking their duty is that the American people should have a say in the process. I would like to remind my Senate Republican colleagues that the American people—including 11.2 million Latinos who voted in the 2012 election cycle—already had a voice in this nomination.

The American people expressed their will when they overwhelmingly reelected President Obama to a second full term, with the understanding that if a vacancy occurred, it is part of the President's duty to nominate a Supreme Court Justice.

I would like to remind my Republican colleagues, a full Presidential term is 4 years, not just 3. I know math can be hard and a little tricky, so I wanted to make sure that my Republican colleagues in the Senate were clear on that.

The vacancy before us is one that is critically important for all Americans, but especially for Latinos living in the United States. The President has fulfilled his obligation. Now it is time for the Republican Senators to do their job.

Mr. CONYERS. Madam Speaker, I thank the gentlewoman. I now yield to the gentleman from Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Speaker, I rise today to call on the Senate Republicans to give a full and fair hearing and vote to confirm President Obama's Supreme Court nominee, Judge Merrick Garland.

There is critical business before the Supreme Court this term. Our democracy relies on a full and functioning Supreme Court.

It has been more than a month since President Obama announced his nominee, and Republican leadership has refused to move forward with the confirmation process.

Judge Garland is an experienced and respected jurist with a long history of service to our Nation. He has more experience as a Federal judge than any nominee in history, but Republican leaders have decided they won't hold a hearing to consider Judge Garland's nomination. Instead of doing their jobs, Republicans are playing political games and leaving our Nation's highest court in limbo.

This kind of obstructionism is unprecedented. Since the 1980s, every person appointed to the Supreme Court has been given a prompt hearing and a vote within 100 days. There are 276 days until the next President takes office—plenty of time to consider Judge Garland's nomination.

The Constitution gives the President the responsibility to nominate Justices to the Supreme Court and gives the Senate the job of considering that nominee. There are no exceptions for election year. Never before in American history has a Senate majority said they refuse to consider or vote on anyone nominated by the current President. We have never stopped considering Supreme Court nominees during election years.

This is just the latest example of unconscionable Republican obstructionism. From shutting down the government to threatening to cause a catastrophic default, Republicans have proven that they don't know how to govern and they don't have our Nation's best interests in mind. Republicans continue to put partisan politics ahead of the well-being of the American people.

Nearly 60 percent of Americans want the Senate to hold hearings and vote on the nominee. They want and expect Republican Senators to do their jobs.

Justice Scalia dedicated his life to the Constitution. The Senate should honor his service by upholding their constitutional responsibility to give his replacement a fair hearing and a timely vote.

Mr. CONYERS. Madam Speaker, I thank the gentleman, and I now yield to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. Madam Speaker, yesterday I had the honor and the privilege of sitting in the Supreme Court chamber while the case of United States v. Texas was argued. It is a case that many of us hope will affirm the President's executive actions known as DACA and DAPA and allow for children who were brought here through no fault of their own as young kids to stay in the country, and also for their parents, the parents of U.S. citizen children, to also remain here so that families are not separated because of our laws.

I hope that the President prevails and the administration prevails and these families prevail in their arguments when we find out in June or so what the Supreme Court decides. As all of us sat there and watched the arguments, the elephant in the room was that there was one Justice who was not there. Instead of the Supreme Court being filled with nine Justices, there were only eight, which leaves open the possibility in this case, and many others, that the Court will be deadlocked 4–4.

Not only on this issue where both sides, whether you are in favor of the administration's actions or against them, have a right to have the case decided and not be left in limbo.

On the issue of immigration in this term, on the issue of abortion, criminal law issues, jury selection issues, these important constitutional questions, many of them could be left in limbo because the Senate Republicans refuse to even start to do their job.

The President has nominated somebody for the Supreme Court. The Senate is supposed to take that nomination up, give the person a hearing, and then take a vote.

Is it so much to ask that the Senate take a vote on the nomination?

They can vote ''no'' if they disagree with it, but they should at least take a vote.

Now, I say this in the context of the last few years in this Congress, putting aside this term that we are in right now, the last two terms of Congress before this were the least productive terms in American history, measured by the number of bills sent to the President's desk.

What this represents is the fact that the cancer of gridlock is spreading from the Congress to the judiciary because Senate Republicans refuse not only to do their job in their Chamber, but also to allow the Supreme Court to properly do its job.

Mr. Speaker, I urge the Senate and Senate Republicans to do their job and to take a vote on the nomination of Merrick Garland.

Mr. CONYERS. Madam Speaker, I am now pleased to yield to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Madam Speaker, I thank the ranking member for yielding to me.

Please listen with me to the following timeless, universal, and wise words:

''Trust that justice will be done in our courts without prejudice or partisanship is what, in a large part, distinguishes this country from others. For a judge to be worthy of such trust, he or she must be faithful to the Constitution and to the statutes passed by the Congress. He or she must put aside personal views or preferences and follow the law, not make it.''

Timeless and universally wise words. And, yes, those are the words of Chief Judge Merrick Garland.

President Obama fulfilled his constitutional responsibility by nominating Chief Judge Garland, an eminently qualified American, to the Supreme Court. He does, indeed, deserve—and the American people deserve—a fair hearing and an up-or-down vote.

Chief Judge Merrick Garland has more Federal judiciary experience than any other Supreme Court nominee in history. Let me repeat that. He has more Federal judicial experience than any other Supreme Court judge in history. This approach has earned him bipartisan praise throughout his career. As he was, as noted earlier, confirmed by a majority of both political parties, Senator HATCH's words were referenced.

Here is what hasn't been referenced. None other than Chief Justice of the Supreme Court John Roberts said: ''Anytime Judge Garland disagrees, you know you're in a difficult area.''

I am proud to be from and in this body representing a region of Washington State. Of course, I am not over in the Senate. We here on the House floor don't get a vote. The nomination doesn't come here. But I am also proud that I am represented by both Senators PATTY MURRAY and MARIA CANTWELL, who are both committed to moving forward and prepared to do their job and vote. Washingtonians, frankly, should be proud of their leadership.

If only the Senate majority would also do their job and allow the Senate to function, then we can ensure that the Court is able to reach decisions that will produce the necessary precedent we need to resolve many matters going forward.

Someday I hope someone from the 10th Congressional District of Washington State is nominated to the highest court in our land. And I fear a kid from Tacoma known for resolving disputes on the playground or a teenager in Olympia showing a talent for judging policy debates or a law student from Shelton with their nose in administrative law textbooks, I fear they are seeing all of this play out and thinking, why would I want to devote my career and life to the judicial process only to be denied consideration from a stubborn Senate?

But worst of all, with this inaction, the Senate is basically erasing the lines, and they are creating a new level of gridlock. As an American, I, frankly, genuinely fear what this will become. Every American should fear what this will mean in the future. This kind of obstructionism can become and will become a slippery slope, and it will not bode well for our democracy. This is arbitrary and capricious.

Justice Scalia died February 12, so there was not enough time left because there was just a year left to go. Same is true in January.

What about December and November? That is holiday season. Hardly enough time.

What about October? Well, we are going into holiday season.

What about September? Well, we have got to get the budget out.

What about August? We are on recess.

We are erasing the lines, and that is for the Supreme Court.

Where does it go next? Does it go to all other judicial level appointments? Does it go to all administrative agencies?

We are erasing the lines. It will not bode well for the rule of law. It will not bode well for justice.

I am not in the business of giving advice to the eminent Members of the upper Chamber ever except today. Do your job. Hold a hearing. Give it an up-or-down vote. Were I there, yes, I would vote to confirm Chief Judge Garland. But, minimally, do your job. Hold a hearing and give it an up-or-down vote.

Mr. CONYERS. Madam Speaker, I now to yield to the distinguished gentleman from New York (Mr. TONKO).

Mr. TONKO. Madam Speaker, I thank the ranking member of our Committee on the Judiciary for yielding. I thank the gentleman from Michigan (Mr. CONYERS) for bringing us together tonight so as to speak to what I think is a necessary cry, an outspoken cry to please fill the post on the Supreme Court.

□ 1645

Madam Speaker, I am here this evening to join in spirit and voice with my colleagues who are urging, requesting our counterparts in the Senate, controlled by the Republican Party, to move forward on action taken by our President, as he nominated a gentleman by the name of Judge Merrick Garland to fill the vacancy on the Supreme Court. Their recalcitrance seems to strike a common theme of obstructionism.

The Republican-led Congress has embodied obstructionism over the last several years. We see in public opinion surveys where that has reduced the positive side of the image of Congress simply because we don't do our work when it is required of us.

Where else in this country in any other job can you say no when asked to do your job? That is what is happening here.

Our Republican-controlled Senate is suggesting and indicating by their action that they will not move in fairness to address this nomination. My colleagues and I are not asking for a rubber stamp process here. We are asking simply that a fair hearing be given to the individual nominated by our President.

President Obama has looked at qualifications, he has checked performance, he has looked at integrity, and he has named an individual that has received great reviews on both sides of the aisle in both Houses; but for some reason our colleagues in the other House—the Republicans of the Senate—will not allow for a fair hearing. That is saying no to your job. They embrace the Constitution, but seem to walk from it when it doesn't fit their agenda.

What we have here again is obstructionism, perhaps of an historic dimension. This show of recalcitrance is regrettable and it is unacceptable.

For the sake of argument, let me just share two numbers: 67 and 125. Sixty-seven days is the average length of time from nomination to confirmation for a Supreme Court nominee since 1975. Sixty-seven days. In terms of 127 days, that expresses the longest wait ever for a nominee from nomination to confirmation before that vote came. So 67 days and 125 days to make the case here.

President Obama nominated Judge Merrick Garland on March 17, a full 311 days before his term expires on January 20 of next year. So the math here is very plain. It is a sound, solid argument: 67 on average, 125 at fullest length for the time span for doing business in the Senate when it comes to addressing the highest court in the land. They have had 311 days to do their work.

People say: Well, the people need to decide. They want a President to be elected, come forth, and then address this vacancy.

Well, the people did decide when they named President Obama by vote to a second term. America didn't elect President Obama for his second term to serve three-quarters of a term. They elected him for a full 4 years. So the arguments are weak, if they are even arguments.

