

unemployment benefits for 3 million Americans who lost their jobs through no fault of their own. This plan is wrong. It's wrong for the middle class, and it's wrong for people who are trying to find jobs.

It is time that the Republican majority brought a real jobs plan to this floor that will create real jobs and put the American people to work. When they're working, our economy is fine. When they're working, our small businesses are fine. Rather than acknowledge these facts and these realities, Republicans in Congress seem intent on blaming the unemployed for unemployment.

#### ASSAULT ON RELIGIOUS LIBERTY

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, just a couple of weeks ago, this administration announced a position that amounts to an assault on religious liberty in this country. Their narrow definition of what constitutes religious action, religious belief, and whether or not the Federal Government can cause you to take actions against your own conscience is a serious matter that ought not to be determined by the Friday release of a decision made by the Secretary of Health and Human Services.

This is an issue that goes beyond the Catholic Church and Catholic institution. It goes to the essence of the First Amendment protections contained in the Constitution with respect to religious freedom. We had better understand exactly how important this issue is, and we had better understand how it has to be addressed directly and cannot be compromised by saying we're not going to take away your religious liberty for a year. That is not a compromise. That is a form of political extortion.

#### IRAN'S NUCLEAR AMBITIONS

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

Mr. DEUTCH. Madam Speaker, even as we stand here today, the centrifuges continue to spin in Iran, and their illicit nuclear weapons program forges ahead.

Yet, they are more isolated today than they have ever been. I commend President Obama for his Executive order freezing the assets of the Central Bank of Iran and making it impossible to do business both with Iran and with the United States. I thank our Asian allies for reducing purchases of crude oil and slashing trade with Iran, and I commend our European allies, as well, for banning the import of Iranian crude. The Iranian economy is in shambles. As a result of these international efforts, its currency is plummeting and inflation is skyrocketing.

I urge my colleagues, our friends across the way in the Senate, to pass tighter sanctions still to tighten the economic noose on the ayatollahs and to force them to give up their illicit nuclear ambitions. We must stand with the Iranian people even as their human rights are crushed by the Revolutionary Guard. In their quest for democracy, we stand with them. Our efforts are paying off, Madam Speaker, we cannot let up.

#### EXPEDITED LEGISLATIVE LINE-ITEM VETO AND RESCISSIONS ACT OF 2012

Mr. WOODALL. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 540 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 540

*Resolved*, That at any time after the 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. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, 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 among and controlled by the chair and ranking minority member of the Committee on the Budget and Representative Simpson of Idaho or his designee. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on the Budget and Rules 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 112-12. 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 recommend with or without instructions.

SEC. 2. It shall be in order at any time on the legislative day of February 9, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1(c) of rule XV, relating to a measure addressing securities trading based on non-public information.

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

□ 1240

GENERAL LEAVE

Mr. WOODALL. Madam 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 Georgia?

There was no objection.

Mr. WOODALL. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume.

I'm pleased to be down here with you today, Madam Speaker, because what we have an opportunity to do with this rule is bring another in a series of 10 fundamental reforms to the congressional budgeting process.

Today, House Resolution 540 provides a structured rule for consideration of H.R. 3521, the Expedited Line-Item Veto and Rescissions Act. And yet again today, with this rule we have made in order every single amendment by either Republicans or Democrats that was germane to the underlying legislation to give us an opportunity to make this bill better.

Now, to be fair, Madam Speaker, H.R. 3521 is another example of bipartisanship in this House. It was introduced and sponsored by both the Republican chairman of the Budget Committee, PAUL RYAN, and the Democratic ranking member, Mr. VAN HOLLEN, another opportunity of things that we can do here in this new Congress to bring common sense to our budgeting process.

It's a bipartisan attempt, Madam Speaker, to provide both Congress and the President with all of the tools necessary to get our fiscal challenges under control. It exemplifies what can happen here in this body when we're willing to listen to folks back home and come together to try to make a difference here in Congress.

In the 111th Congress, Madam Speaker, nondefense discretionary spending was increased by almost 25 percent. This Congress, this body, working with the Senate, increased nondefense discretionary spending by almost 25 percent. Now, if your constituents are like mine, Madam Speaker, had they had that budget around their family dinner table, they could have found some items that they could have done without. In exchange for not putting their children and their grandchildren further and further and further in the hole, further and further and further under the mountain of debt that this country has run up, they could have found some things to cut.

Now, Congress in the past has tried to pass a line-item veto, line-item vetoes that I would have opposed had I been in Congress, Madam Speaker, because they transferred our authority, our authority here in the U.S. House of Representatives, to the executive branch. I'm opposed to that.

What we have today is not that process of days of old, not that process that has been tossed out by the Supreme Court as a violation of our House prerogatives; but what we have today is an expedited rescissions process that allows the President of the United States to go through those budget bills, those appropriation bills, those funding bills, to say, When I see this, it doesn't pass the smell test, let me give the Congress one more shot at it; send it back to Capitol Hill, where we accept it or reject it in its entirety.

I confess, Madam Speaker, I'm not thrilled about involving this President in budgeting decisions any more than is absolutely necessary. But given the nature of our challenges, it's not about this President or the previous President or the next President. It's about the American people. It's about what are we going to do to fulfill our responsibilities to keep America strong. This is one of those bills, Madam Speaker, that will provide another arrow in the quiver of fiscal responsibility to this Nation, and I believe it's one whose time has come.