''Do your job'' is the message that we share today on this House floor to the other House and to the Republican-controlled Senate. Do your job. There is much unfinished business in the highest court of the land. The Supreme Court has great unfinished business. To render that an eight-member body, where there can be deadlock and virtual paralysis in the highest court in the land, is unacceptable.

Let's do the people's business. Let's fill the vacancy on the Supreme Court,

let's respect the Constitution, and let's understand that much time was available—is available—to get the work done here to confirm or to reject a nominee. Simply do your job and offer the gentleman a fair hearing.

Mr. CONYERS. I yield to the gentleman from Maryland (Mr. SARBANES), whose father honored us by serving on the Judiciary Committee when he was here.

Mr. SARBANES. I thank the ranking member for yielding, and I appreciate the opportunity to speak on this important topic of filling the Supreme Court vacancy.

Madam Speaker, many of our colleagues in this Chamber carry a pocket Constitution—I have got one here myself—to remind ourselves of our duty to the country.

Article II, section 2, the so-called Appointments Clause, is very clear. It says that the President shall have the power to nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court.

It says ''shall,'' Madam Speaker. It doesn't say ''may.'' It doesn't say ''might.'' It says ''shall.'' Yet, many of our Senate colleagues on the Republican side—the very same people who routinely will brandish the Constitution as they speak to justify their actions—are now ignoring the very plain text of the Constitution.

MITCH MCCONNELL suggested that the President should not even have put forward a nominee for this vacancy on the Supreme Court. In other words, he suggested the President shouldn't do the job that the Constitution clearly dictates he should do. Well, the President decided he was going to do his job. And all we are asking is that the Members of the Senate do their job.

If you look at the nominee, Merrick Garland, it is hard to imagine a person better qualified to be on the Supreme Court. Nobody disputes the credentials of Judge Garland, an accomplished Federal prosecutor, a former senior official at the Department of Justice, the current chief judge of the ever-important D.C. Circuit Court of Appeals, and someone who throughout his career has been praised by both Democrats and Republicans alike.

So what is the problem here? What is the holdup? Why isn't this vacancy being filled?

Well, I think the Republicans in the Senate are just trying to run out the clock on President Obama's term. And it is not just that they are denying the President the process that he is entitled to. They are denying the country what the Constitution says the country deserves, which is a fully constituted Supreme Court with nine Justices serving and making important decisions.

The Supreme Court of the United States cannot function as it is intended to unless it has nine members sitting on the court. It cannot find its way to new jurisprudence and new thinking unless it has got a fully constituted court.

Many Americans look with expectation at this court and hope that certain kinds of decisions that we have seen over the last few years will maybe be revisited with some new thinking.

For example, the Citizens United case has unleashed this torrent of outside money on our politics, which has left everyday people feeling locked out and left out of their own democracy. That wrong-headed ruling has further surrendered our political system to the wealthy and the well connected.

The Shelby case gutted certain parts of the Voting Rights Act and enabled partisan operatives in State legislatures across the country to come up with new ways to limit access to the ballot box.

These are decisions which eventually will be revisited. And we don't know how Merrick Garland would come down on those kinds of decisions. That is not the point. We are not prejudging where a rethinking of that kind of jurisprudence would land, but what we are saying is that it is important that you have a fully constituted court to examine these questions. And the American people have a right to expect that that will happen.

When I came to this Chamber 10 years ago, I remember early on there was a very tough vote and I was going back and forth whether I should vote ''yes'' or I should vote ''no.'' And for a fleeting instant, I thought to myself: maybe I will just vote present.

I talked to a couple of my colleagues and they said: The one reason you are here is to cast a vote. You can't just show up and be present. You have got to make a decision.

And we are not asking Republican Members of the Senate to vote for Judge Garland. We are just asking them to take a vote. We are asking them to hold a hearing to meet the expectation of the Constitution. Have a hearing, put it to a vote, and let the chips fall where they may. You can't just show up and say: I am present.

To do your job, you have got to show up and vote. That is what we do. We are legislators. We are not fixing potholes, we are not managing some brigade of soldiers. We are here to vote on legislation. We are here to vote on nominations. That is our job under the Constitution. So you can't not vote and pretend that you are showing up for work.

So, Madam Speaker, I hope and encourage and beseech our colleagues on the Senate side to give Judge Garland a fair hearing, and then bring his nomination to a vote on the floor of the Senate. That is what the Constitution requires. That is what your job requires.

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

SUPREME COURT NOMINATION PROCESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Madam Speaker, I am so grateful to my friends across the aisle for bringing up a subject that has bothered me for years.

Having been a State district judge, I was bothered when people would be nominated for a Federal bench and they wouldn't get their hearing. Or perhaps like a gentleman named Bork, a gentleman named Clarence Thomas, they got a hearing, but as Justice Thomas properly stated back at the time, it wasn't so much a hearing as it was a high-tech lynching.

I am sure all of us have our own personal stories that we are personally aware of. I just happen to be one of 435 who have personal knowledge of personal friends—people who were imminently qualified and were eventually confirmed.

□ 1700

One of them was my law school colleague, and we served in the same firm together for a few years, Leonard E. Davis. He was nominated in 1992 and, yes, as my friends across the aisle point out, it was the last of 4 years of the George H.W. Bush term, but there was no reason not to give him a hearing. The guy had been editor of the Baylor Law Review, a brilliant guy, engineer by undergraduate training.

And, Madam Speaker, it is really unfortunate, but not only did he not get a hearing in 1992, not only did the Senate Democrats drag their feet and refuse to give him a hearing in 1992, he had to wait 10 years for a hearing to become a Federal judge because the Senate Democrats refused to give him the hearing he deserved and the vote that he deserved. So he was nominated in 1992, and, in 2002—actually, May 9 of 2002—he was finally confirmed as a Federal judge.

Now, another law school classmate, colleague, was with one of the best firms in Houston. He and I entered law school at the same time. In fact, there is another justice now that we were all part of the same entering class at Baylor Law School, and that was Andrew Hanen.

Andrew Hanen was nominated to the Federal bench in 1992 by George H.W. Bush as President. I didn't hear any of my colleagues that are now here that were here in 1992 rushing here to the floor and saying: You know what? That Leonard Davis and that Andrew Hanen, they were at the top of their class. They are brilliant. They are obviously well qualified, got the highest bar ratings anybody could get. Everybody likes them. They ought to get their hearing and they ought to be confirmed. 1992, Andrew Hanen was nominated to the Federal bench, and he finally got his hearing as a Federal judge in 2002, 10 years later, and he was finally confirmed on May 9, 2002.

So I am so pleased to hear my friends here in the House complaining about

highly qualified, preeminent legal scholars not getting a hearing, because I wasn't even a judge in 1992. But I was running for judge in 1992, in Texas, and I knew how grossly unfair it was to have the Democrats in charge of the Senate sit on those nominations and sit and sit.

Now, in the case of brilliant Baylor lawyer Priscilla Owen, she made the top grade on the State bar exam when it was taken. I recall, I was sitting across the table from, now, Justice Owen, and when I got my grade, I was thrilled. I made a great grade on the bar exam.

And then people said: You were sitting right across the table from Priscilla. She made the high grade on the bar. Do you not even cheat at all?

Well, the answer is no, I don't cheat. And I was thrilled with the grade I got. But Priscilla made the top grade in the entire State on the bar exam.

She had been a member of the Texas Supreme Court, eminently qualified, obviously brilliant, and she was nominated to be a Federal judge by George W. Bush, the first time, May 9 of 2001. After her hearing, a wait. She was nominated May 9 of 2001, and she never got a hearing on that nomination. She was nominated again September 4 of 2001. She finally got a hearing July of 2002.

She was eminently qualified, absolutely brilliant. According to the Texas bar exam, she was the smartest lawyer taking the bar exam in Texas that month of that year we took the bar. It was only given three times a year. I think it may just be given twice now. It was given three times a year. On our bar exam, she was the smartest lawyer in the room.

I would have to tip my hat; as well as I did, she was a little smarter than I was—smart, able lawyer and justice.

So, over a year after she was first nominated, July of 2002, she gets a hearing. Three years later, she was never given a vote.

Now, I was thrilled to hear from my colleague across the aisle that 67 days is the average wait, from the nomination to confirmation, since the 1970s. So how is it, when a brilliant man or women is nominated by George H.W. Bush or George W. Bush, they run into this kind of wall from the Democrats? Even when the Republicans had the majority in the Senate, they didn't have 60, and the Democrats were able to hold up and prevent a vote on someone as eminently qualified as Priscilla Owen.

So, nominated 2001, her 67 days were up, and she didn't have a hearing, and didn't have a hearing for over a year, and then years go by. January of 2005 comes and goes, and she had gone an entire almost 4 years without the Senate Democrats giving her a chance to have a vote—nearly 4 years, and they wouldn't give her a vote.

So, February 14, right after George W. Bush took the oath of office again for a second term, 4 years, nearly 4 years after her first nomination, she was nominated again, and she had already had a hearing. She finally got a vote in 2005. It took 4 years and getting elected to a second term before they would even give Priscilla Owen the decency, just give her a vote, for heaven's sake.

Leonard Davis, it took not only the year of 1992, it took a son of that President that nominated Leonard Davis to renominate Leonard Davis before he finally ever got a hearing and a confirmation vote.

What a lot of people don't understand, if you are in a major law firm and you are nominated to the Federal bench, it wreaks absolute havoc on the life of the nominee because not only do they fill out massive pages of application forms, but they also undergo an FBI, thorough scrutiny that the Senate gets.

Then something that is not reported, but I know from having talked to these attorneys who were nominated for the Federal bench and then were put on hold for years and years: When you are nominated for a Federal bench and you are in a major firm, you have got tons of clients. They are coming to you with their business. You are bringing in lots of money for the firm, and you are bringing home a great deal of money because you are very successful because, with your experience, people trust your experience. But the minute you get nominated to the Federal bench, you life goes into chaos because the people at your firm are not going to send you over any cases that they need help on. Clients are no longer going to come to you because they know you have been nominated for the Federal bench, and so you are not getting the work anymore. Your production falls off dramatically. Who suffers then? You do; your family does.

So when someone like Andy Hanen, Andrew Hanen, was nominated to the bench and it took so long to get a hearing, it cost him a lot of money. It cost his firm a lot of money.

When Priscilla Owen, sitting on the Texas Supreme Court, is nominated to the Federal bench and the Senate Democrats prevent her from getting a vote that she deserves for over 4 years—whether they are Democrats or Republicans on the Texas Supreme Court, they are smart people, generally. Every now and then a ringer gets on there, but most of them are very smart.

They know if you have been nominated to the Federal bench that you could go to the Federal bench any day. You could go to the Federal bench in 67 days, according to my Democratic colleagues, after you are nominated. So why would they have you write any major opinions when you could be at appellate level, the Fifth Circuit Court of Appeals, before you will have time to really dig into the appellate case?

So you go month after month, year after year, without being allowed to preside and write a majority opinion on a specific case. They may get you one here or there that they think won't be a major effort to write. But it affects your life; it affects your State; it affects those you care about. So nobody is more thrilled than I am to have heard, for nearly an hour, my colleagues across the aisle say, if somebody is nominated, they need to get a hearing, and they need to get a vote.

Now, that brings us up to current time, with President Obama having been in office over 7 years now. And it has been rather interesting, but this administration has set a record. My staff cannot find any administration that tops this.

There have been 11 decisions in a 4-year period by the United States Supreme Court where all nine Judges unanimously said the Obama administration has vastly overreached what they were doing, and they struck down the action unanimously. This Court, four very liberal judges, and they, 11 times in about 4 years, struck down, unanimously, effort after effort by this administration.

□ 1715

In fact, it is apparently a record that, in 4 years, this administration was struck down 23 times. They weren't all unanimous. They were before Justice Scalia's death.

But to have your work as President, along with those under you that you were ordering to do as you tell them and to follow your policies and your guidelines, to be struck down 23 times in 4 years—and that is like 2010 or 2011 through 2014, is my understanding.

So cases since then I am sure will add to the record of the Obama administration. Perhaps now that Justice Scalia has passed, it may enable the Obama administration to get through these last months without racking up too many more overrulings by the Supreme Court.

But it tells you the mindset of this administration: We are going to violate the Constitution.

Even the tremendously liberal judges on the Supreme Court, those four, come back and say: Eleven times, really, you have gone so far beyond what the Constitution allows. Even for us liberals you have gone way too far. We have got to reel you in. You just can't keep pushing that far.

So would it be a surprise when an administration makes a nomination in the last months, especially since the head of that administration as a Senator basically supported the idea that you can't even make a nomination in the last year of your Presidency?

His Vice President, when he was Senator JOE BIDEN—they were all for stopping any nomination the last year of a President. So maybe when they were Senators they weren't always wrong.

Perhaps when they were saying that it was a terrible idea for a President to make a nomination in the last year shouldn't even be given any consideration. Maybe like a broken clock is

right twice a day—maybe that is one of those times—well, they were right on that one.

I would not submit that that should always be the rule. I would not argue that, as President Obama and Vice President BIDEN were pushing, they shouldn't give a hearing to George W. Bush's nominations in the last year. I wouldn't push that far.

But I would submit that, when an administration is setting records for being the most unconstitutional administration in history, then perhaps in their case it merits slowing down a little bit before you allow them to contribute anymore to unconstitutional actions.

Because those who studied modern history, going back to World War II and pre-World War II, we know that President Franklin Roosevelt didn't like the way the Supreme Court was ruling; so, he was threatening to get the number added from 9 to 15. He would appoint 6 and then he could get them to do what he wanted. It had the desired effect upon the Supreme Court. They started ruling the things he wanted were not unconstitutional.

This is also the Democratic administration that ordered the interment of people just because of what they looked like and where they were from. No Republican has ever done that, but Franklin Roosevelt did.

With this administration 23 times having their actions struck down, 11 times unanimous, that record, perhaps it is an indication that we should hold up.

Our friend Andrew McCarthy, today with pjmedia.com, has an article. I want to read from part of that article.

His title is: As Primary Campaigns Roll on, Obama Shreds Constitutional Governance.

He says: ''Two cases in point: President Obama's pressure on the states to drop sanctions against Iran, and his continuing scheme to dictate immigration law unilaterally.''

Mr. McCarthy, who was the prosecutor that did a fabulous job in prosecuting the bombers of the first World Trade Center bombing from back in 1993, says this in his article: ''The invaluable Omri Ceren (citing a Bloomberg View report) alerts us that the State Department has sent monitory letters to the governors of all fifty states 'suggesting' that they review any sanctions imposed against Iran. Over half the states have such sanctions, targeting not only Iran's nuclear work but the regime's other weapons work, (e.g., ballistic missiles), terror promotion, human rights abuses, detention of Americans, etc.

''Explains Mark Dubowitz of the Foundation for Defense of Democracies: '[These sanctions] are an essential part of the non-nuclear sanctions architecture designed to both deter Iranian illicit behavior and to safeguard pension funds from the risk associated with entering Iran's economy.'

''Alas, any counter-Iranian measure with real teeth is certain to fly in the face of President Obama's Iran deal—the Joint Comprehensive Plan of Action.''

Mr. McCarthy points out the text of the JCPOA, the Joint Comprehensive Plan of Action. That is the Iran treaty. It really was a treaty because you cannot amend a treaty the way this one amended prior treaties unless it is a treaty.

The difference is the Senate leadership couldn't work up the courage to bring it to the floor as the treaty it was so that a two-thirds vote would not be able to be reached, it would not be confirmed, and it could have been stopped dead in its tracks if it had been brought to the floor.

This is such a powerful, important issue, unlike some that Majority Leader REID set aside the cloture rule to bring to the floor without a cloture vote.

This is something that will affect and could bring about the end of millions of lives, and that is the largest supporter of terrorism in the world getting their hands on $100 to $150 billion. That is just the first year.

They could get $100 billion a year after that, but also getting the green light to go ahead and move forward with the nuclear work that they are doing. And the administration may allow them or help them to move along, as the Clinton administration did for the North Koreans.

You may recall, Mr. Speaker, the North Koreans struck a deal with Wendy Sherman, who helped out on the Iranian deal, and President Clinton—I know this is a shorthand rendition—basically, in effect, said: Hey, North Korea, if you will just sign saying you won't use what we give you to develop nuclear weapons, we will build you a nuclear power plant. We will give you everything you need for nuclear weapons if you will just sign saying you won't develop nuclear weapons.

Of course, thinking people knew what would happen, and it did happen just as thinking people knew it would. You couldn't trust the leader of North Korea. They took the materials that were provided for power plants.

They developed nuclear weapons. And now this administration has to be constantly concerned about what North Korea is doing because they have nuclear weapons.

They wanted to help Iran all because of the deal that Wendy Sherman helped do back during the Clinton administration and now she helped make happen with Iran. So they were able to keep working as they thought.

Then we found out more recently, in just recent weeks, that, actually, the Department of Justice and this President's administration—surely had to include the White House—knew that Iranians had hacked into our system here.

They were charged with hacking into the system, but, according to recent reports, the Justice Department was talked into holding up on the charges until after the Iranian deal could be made—it wasn't confirmed. It is not a legitimate treaty—but at least squeak through without the two-thirds of the Senate being opposed, which is not the treatment treaties are supposed to get, according to the Constitution. But that doesn't keep some folks from acting unconstitutionally.

So, anyway, it turns out the Obama administration encouraged the Justice Department to sit on those charges. They knew Iran had people hacking into our system. It had to be government sanctioned. You don't do that in Iran without government permission.

This administration knew about ballistic missile testing that violated all kinds of things; yet, this administration we knew.

And some of us said right here on this floor that there will be violations and this administration will have to turn their head and act like they don't really see the violations because they twisted so many arms and did so many deals to try to get the Iran treaty treated as if it is a treaty without the confirmation that they could not afford for people to know how blatantly Iran leaders were violating their agreements.

This article from Mr. McCarthy goes on: ''. . . the text of the JCPOA expressly indulges Iran's position that it will 'cease performing [its] commitments' under the deal if it deems the sanctions to have been 'reinstated in whole of part.' That threat should only relate to sanctions on Iran's nuclear program, but—as the Obama administration well knew—many of the sanctions against significant Iranian entities (e.g., the National Iranian Oil Company and Bank Melli) are based on activities in addition to support for the nuclear program.

''Moreover, Iran has publicly announced that it interprets the JCPOA''—the Iran treaty we will call it—''as a sweeping eradication of sanctions related both to various non-nuclear activities (e.g., other weapons and ballistic missiles) and to sectors of its economy sanctioned due to activities beyond support for the nuclear program.

''Against that backdrop, the JCPOA also purports to oblige the Federal Government to use 'all available authorities' [to eliminate any] law at the State or local level [that] is preventing the implementation of sanctions lifting as specified in this JCPOA.' ''

That is amazing. The administration makes a deal that they are willing to sign a deal with Iran that violates our own Constitution.

They have no right to dictate laws to State and local authorities, but they apparently signed a deal with Iran that they would dictate State and local law.

''This is a foreign relations matter. So why does the Iran deal commit Washington merely to 'encourage' and otherwise try to persuade state and local officials to honor the deal's terms? Because, for all its bluster

about domestic and international law, the administration knows this deal has no legal standing.

''Plainly, the President is trying to muscle his way through the inconvenience that the JCPOA is merely an executive agreement. It is not a legally enforceable treaty, nor is it supported by any legislation that would bind the states.

''Obama is willing it to work through sheer extra-legal executive power.''

The article goes on. It is a good article. But, then again, when we look at the record-setting slaps at this Administration's overreach in violation of the Constitution, 11 unanimous decisions in 4 years or so and 23 reversals by the Supreme Court in such a short period of time—4 or 5 years—these are records—have that many reversals in such a short time that it bears great scrutiny when an administration setting records for violating the Constitution says: Right before we go out, we want to get this person onto the Supreme Court because we have some other stuff that is still going to be ruled on by the Supreme Court after we are gone and we want some of that stuff that may be unconstitutional, like the 23 times the Supreme Court said they were, struck down things—they want those upheld in the future.

It seems like these are good reasons for the Senate to be very careful, much more so than they were about the Iran treaty.

There is an article from Paul Bedard: ''Obama's Open-Door Immigration Policy Blamed for Surge in Rural Gang Crime.''

□ 1730

''A rural Maryland sheriff on Tuesday blamed''—and this is Maryland. This isn't Texas. It is not Arizona.

''A rural Maryland sheriff on Tuesday blamed President Obama's open-door immigration policy for a surge in gangland crime that included a retaliation murder and assault on an officer doing paperwork in his cruiser.

'' 'Case-by-case amnesty, backdoor amnesty, DACA programs, and the DREAM Act were pushed through by executive order,' said Frederick County Sheriff Charles Jenkins.

'' 'Policy shifts by President Obama weakened and ruined secure communities, and did not allow action by ICE when sheriffs and police departments ignored detainers, allowing criminals to be released back on the streets. In effect, criminal aliens that should have been deported have been allowed to remain and commit more serious crimes, becoming violent offenders,' he told the House Judiciary Committee probing the criminal impact of illegals in the United States.

''He was joined by family members of victims of illegal immigrant crime, a surging issue around the Nation as Obama's policies allow more unauthorized aliens to leave jail and remain in the country.

''Frederick is north of Washington, D.C., but has become a haven for criminal 'transnational' gangs, especially in high schools. Members of MS–13 and 18th Street gangs have become influential in the schools and county. 'Transnational alien gangs are structured criminal enterprises involved in drug and human trafficking, crimes of violence over turf, retaliation, money laundering, and other serious crime. As these gangs are recruiting locally and increasing in number, so does the associated crime within communities,' said Jenkins.

''He gave details on the crimes by immigrant gangs in his county:

''There are over 75 active known validated transnational criminal gang members in Frederick County, many more suspected of gang affiliation. We also believe that MS–13 and 18th Street alien gangs are recruiting, locally, in our schools, in the region, and out of the country.

''Of the 52 validated criminal alien gang members identified since 2008, 25 of the 52, 48 percent, were identified since late 2014.

''Eighteen of the 25, 72 percent, gang members encountered since 2014 have been charged with felonies.

''Seven of 11, 64 percent, of the criminal alien gang members encountered in 2015 were unaccompanied juveniles when they entered the U.S. and eventually located to Frederick County, Maryland. Now they are adults committing serious felonies.

''Crimes committed include five occurrences of attempted first and second degree murder, armed robbery, first degree assault, home invasion, armed carjacking, kidnapping, use of a firearm in the commission of a violent felony, carrying concealed deadly weapons.

''In 2014, eight criminal aliens charged with rape and sexual assault of children ages 5 to 14, with two of the girls impregnated.

''One of my deputies was the victim of an unprovoked physical attack/assault with an MS–13 gang member while sitting in his cruiser doing paperwork.

''The U.S. District Court recently indicted a known alien gang member for involvement in a 2013 MS–13 hired killing in Frederick. The victim in the killing fled El Salvador to live in Frederick because of an MS–13 hit for him there, but the hit order carried to a local MS–13 clique. The victim was lured to a wooded area where he was shot in the head and stabbed to death.

''The growing alien gang problem has spread into one high school where fights and violence between MS–13 And 18th Street are routine.''

That goes back to this important point about this administration's urging and luring people into the United States illegally by talking about the amnesty, talking about legal status. And as has been made clear by Border Patrol, when anyone in Washington, whatever party, either House or Senate, talk about legal status or amnesty, it creates a surge across our southern border.

Having been there in the last few weeks, spending nights and days down there on the border, on the river, aside the river—and I do mean all hours of the day and night—you see these things firsthand. You see little bitty children. The Border Patrol are told they came unaccompanied. There is no way these little children came unaccompanied across a river flowing that fast and that deep. Some of them alleged to have come from Central America. Over a thousand miles they journeyed unaccompanied? That is garbage.

It is like border patrolmen have told me—one in particular, he said: I am Hispanic. I speak better Spanish than most of them. Ninety percent of the time when they tell me they came to escape gang violence, I will hit them up: You may convince some gringo of that, but you and I both know you paid a gang to bring you in to the United States. And he said—90 percent of the time the response is—Well, that is true, but we were told to say we were fleeing gang violence.

As other border patrolmen have told me down there, there is not one inch of our southern border that isn't considered the jurisdiction of some drug cartel, some drug lord. And if you cross within that sector without getting permission or properly paying, making sure the drug lord or the drug cartel is satisfied with your payment, then you will be sought and found and either killed or be forced to provide services until your debt is paid.

That is why it is staggering when people down on the border, having come across illegally, are asked about how much they paid. It is not part of the required questions, but some of our Border Patrol are really wanting to know what is the going rate here for this sector: For people like you from the country you came from, what are they charging you? And you get different answers: $5,000, $6,000, $7,000, $8,000, maybe $10,000 for a group.

The response comes back: How in the world could you have come up with that much money? The resulting answer is: Well, they said I could work it off when I get to the U.S. city where I am going.

You know they have agreed to work for a drug cartel, for a gang, for MS–13, for 18th Street. And it is not just along the Texas border, as we have seen from Frederick, Maryland, it is all over the country. People have agreed to provide the services.

As I have pointed out here before, Border Patrol says: The drug cartels, the gangs in Mexico, call us their logistics because they know under this administration, if they just get somebody across the border, across the Rio Grande, get them across illegally, then we become their logistics and we ship them wherever they want to go.

They tell us: We have got an address, or I have got a family member here, a family member there, or somebody that I have agreed to take care of me.

They don't say it, but it sounds like it could also mean: The drug cartel

gave me this address and they told me this is where I am supposed to go.

They don't say: This is where the drug cartel told me to go. What does anyone expect when they have said: The drug cartel is going to let me work it off?

Is it any wonder that so many of the crimes in America are being committed by people who have come into the country illegally?

We know that most people coming in illegally are not violent criminals. I got that. We have that. We understand that, but when people come into the country illegally—and, by the way, for those that have not noticed, they are not in the shadows. I know there were a few in the shadows under the trees because it got hot out there in front of the Supreme Court, but most were out in front of the Supreme Court.

They are not in the shadows. People keep saying we have got to bring them out of the shadows. Well, start looking. They are not in the shadows. In fact, we had a group come to some offices here in the Capitol. They are not in the shadows. They are coming right in the office and demanding that we legalize those of them who have come in illegally.

The problem is—and this is the biggest problem—when the brightest hope in the world as a Nation, which once was the freest Nation in the world, once was the freest Nation in the history of the world, now international polls say we are not, but we have been the freest Nation, but when the freest Nation stops trying to apply the law equally across the board, then we become like the countries these poor, unfortunate individuals fled because their country did not apply the rule of law equally. It depended on who you were, how much you could pay, or what you could do for them. We become like the countries they had to flee, and there is nowhere left for people holding out hope for one place in the world where they can come and be free. It is gone.

I have had people even in Congress say: Louie, if it gets too bad, we will just pack up and go to Australia.

When I told that to some Australians in January, none of them smiled. They said: If something happens to United States' freedom, China will take us over instantly; you won't have us to come to.

If something happens to the United States and we continue to damage ourselves the way Europe has damaged itself, there isn't going to be any place else left to go. That is what the west Africans told me 3 or 4 years ago. They said: You have got to tell people in Washington—you know, as thrilled as we were when you elected your first Black President, we have seen you getting weaker and weaker, you're not standing up like you used to.

We are Christians. We are going to heaven when we die, but our only hope of a life of peace in this world is if America is strong. When we weaken the rule of law, when we have a President make millions and millions of exceptions to the law, we are on our way to becoming like the countries people that came here illegally had to leave.

For those who say we need to follow the Bible, I certainly believe that. And for individuals, there is no better place to start than within the Golden Rule: Do unto others as you would have them do unto you. But when you are acting as part of the government and you refuse to do what the Bible says, and that is show no partiality to those because they are rich, show no partiality because someone is poor or unfortunate, you apply justice across the board. That is the ultimate good government.

□ 1745

You provide justice. You see that the rule of law is equally enforced across the board.

Again, as this administration is trying to stack the Supreme Court while on its way out, after setting a record for being found to be the most unconstitutional in the shortest time, this article from today is entitled: ''Obama Administration Unsure if Iran Spent $3 Billion in New Cash on Terrorism.'' It is an article about the Obama administration, with the complicity of Secretary of State Kerry, making sure Iran gets $100 billion to $150 billion.

The article reads: ''Obama administration officials disclosed Tuesday that Iran has been granted access to about $3 billion in unfrozen assets in the months since the nuclear agreement was implemented, but it remains unclear to the administration if the Islamic Republic has spent any of this money to fund its global terrorism enterprise.''

We know, Mr. Speaker, in having listened to the Iranian leaders—while this administration was saying: Oh, yes, we have got to abide by this Iranian deal—the Iranian leaders were assuring their people: We are not abiding by anything that the United States tells us to do. We are still doing everything we intend to do. We are not going to be restrained by any agreement with the United States.

They announced in Iran: We are going to be able to provide more financial support once we get the $100 billion to $150 billion more support for terrorist groups—Hamas and Hezbollah. They told us.

Now the administration, this week, is saying: Gee, we can't be sure they didn't use some or all of this money—who knows?—on terrorism. They quote State Department spokesman John Kirby as saying: ''We don't know. We don't have a way.''

When an administration, like the leaders of Iran, lie and lie and are responsible for providing more terrorism and more death and destruction in the world than any other country—the largest supporter of terrorism in the world—and when they tell you they are going to take money you give them and spend it on terrorism, that may be the one thing you can count on their being honest about.

In going back to November 2015, to the story by John Hayward, it talks about the State Department's social media accounts that were hacked by Iran: '' 'The surge has led American officials to a stark conclusion: For Iran, cyberespionage—with the power it gives the Iranians to jab at the United States and its neighbors without provoking a military response—is becoming a tool to seek the kind of influence that some hard-liners in Iran may have hoped its nuclear program would eventually provide,' The New York Times reports.''

We have this report from December of 2015—4 short months ago: ''Iranian hackers infiltrated a small New York dam in 2013 in a previously undisclosed incident, according to The Wall Street Journal.''

This is an article by Katie Bo Williams from The Hill, and this was December 21: ''Investigators said that the hackers didn't take control of the system but were probing its defenses.''

The White House knew about it. They knew about the intrusion into New York's system. So people are wondering: How could people support Donald Trump? New York got hacked by Iran, and this administration has done nothing about it but try to defend Iran from having the money cut that they have said they will use for terrorism. So is it any wonder New Yorkers are thinking: Well, here is a guy who says he is going to completely stop this kind of activity with radical Islamic groups? Sure. Of course, people will vote for a person who will say that.

Here is an article from January 25, 2015: ''Five Ways Iran is Cheating on the Interim Nuclear 'Deal.' '' That was the interim deal. It goes on and sets out how they have been cheating.

Here is an article from December 16, 2015: ''Iran's October Missile Test Violated U.N. Ban.'' That was the conclusion of an expert panel, according to this reuters.com story by Louis Charbonneau. It reads: ''Iran violated a U.N. Security Council resolution in October by test-firing a missile capable of delivering a nuclear warhead.'' Yet this administration did not see that as any reason to slow down rushing the $100 billion to $150 billion that they had coming to Iran.

This article from Katie Pavlich reads: ''White House: Likely Iran Violated U.N. Sanctions with Missile Test, but They'll Uphold Nuclear Agreement.''

She quotes from White House Press Secretary Josh Earnest: ''Despite the likely violation, Earnest stressed that the White House believes the Iranian regime will uphold its obligations to the recently made nuclear agreement.''

Amazing, because it turned out they already knew that Iran had been hacking our government Web sites and our government Internet. They had charges held up so that it wouldn't stop what we now know is an executive agreement acting like a treaty.

They are still doing it. Some of us said they would have to. They have bent over so far backwards to get an agreement with the largest state supporter of terrorism in the world that, once Iran continued to violate even to the point of taking our sailors prisoner, violating the Geneva Convention rules on prisoners—humiliating the prisoners—not only did this administration not send more Navy forces to take back the Navy sailors who were imprisoned, but it gushed about how wonderful Iran was to take charge of our sailors as the videos emerged—mocking America as they treated our Navy sailors as just trash.

Then we get this story by Bradley Klapper: ''U.S. Considers Easing Ban on Dollars to Help Iran.''

This administration wants to turn around and give Iran—the largest state supporter of terrorism—access to our dollars. Apparently, that would mean access to Internet sites, to bank sites when they know they have been hacking us. They are trying to figure out ways to bring down the United States, and now this administration wants to help them to show how good of friends we can be? That is like trying to convince a bully on the playground that you will keep giving him money because you are his dear friend. He will keep taking your money, but he will never see you as a friend. Not only does he not see you as a friend, but the more you give him, the more contempt he has for you as a coward.

This article today from Caroline May reads: ''Mother of Daughter Killed by Illegal: His Bail was 'Less Than it Cost to Bury My Baby.' ''

''The mother of a recent college graduate, who was killed by an illegal immigrant who later absconded after posting bail and remains at large, offered emotional testimony Tuesday before a House panel.

''Michelle Root, the mother of 21-year-old Sarah Root, spoke about the devastation of losing her daughter at the hands of Eswin Mejia, an illegal immigrant who killed Root while street racing drunk.'' This is different from the story we talked about yesterday. ''Mejia was able to flee when Immigration and Customs Enforcement declined to detain him, and he was able to post bail.

'' 'Eswin spent 4 days in jail and is believed to have fled the country,' Michelle Root said. 'He posted $5,000 bond, which was less than the cost it was to bury my daughter Sarah. Because of the lack of controls, the police, immigration, U.S. Marshals, and law enforcement have little or no information on his whereabouts.'

'' 'Eswin was not a stranger to law enforcement and failed to honor his legal obligations for minor traffic infractions prior to killing my daughter. Now a failed local judicial system that set his bail too low, coupled with flawed Obama administration policies, have rewarded the illegal and punished my family and hampered law enforcement in their investigations.' ''

There are plenty of good reasons to wait for a different nominee for the Supreme Court. We won't even make them wait 10 years like the Democrats in the Senate made my friends. We won't make them wait 4 or 5 years as Senate Democrats did my friends before they would give them a confirmation. In setting records for unconstitutionality in such a short time, it bears our being diligent when the administration is not. People's lives are at stake. They have already been lost. More are at stake. We have got to stand up.

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

The SPEAKER pro tempore (Mr. MACARTHUR). Members are reminded to refrain from engaging in personalities toward Members of the Senate and to refrain from engaging in personalities toward the President, including by repeating extraneous material that would be improper if spoken in the Member's own words.

AMERICAN PROSPERITY AGENDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from California (Mr. PETERS) for 30 minutes.

GENERAL LEAVE

Mr. PETERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. PETERS. Mr. Speaker, Americans have seen a change in our economy firsthand and are concerned about what it means for their place in a new economy. We can't stop the forces that are transforming our economy and our world, but we can and we must look to the future to find the solutions that adapt to this new economy. We can't live in the past. This means boosting the creation of high-quality jobs by lowering barriers for small businesses to succeed and investing in infrastructure and research. It also means giving Americans the skills to work the jobs of the future that are being created.

In March 2015, the New Democrat Coalition released Winning the Future, which outlines how we can grow our economy, preserve the American Dream, and make government work better for the people.

The principles presented in the agenda and report represent ideas that anyone—Democrat, Republican, Independent—can support. The recently released report consists of 200 legislative actions, including items for every one of our Members. More than 57 percent of those bills—110 in total—are bipartisan, and more than 30 bills have advanced through a committee of the House or through the House as a whole. More than 20 items in the report have become law or have been implemented by an executive agency.

This represents not just a plan but tangible progress. Today, we will share what that means for growing the economy in every town and city in America and for helping hardworking Americans thrive in the changing global economy.

Federal funding for research and development has been on a downward trend for the past several decades. Today, the Federal Government spends almost two-thirds less on research and development than it did in 1965 as a portion of discretionary spending. The lack of funding has led to a $1.5 trillion investment deficit, and a growing number of America's best young researchers are taking their talents to other industries and to other countries.

□ 1800

We need to reinvest in our young researchers to remain globally competitive.

On that subject, I yield to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Speaker, the date was October 4, 1957, and the time was 7:28 p.m. when the Soviet Union launched Sputnik 1. It was a wake-up call to the United States, and it was perceived as an existential threat.

The reaction to that was a focus by our Federal Government on national research, on basic research to drive innovation, to step up to that perception of threat. The outcome of that was extraordinary scientific breakthroughs. I often point to the cell phone in my pocket.

A lot of the technologies in that cell phone, from the lithium battery that powers it, to the touch screen that allows me to navigate on it, to the Internet that helps me find a delicious Chinese restaurant to go have dinner, to the GPS system that helps me navigate my way to that restaurant—all of those innovations, the basic research behind it was funded by the exact same venture capitalist, Uncle Sam.

Part of the American Prosperity Agenda that the New Democrat Coalition has put forward is focused on redoubling our investment in basic research, because the reality is that we don't have Sputnik being launched by the former Soviet Union.

The reality is we face a Sputnik moment every single day with the threat of new innovation happening someplace else and jobs being created someplace else.

You heard my friend suggest that research and development, as a percentage of gross domestic product since the early 1960s, has declined by nearly two-thirds just in these last four decades.

In contrast, you have seen China substantially increase its investment in higher education. In fact, according to the National Science Board, by 2022, China will invest more in research and development than the United States of America.

China has now surpassed the United States as the world's largest exporter of high technology. So every single day we are facing a Sputnik moment.

And the reality is, while the 20th century was defined by an arms race and a race for military might, the 21st century race is for brains and for research and development.

So that downward trajectory of investment in Federal research is something that, as part of the New Democrats' American Prosperity Agenda, we are seeking to stem. We want to revitalize investment in basic research and reauthorize what was known as the America COMPETES Act, which was passed by this body in a bipartisan form less than a decade ago.

That came out of a report by The National Academies called ''Rising Above the Gathering Storm'' that suggested that, if the United States was going to compete as a Nation, we had to significantly increase America's investment in research and development. Unfortunately, since the passage of that act, you have not seen Congress keep up with that.

On the wall of my office and on the wall of the office where I worked when I worked in economic development professionally, we had a sign up that said: We are competing with everyone, everywhere, every day forever.

That is true not just when you look at folks working in local economic development in Tacoma, Washington. It is true with regard to our Nation today. We are in a global competition.

Steve Jobs before he passed said: ''Innovation distinguishes between a leader and follower.'' I think it is important that the United States maintains its economic leadership and its leadership in innovation.

Lord knows, there are extraordinary challenges that still need to be tackled. Climate change could be 2016's Sputnik moment. Investing in breakthroughs in green technology. Increasing energy independence.

Not only will those innovations lead to solving our world's problems, they will create jobs here in the United States of America.

Paul Otellini, who was the former CEO of Intel, said: Without raising our game in Federal research, the next big thing won't be invented here and the jobs associated with that innovation won't be created here.

I think we can do better, I think we need to do better, and I think the American Prosperity Agenda that the New Democrat Coalition has put forward suggests a better path.

Mr. PETERS. Mr. Speaker, I thank Mr. KILMER for his leadership on this and for coming to join us today.

Speaking of climate change and those kinds of issues, front and center in the changing economy in this decade is a fundamental shift in the way that we provide power for our economy.

It is time to fully embrace the transition to a clean energy economy to reduce our alliance on foreign fuels, to create high-quality jobs, and to protect our environment.

Last year New Dems helped to extend tax credits for the investment in production of solar and wind power. This will drive an estimated $70 billion in private sector investment in wind and solar energy.

The wind and solar that will get built as a result of this investment will reduce emissions the equivalent of taking every American car off the road for 2 years.

New Democrats have put forward proposals to invest in alternative energy research in the military and further expand the deployment of clean energy across the country.

New Democrats are working to move the country forward to a clean energy economy that gives our children a better chance at a future with cleaner air, cleaner water, and economic prosperity.

The Harvard Business School's United States Competitiveness Project outlines eight actions it recommends that Congress take to make America the most economically competitive place in the world to do business, not just to raise corporate profits, but to increase wages for working people across America.

Among those eight steps, which include immigration reform, responsible Federal budgeting, simplification of Federal regulation, and investing in infrastructure and research, is tax reform.

A modern Tax Code for the United States should foster business development and innovation, support hardworking families, and create opportunities for Americans to prosper in a 21st century economy.

The current Tax Code is a complicated collection of outdated provisions riddled with loopholes in serious need of comprehensive overhaul.

New Democrats have advocated for comprehensive tax reform while putting forward commonsense proposals to fix some of the most critical provisions in our Tax Code.

This includes Chairman RON KIND's proposal to promote American manufacturing and Representative PATRICK MURPHY's proposal to spur investment in startups.

New Democrats are working to reform our Tax Code and make America the most competitive place in the world to do business.

With more than 11 million immigrants forced to live in the shadows and countless other waiting in line outside the United States, it is clear America needs bipartisan comprehensive immigration reform.

As long as Congress continues to delay action on comprehensive reform, the United States continues to lose out on top talent from around the world, our economy suffers as bright minds go elsewhere, and families remain separated.

I have worked with New Democrat Coalition member JOAQUIN CASTRO on one such effort to modernize and streamline the United States visa system.

Together, New Dems have advocated for a comprehensive solution that includes an earned path to citizenship and improved border security.

This is supported by groups from across the spectrum and will grow the economy, create good jobs, and reduce the budget deficit by $200 billion and the debt in the first decade alone.

I yield to the gentleman from Washington State (Mr. KILMER).

Mr. KILMER. Mr. Speaker, I want to speak further to some of the issues and ideas laid out in the New Democrat Coalition's American Prosperity Agenda.

I think one of the things I appreciate about the approach is it understands that there is not a silver bullet to getting this economy moving again. It is more like silver buckshot.

Frankly, there is a whole bunch of things that we have to do to get our economy ready for success in the 21st century and have it be an economy that works for everybody.

One of the things when I am home in Washington State that I hear quite a bit about is adequate investment in our roads and our bridges and our basic infrastructure, everything from transportation infrastructure to energy infrastructure. I know this is not always the most exciting subject.

I have often pointed out that infrastructure is a Latin word, ''structure'' meaning structure and ''infra'' meaning boring, but it is actually incredibly important.

We know that when we saw a bridge actually go down on Interstate 5 over the Skagit River just a couple of years ago.

We know that when, in many parts of my State and, frankly, in many parts of this country, speed limit signs are only there for nostalgic purposes because we are simply sitting in traffic and not able to get our goods to market.

So the New Democrat Coalition has called for an approach to modernizing our roads and bridges, but also modernizing our communications networks and our power grid to help drive economic growth and make it easier for everyone to do business in the United States.

The reality is there are too many parts of this country where it is either too difficult to get goods to market or, in a 21st century economy where one of the most important ways of connecting people is through technology, where people simply lack access to high-speed Internet.

I represent an area where about a third of the district I represent is rural and we continue to see folks who don't have access to high-speed Internet.

It makes it much more difficult to start a business or for students to do research on a project. As a consequence, it makes it much more difficult for our country to compete.

It is why the American Prosperity Agenda calls for a new approach of making smart investments in that basic infrastructure.

I actually wanted to speak to one more issue that is part of the American Prosperity Agenda. That is a focus on small-business ownership, and there are a number of pieces as part of that.

Congresswoman DELBENE, also of my State, has a bill that is focused on women's small-business ownership. Congressman HIMES of Connecticut is focused on issues around cybersecurity.

I have been working on legislation, along with Congressman HANNA of New York, focused on providing resources to small businesses that are working to combat cyber attack.

The reality is we know that small businesses are a key part of our economic future. You often hear that small businesses are the backbone of our economy. I like that saying. I think that is a good saying.

I always say that small businesses are our star running backs. They are Marshawn Lynch. They are who we should have handed the ball off to at the end of the Super Bowl a couple years ago.

I say that because, if you look at how the United States has generally made it out of recessions, it is not our largest employers that are the ones who are pulling us out of recessions. It is our small businesses that are racking up the tough yards and scoring the touchdowns.

I think one of the fundamental roles of the Federal Government, at the very least, is to get out of the way of our star running back, but, ideally, to do some blocking for them and to call some plays for them and enable them to score some touchdowns.

So a lot of the focus of the American Prosperity Agenda is to make it easier for entrepreneurs to succeed, whether that be to raise capital or to start a business or to combat hurdles that might present barriers to their business's success, like potential cyber attacks.

That is an important part of this agenda, and I think it is important to speak to that. Because, again, as we look at how to grow this economy, I think the small businesses of our country that already exist and those that are yet to be created are going to be an important part of that solution.

Mr. PETERS. Mr. Speaker, we have heard an introduction as to how New Democrats are working to expand entrepreneurship, increase exports, invest in research and infrastructure, and set up Americans for success in the new economy.

Our economy isn't going to stop changing, and neither should our efforts to find the most innovative, effective solutions for adapting to those changes.

The Harvard Business School's United States Competitive Project has outlined eight actions it recommends that Congress take to make America the most economically competitive place in the world to do business, not just to raise corporate profits, but to increase wages for working people across America.

Those include New Democrat priorities like tax reform, responsible Federal budgeting, simplifying Federal regulation, investing in infrastructure and research, and fixing our broken immigration system.

□ 1815

I want to thank all the members of the New Democrat Coalition for their proposals and progress to increase prosperity and help hardworking Americans thrive in the changing global economy with more jobs, more skills, and more wealth.

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 with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 636. An act to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

THE WRETCHED STATE OF RACIAL RELATIONS IN AMERICA TODAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Florida (Mr. GRAYSON) for 30 minutes.

Mr. GRAYSON. Mr. Speaker, I would like to discuss something that may not otherwise be discussed this year in this Congress: the wretched state of racial relations in America today.

We passed a bill here about a month ago in the House of Representatives to eliminate the term ''Oriental'' from the law books. I submit that eliminating a term does not eliminate the racism that embodies that term, and I think it is about time that we recognize what this problem is, the fact that it still festers in America, and give some thought to what we can do about it.

I want to begin by relating two stories, both from my home State of Florida. The first one involves a 16-year-old girl. She was White. She had an encounter with police officers who were also White. She lived on the Atlantic Coast, which is largely White, and I heard about this from a friend of a friend.

What happened to her is that her parents got a call from the police officers late one night. They didn't tell her why they were calling, but they said: You have to come to this location. We need to talk to you about your daughter. She is here with us.

The mother went to that location, spoke to the White police officers. They informed her that her daughter had been drinking in a car with her boyfriend, and they needed to take her home. She was shaken up a bit, so was the daughter, but everybody ended that night alive.

Now I want to tell you a different story. It didn't end so nicely. This was on the Gulf Coast, the coast of Florida that is heavily African American; and on the Gulf Coast one night there was a theme park, you could call it a fairgrounds, that was open to all students without having to pay. They could go on the rides, enjoy themselves one day each year. This is done in Tampa.

Now, teenagers being teenagers, some of them got a little bit out of hand. Many African Americans frequent that area, and they were out in force that night at the fairgrounds. There was a great deal of friction that night between the White police force and the African American teenagers who were there that night.

Some of them actually started running around, might have bumped into a few other people as they were running around. Someone started to scream. You will notice that apart from that physical contact, nothing I described is actually against the law, like, for instance, drinking in a car with your boyfriend when you are 16 years old.

A number of them, about a hundred African American youths, were arrested that night 2 years ago in Tampa. The White police officers insisted that they strip to the waist. That apparently was for the purpose, in the minds of the police officers, to see whether they had gang colors on their bodies—at least, that is what they said.

Now, one of them, Andrew Joseph III, actually hadn't done any of that running around, any of that screaming, any of that casual bumping. He hadn't done any of that, but he saw his classmates being arrested. He came to see what was going on. He saw that one of them had his hat fall off his head. He went over and he picked it up. The officer said: I didn't say you could do that.

They arrested him for picking up his friend's hat. They took Andrew Joseph, a 14-year-old boy, 2 miles away from the fairgrounds, and they pushed him out of the police car and said: You are on your own.

A 14-year-old boy who has parents who were reachable by a telephone, they pushed him out in a neighborhood he had never seen before, never been to before, had no idea where he was. He remembered that his father was going to pick him up at the fairgrounds. He felt pretty shaken up because he had just been arrested and was told to strip to the waist and, frankly, felt humiliated.

He found his way, as best he could, back to the fairgrounds 2 miles away. He didn't call his parents because, frankly, he was scared, embarrassed, didn't want them to know. He almost got as far as the fairgrounds. He tried to cross the interstate highway to get to the fairgrounds. In the midst of traffic in both directions, he was struck by

a car and died right on the spot, immediately.

One 16-year-old girl, White, alive today; one 14-year-old boy, African American, dead.

This is his picture, Andrew Joseph III. This is what this boy looked like. He was a good student, quite an athlete, had a wonderful future ahead of him. But not being White, his parents didn't get a call that night to say to come pick him up.

I submit to you, this is not just one person's tragedy. It is not just the tragedy of these parents standing at his gravesite. It is the tragedy of America. We persist in being a country of sometimes casual racism, racism that sometimes goes unnoticed.

If you say a bad word that begins with the letter N and there happens to be a recording device nearby, you will certainly be scolded and to some degree held accountable, that much is true. But institutionalized racism, racial profiling, redlining is not treated the same way because it is just too hard. It is much like the concept that, if we close our eyes to it, it will somehow disappear. A 1-year-old, maybe a 2-year-old might think that way, but a country of 330 million, why do we ever think that way?

Now, I wish I could tell you that the story somehow had a happy ending. It doesn't. This kind of institutionalized racism goes on today. I asked the FBI to investigate whether there is racial profiling by the police force in Tampa. They are thinking about it. I don't know if they are going to say yes or they are going to say no. I can't tell for sure. That is their decision, not mine.

I remember when I was a boy, a great man said he hoped to see a day in America where his four children were judged not by the color of their skin but by their character. I submit to you, this boy was judged by the color of his skin, and he is not the only one.

We live in an America today, a country where 29 percent of White adults have college degrees; 18 percent of African Americans have college degrees. If Andrew Joseph III had lived, then his chance of getting a college degree would have been stunted, perhaps even forbidden, by the color of his skin.

Now, if he had lived, whether or not he had gone to college, he would have grown up in a country where African Americans like him have an average household income of $37,000. Whites have an average income of $57,000. The color of his skin, you could say, if he lived, would have cost him $20,000 a year. That is our new poll tax, $20,000 a year.

If he had managed to get across that highway—I imagine him being picked up safely by his father that night, whom you see here on my right—then, as an African American male, his life expectancy would have been 73 years. The life expectancy of White males in this country, including me, is 78 years. Now, it is a great tragedy—a great, great tragedy—that we stole 50 years of life from this one boy, but how much greater tragedy is it that we steal 5 years of life from 40 million?

We are in danger at this point of becoming a society that is not colorblind, not blind to color, but, rather, a country that is blind to racism. There is an easy way to end this problem. It is called doing something about it. It is called pulling ourselves together in the same way that we began to do in the 1960s: acknowledging these differences, and then remedying them.

I well recall that in the current Presidential election, the former Governor of my State, Jeb Bush, spent $125 million on his campaign and got four votes—four votes, convention votes. But I remember that it never came up that Jeb Bush wiped out, destroyed, eliminated, blew up affirmative action in my State of Florida—and now it is gone.

So the question before us is, writ small: How do we acknowledge that Black lives matter? How do we acknowledge that a terrible tragedy took place here and robbed this good young man of his life? And, writ large, what do we finally do—finally, finally, finally—50 years after the civil rights movement began, to end inequality in this country, end it?

It starts with justice, and it ends with equality. Not just the pablum of equality of opportunity, that buzz phrase that we use in order to solve our consciences, but, rather, the equality of results: an America where an African American boy is just as likely to go to college as a White boy; an America where an African American is just as likely to earn as much money as a White, and, for God's sake, an African American can live as long as a White man does.

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

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 20, 2016, 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:

5083. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a determination regarding countries of particular concern for having engaged in or tolerated particularly severe violations of religious freedom, pursuant to 22 U.S.C. 6442(c)(5); Public Law 105-292, Sec. 402 (as amended by Public Law 106-55, Sec. 2(a)); (113 Stat. 405); to the Committee on Foreign Affairs.

5084. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the Central African Republic that was declared in Executive Order 13667 of May 12, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5085. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5086. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d)(1); Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

5087. A letter from the Director, International Cooperation, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign a Project Arrangement to the Memorandum of Understanding Between the Department of Defense of the United States of America and the Secretary of State for Defense of the United Kingdom of Great Britain and Northern Ireland, Transmittal No. 07-17, pursuant to Executive Order 13637 and Sec. 27(f) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5088. A letter from the Director, International Cooperation, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign a Project Arrangement to the Memorandum of Understanding Between the Department of Defense of the United States of America and the Secretary of State for Defense of the United Kingdom of Great Britain and Northern Ireland Transmittal No. 06-16, pursuant to Executive Order 13637, and Sec. 24(f) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5089. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to France, Transmittal No. 16-22, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

5090. A letter from the Secretary, Department of Transportation, transmitting the FY 2015 No FEAR Act report, pursuant to Public Law 107-174, 203(a); (116 Stat. 569); to the Committee on Oversight and Government Reform.

5091. A letter from the Director, Equal Employment Opportunity Compliance and Operations Division, Department of Health and Human Services, transmitting the FY 2015 No FEAR Act report, pursuant to Public Law 107-174, 203(a); (116 Stat. 569); to the Committee on Oversight and Government Reform.

5092. A letter from the Director, National Science Foundation, transmitting the FY 2015 No FEAR Act report, pursuant to Public Law 107-174, 203(a); (116 Stat. 569); to the Committee on Oversight and Government Reform.

5093. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled ''District of Columbia Agencies' Compliance with Fiscal Year 2015 Small Business Enterprise Expenditure Goals''; to the Committee on Oversight and Government Reform.

5094. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting the FY 2015 No FEAR Act report, pursuant to Public Law 107-174, Sec. 302; (116 Stat. 575); to the Committee on Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 414. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal certain additional disclosure requirements, and for other purposes (Rept. 114–504). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1975. A bill to amend the Securities Exchange Act of 1934 to require the Securities Exchange Commission to refund or credit excess payments made to the Commission (Rept. 114–505). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2357. A bill to direct the Securities and Exchange Commission to revise Form 5–3 so as to add listing and registration of a class of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form (Rept. 114–506). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3557. A bill to amend the Financial Stability Act of 2010 to require the Financial Stability Oversight Council to hold open meetings and comply with the requirements of the Federal Advisory Committee Act, to provide additional improvements to the Council, and for other purposes (Rept. 114–507). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3868. A bill to amend the Investment Company Act of 1940 to remove certain restrictions on the ability of business development companies to own securities of investment advisers and certain financial companies, to change certain requirements relating to the capital structure of business development companies, to direct the Securities and Exchange Commission to revise certain rules relating to business development companies, and for other purposes; with an amendment (Rept. 114–508). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4498. A bill to clarify the definition of general solicitation under Federal securities law (Rept. 114–509). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 1481. A bill to amend the Small Business Act to strengthen the small business industrial base, and for other purposes; with an amendment (Rept. 114–510). 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. ROYCE:

H.R. 4992. A bill to codify regulations relating to transfers of funds involving Iran, and for other purposes; to the Committee on Financial Services.

By Mr. HULTGREN (for himself, Mr. BARR, and Mrs. LOVE):

H.R. 4993. A bill to require the Comptroller General of the United States to conduct a study regarding the privacy of information collected under the Home Mortgage Disclosure Act of 1975, and for other purposes; to the Committee on Financial Services.

By Mr. HASTINGS (for himself, Ms. BORDALLO, Ms. CLARKE of New York, Mr. CONYERS, Mr. DESAULNIER, Mr. DEUTCH, Ms. FRANKEL of Florida, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HIGGINS, Mr. HONDA, Ms. JACKSON LEE, Mr. JONES, Mr. LIPINSKI, Mr. LOWENTHAL, Mr. MCGOVERN, Ms. NORTON, Mrs. RADEWAGEN, Mr. RANGEL, Mr. ROONEY of Florida, Mr. RUSH, Mr. SABLAN, Ms. SCHAKOWSKY, and Mr. SERRANO):

H.R. 4994. A bill to amend title 38, United States Code, to exempt reimbursements of certain medical expenses and other payments related to accident, theft, loss, or casualty loss from determinations of annual income with respect to pensions for veterans and surviving spouses and children of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROSKAM (for himself, Mr. POMPEO, and Mr. ZELDIN):

H.R. 4995. A bill to prohibit the facilitation of certain financial transactions involving the Government of Iran or Iranian persons and to impose sanctions with respect to the facilitation of those transactions, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself, Mr. BOUSTANY, and Mrs. WAGNER):

H.J. Res. 88. A joint resolution disapproving the rule submitted by the Department of Labor relating to the definition of the term ''Fiduciary''; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK (for himself, Mr. GRIJALVA, Mr. MCDERMOTT, Mr. RANGEL, Mr. YARMUTH, Mr. TONKO, Ms. MCCOLLUM, Ms. LEE, and Mr. VAN HOLLEN):

H. Res. 691. A resolution expressing support for designation of the week of April 18, 2016, through April 22, 2016, as ''National Specialized Instructional Support Personnel Awareness Week''; to the Committee on Education and the Workforce.

By Mr. PALLONE:

H. Res. 692. A resolution honoring the 250th anniversary of the founding of Rutgers, the State University of New Jersey; to the Committee on Education and the Workforce.

By Mr. YOHO (for himself and Mr. WEBER of Texas):

H. Res. 693. A resolution amending the Rules of the House of Representatives to establish the Permanent Select Committee on Oversight of the Executive Branch; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

199. The SPEAKER presented a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial No. 105, urging Congress to pass legislation that would direct USPS to restructure their budget priorities, rethink their administrative model, make appropriate budget cuts if necessary, focus on customer service and acceptable delivery times, and reopen shuttered mail processing plants throughout the United States; to the Committee on Oversight and Government Reform.

200. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 261, urging the Congress of the United States to modernize the Federal cap on the locally set Passenger Facility Charges user fee by setting it at $8.50 and adjusting it periodically to offset the impacts of inflation; to the Committee on Transportation and Infrastructure.

201. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial No. 104, requesting that Congress ensure the continued appropriation of funds in the fiscal year 2017 budget to significantly enhance aquatic invasive species prevention efforts and to implement the intent of the Water Resources Reform and Development Act; jointly to the Committees on Transportation and Infrastructure and Natural Resources.

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. ROYCE:

H.R. 4992.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution

By Mr. HULTGREN:

H.R. 4993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HASTINGS:

H.R. 4994.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14:

The Congress shall have Power to make Rules for the Government and Regulation of the land and naval Forces

By Mr. ROSKAM:

H.R. 4995.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''The Congress shall have the power . . . to regulate commerce with foreign Nations, and among the several states, and with the Indian Tribes.''

Article I, Section 8, Clause 18: ''The Congress shall have the Power . . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United

States, or in any Department of Officer thereof.''

By Mr. ROE of Tennessee:

H.J. Res. 88.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 335: Mr. FORTENBERRY and Ms. DUCKWORTH.
H.R. 446: Ms. SCHAKOWSKY.
H.R. 499: Mr. COSTELLO of Pennsylvania.
H.R. 546: Mr. WITTMAN and Mrs. BEATTY.
H.R. 605: Mr. COLLINS of New York.
H.R. 664: Mrs. CAPPS.
H.R. 672: Mr. HUELSKAMP.
H.R. 711: Mr. POCAN, Ms. JENKINS of Kansas, Mr. THOMPSON of Mississippi, Mrs. HARTZLER, and Mr. GIBSON.
H.R. 748: Ms. MCSALLY.
H.R. 759: Mr. MESSER.
H.R. 923: Mr. HUDSON and Mr. YOUNG of Indiana.
H.R. 1095: Mrs. NAPOLITANO.
H.R. 1144: Mr. POSEY.
H.R. 1150: Mr. COOK and Mr. DONOVAN.
H.R. 1220: Ms. TITUS.
H.R. 1221: Mr. BOUSTANY.
H.R. 1312: Mr. YOUNG of Iowa, Mr. ROGERS of Kentucky, and Mr. CONYERS
H.R. 1333: Mr. MESSER.
H.R. 1391: Mr. MOULTON.
H.R. 1427: Mr. WITTMAN and Mr. KNIGHT.
H.R. 1439: Mr. MOULTON.
H.R. 1516: Mr. HUFFMAN.
H.R. 1538: Mr. CONNOLLY.
H.R. 1550: Mr. MOULTON.
H.R. 1559: Mr. COLLINS of New York, Mr. STEWART, Ms. SEWELL of Alabama, Mr. BRIDENSTINE, Mr. CLAWSON of Florida, and Mr. PALAZZO.
H.R. 1586: Mr. BRADY of Pennsylvania.
H.R. 1594: Mr. MCCAUL.
H.R. 1603: Mrs. ELLMERS of North Carolina.
H.R. 1608: Mr. NUGENT.
H.R. 1625: Mr. MOULTON.
H.R. 1631: Mr. COLLINS of New York.
H.R. 1643: Mr. BRADY of Pennsylvania.
H.R. 1706: Mr. BRADY of Pennsylvania.
H.R. 1707: Mrs. KIRKPATRICK.
H.R. 1763: Ms. DEGETTE.
H.R. 1859: Mr. SWALWELL of California.
H.R. 2170: Mrs. DINGELL.
H.R. 2290: Mr. RATCLIFFE.
H.R. 2293: Ms. CASTOR of Florida.
H.R. 2350: Ms. EDWARDS.
H.R. 2434: Mr. MURPHY of Pennsylvania.
H.R. 2450: Ms. DUCKWORTH.
H.R. 2460: Mr. SMITH of Washington.
H.R. 2515: Mr. WALZ, Mrs. WAGNER, Mr. NADLER, and Mr. MCDERMOTT.
H.R. 2633: Mr. SWALWELL of California.
H.R. 2726: Ms. TITUS, Mr. NEAL, Mr. YOHO, Mr. FORBES, Mr. WILSON of South Carolina, and Mr. GUTHRIE.
H.R. 2739: Mr. GIBSON, Mr. JOHNSON of Georgia, Mr. RODNEY DAVIS of Illinois, and Mr. POCAN.
H.R. 2740: Mr. HANNA.
H.R. 2775: Mr. ELLISON.
H.R. 2817: Mr. VAN HOLLEN.
H.R. 2901: Mr. RICE of South Carolina, Mr. ROKITA, Mr. MOOLENAAR, and Ms. Moore.
H.R. 2903: Mr. YOUNG of Indiana.
H.R. 2948: Mr. GRAVES of Missouri and Mr. POCAN.
H.R. 2963: Mr. CROWLEY.
H.R. 2980: Mr. ROUZER.
H.R. 2992: Mr. RANGEL, Ms. MCCOLLUM, Mr. CLEAVER, Mr. COOPER, Mr. SMITH of Washington, Mr. LOBIONDO, and Mr. KING of New York.
H.R. 2993: Mrs. NAPOLITANO.
H.R. 3012: Ms. MCSALLY.
H.R. 3222: Mr. ROSS and Mr. GOHMERT.
H.R. 3283: Mr. MULVANEY.
H.R. 3308: Mr. AGUILAR, Mr. HIGGINS, Mr. SEAN PATRICK MALONEY of New York, Mr. SHERMAN, Mr. CONNOLLY, Ms. LOFGREN, and Mr. PETERSON.
H.R. 3323: Mr. ROGERS of Alabama and Mr. ASHFORD.
H.R. 3355: Ms. SCHAKOWSKY and Ms. DELAURO.
H.R. 3514: Ms. GABBARD, Ms. FRANKEL of Florida, Mr. QUIGLEY, and Mr. Nolan.
H.R. 3520: Mrs. MILLER of Michigan.
H.R. 3706: Mrs. LOVE, Ms. PINGREE, and Ms. KUSTER.
H.R. 3713: Mr. BRADY of Pennsylvania.
H.R. 3722: Mr. FRANKS of Arizona, Mr. MEADOWS, and Mr. STIVERS.
H.R. 3870: Mr. GALLEGO, Ms. VELÁZQUEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ADAMS, Mr. CASTRO of Texas, Mr. MOULTON, Mr. SWALWELL of California, Mrs. KIRKPATRICK, and Mr. JOLLY.
H.R. 3880: Mr. SCALISE.
H.R. 3913: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 3924: Mr. KINZINGER of Illinois.
H.R. 3953: Mr. CLAWSON of Florida.
H.R. 3974: Ms. BROWNLEY of California.
H.R. 3981: Mr. LEWIS.
H.R. 3989: Mr. COOK, Mr. SMITH of New Jersey, Mr. CRAMER, Mr. HANNA, Mr. BUCSHON, and Mr. WEBSTER of Florida.
H.R. 3990: Mrs. DINGELL and Mr. DESAULNIER.
H.R. 4059: Mr. HUDSON.
H.R. 4116: Mr. DUFFY and Mr. SCHWEIKERT.
H.R. 4165: Ms. DELBENE.
H.R. 4194: Mr. BRADY of Pennsylvania.
H.R. 4212: Ms. CLARKE of New York and Mr. KELLY of Pennsylvania.
H.R. 4223: Mr. POCAN.
H.R. 4235: Mrs. LAWRENCE, Ms. EDWARDS, and Ms. JUDY CHU of California.
H.R. 4352: Mr. MCGOVERN.
H.R. 4365: Mr. NUGENT.
H.R. 4400: Mr. SHERMAN.
H.R. 4430: Ms. MCCOLLUM.
H.R. 4442: Mr. GARAMENDI and Mr. JENKINS of West Virginia.
H.R. 4469: Mr. MARCHANT.
H.R. 4481: Mr. DENT.
H.R. 4499: Mr. BERA.
H.R. 4500: Mr. BOST, Mr. BYRNE, and Mr. LATTA.
H.R. 4511: Mr. GOODLATTE.
H.R. 4519: Ms. SCHAKOWSKY.
H.R. 4539: Mr. CROWLEY.
H.R. 4553: Mr. GRAVES of Missouri.
H.R. 4559: Mr. GRIFFITH.
H.R. 4599: Mr. KEATING.
H.R. 4611: Ms. SCHAKOWSKY.
H.R. 4613: Mr. GRIJALVA.
H.R. 4625: Mrs. KIRKPATRICK.
H.R. 4626: Ms. ESTY, Ms. BONAMICI, Mr. ROE of Tennessee, Mr. DELANEY, Mr. BOUSTANY, Ms. BROWNLEY of California, Mr. TIPTON, Mr. THOMPSON of Pennsylvania, and Mr. BISHOP of Utah.
H.R. 4633: Miss RICE of New York.
H.R. 4640: Mr. MASSIE, Mr. CONYERS, Mr. WILSON of South Carolina, and Ms. DELAURO.
H.R. 4653: Mr. TED LIEU of California, Mr. TAKANO, and Mr. DELANEY.
H.R. 4662: Mr. RUSH and Mr. COLLINS of New York.
H.R. 4667: Mr. GIBSON and Ms. MOORE.
H.R. 4680: Mr. SMITH of Texas.
H.R. 4701: Mr. FATTAH, Mr. ISRAEL, and Miss RICE of New York.
H.R. 4715: Mr. WALDEN.
H.R. 4720: Mr. HUDSON.
H.R. 4730: Mr. HENSARLING and Mr. RATCLIFFE.
H.R. 4754: Mr. RANGEL and Mr. DANNY K. DAVIS of Illinois.
H.R. 4764: Mr. JOYCE.
H.R. 4773: Mr. HUDSON, Mrs. MILLER of Michigan, Mr. ROHRABACHER, Mrs. BROOKS of Indiana, Mr. FARENTHOLD, Mr. DESJARLAIS, and Mr. MULLIN.
H.R. 4779: Mr. CONNOLLY.
H.R. 4792: Mr. HUFFMAN.
H.R. 4794: Mr. COSTELLO of Pennsylvania and Mr. SMITH of New Jersey.
H.R. 4795: Mr. COSTELLO of Pennsylvania and Mr. SMITH of New Jersey.
H.R. 4817: Ms. NORTON, Mr. NADLER, and Mrs. WATSON COLEMAN.
H.R. 4828: Mrs. WAGNER, Mr. MOOLENAAR, and Mr. JOHNSON of Ohio.
H.R. 4843: Mr. CUMMINGS, Mr. ROKITA, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 4848: Mr. MARCHANT.
H.R. 4869: Mr. DOLD.
H.R. 4875: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. COSTELLO of Pennsylvania and Mr. FATTAH.
H.R. 4897: Mr. TAKANO and Mr. CARTWRIGHT.
H.R. 4904: Mr. RENACCI and Mr. MCKINLEY.
H.R. 4905: Ms. SCHAKOWSKY.
H.R. 4919: Mr. HIGGINS and Mr. BLUM.
H.R. 4925: Mr. KING of New York and Mr. COFFMAN.
H.R. 4932: Mr. FARR.
H.R. 4939: Mr. SHERMAN.
H.R. 4942: Mr. WILLIAMS and Mr. LATTA.
H.R. 4956: Mr. MESSER.
H.R. 4957: Ms. BROWN of Florida.
H.R. 4969: Mr. JOYCE.
H.R. 4978: Mr. ROGERS of Kentucky.
H.R. 4980: Mr. PALMER, Mr. JOHNSON of Ohio, and Mr. GRAVES of Georgia.
H.R. 4991: Mr. JONES, Ms. KUSTER, Mr. GIBSON, Mr. GARAMENDI, Ms. SCHAKOWSKY, Mr. MCGOVERN, and Mr. BISHOP of Utah.
H. Con. Res. 89: Mr. POSEY, Mr. ROSKAM, Mr. HENSARLING, Mr. BILIRAKIS, Mrs. NOEM, and Mr. HOLDING.
H. Res. 28: Mr. JEFFRIES.
H. Res. 126: Mr. DEFAZIO.
H. Res. 207: Ms. ESTY and Mr. SENSENBRENNER.
H. Res. 413: Mr. TED LIEU of California.
H. Res. 494: Mr. PERRY and Mr. HUELSKAMP.
H. Res. 551: Mr. DESANTIS.
H. Res. 569: Mrs. BEATTY.
H. Res. 645: Mr. BUCSHON.
H. Res. 647: Ms. LOFGREN and Ms. STEFANIK.
H. Res. 661: Ms. FRANKEL of Florida and Ms. SCHAKOWSKY.
H. Res. 674: Mr. CHABOT, Mr. WENSTRUP, Ms. CASTOR of Florida, and Mrs. BEATTY.
H. Res. 681: Mr. MCGOVERN, Mr. DESAULNIER, and Ms. CLARKE of New York.