Yesterday, we saw another bill in this budget reform process. Last week, we saw two other bills in this budget reform process. Each are coming to the floor, Madam Speaker, in as open and honest a process as we can bring the American people into this budget process, to make Congress' budget process as open and honest as it can be. As a proud member of the Rules Committee, Madam Speaker, and of the Budget Committee, I am here today in strong support of this rule and in strong support of the underlying resolution.

With that, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I thank my colleague from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I rise today in opposition to this structured rule. This is yet another example of this Congress' remarkable ability to take commonsense measures and churn them, through partisan posturing, into measures that not only put in jeopardy broad, bipartisan support from this body, but significantly weaken them and reduce the quality of the work product for the American people.

This rule that we're debating does two things. We'll have the opportunity in a moment to talk about the Expedited Line-Item Veto and Rescissions Act, an underlying bill that I strongly support, one that would empower the President of the United States to use the line-item veto on unnecessary expenditures to help reduce our deficit, subject to an en masse approval vote of

the United States Congress. It fundamentally addresses some of the constitutional flaws with a broad line-item veto, which has been attempted in the past, that many Governors currently wield.

So it's, I think, a good-faith effort by both sides to come to something that the American people think is common sense. Congress should not be able to force the President to spend money in areas that are unnecessary, that are earmarks, that are special interest expenditures. The President can then highlight those, bring them back to Congress, subject to an up-or-down vote.

The bigger problem with this rule is the other component of this rule, which prevents Members from offering amendments that would strengthen the STOCK Act—a very significant piece of reform legislation offered by Mr. WALZ and my Rules Committee colleague and ranking member, LOUISE SLAUGHTER, which I proudly cosponsor.

This bill, the STOCK Act, has been subject to a lot of media attention of late. It would ban insider trading in Congress, again, a commonsense approach and something that I think has broad, if not universal, support on both sides of the aisle.

But a little bit of history of how we got here and why this particular rule many on our side and I myself see as an attempt to water down many of the critical provisions of the STOCK Act and make it less meaningful in responding to the public outrage about perceived behaviors that can occur, both among the Members and the staff in this body, as well as on the executive side of government.

This bill has been introduced, the STOCK Act, by Representative SLAUGHTER for 6 years now. I've been a cosponsor since last year. It has rapidly picked up cosponsors in the last year, including close to 100 cosponsors from the other side of the aisle. It's a strong bipartisan piece of legislation with strong support.

□ 1250

First, this bill, the STOCK Act, was blocked by the majority leader. Now it's being rewritten behind closed doors and without the input of Mr. WALZ or Ms. SLAUGHTER. We don't know what this so-called STOCK Act will contain. We have reason to believe it will water down a number of provisions of the STOCK Act.

It's my understanding that at least the version of the STOCK Act released last night removed the requirement that political intelligence firms register as lobbyists. Now, what are political intelligence firms? They are firms that are hired by those who do financial transactions and effectively bet on stocks going up or down. Hedge funds, et cetera, would hire these political information firms to try to figure out, using their connections, what Members of Congress and, just as importantly, committee staff and staff members are

thinking, and timing, with regard to hearings and the introductions of bills.

Now, in an open system, obviously, discussion among people is certainly fine, but the issue is whether they have to register as lobbyists. Lobbyists have a registration process that critically includes who their clients are to provide visibility and transparency into who their clients are.

Political intelligence firms do not need to register under current law. They would be required to register under the STOCK Act. But under the version, the weakening of the STOCK Act that Leader CANTOR posted to the Web site, they would no longer be required to register. In fact, specifically, from the Web page of a political intelligence firm, it says that they, in fact, relish this ability to operate in secrecy. Quoting from their Web site it says: "providing the service for clients who do not want their interest in an issue publicly known."

So again, there is this, I think, commonsense loophole that the American people are outraged over that allows people to avoid registering as lobbyists who are in the business of developing relationships with Members and their staffs for the purpose of seeking inside information for financial gain. And I would strongly recommend that any serious STOCK Act include a registration requirement around political intelligence firms.

We also won't have the opportunity in the House, as the Senate did, to make the STOCK Act stronger and to strengthen the bill through the amendment process. Under this particular version of this rule that we're debating, there will be zero, zero amendments allowed—no amendments from Republicans and no amendments from Democrats to strengthen the STOCK Act.

Now, even the Senate, which is hardly known for its legislative efficiency, was able to consider amendments and get the bill done and passed because of its bipartisan support. We should do so in the House under an open process, or even a controlled process, 10, 15, 20 amendments.

I know Members across both sides of the aisle have ideas about how to reduce the perceived inequities and conflicts of interest that exist, both among Members and appointees, and on the executive side of government. We owe nothing less to the American people.

So I am terribly disappointed that this rule will not allow for any strengthening of the STOCK Act and, quite to the contrary, actually deals it a severe weakening blow by removing political intelligence.

Furthermore, we don't know, at this point, what exactly will be in this STOCK Act that potentially could be under consideration tomorrow. Contrary to the promise that the Republican majority made to the American people about having time to read bills, it's my understanding that an initial

version was posted last night. It's my understanding that a subsequent version weakening the STOCK Act was posted just an hour ago, which I don't think any of us have had the opportunity to read.

We fear that this could be changed again; and, yet, under this rule, this Congress could be called on to act on this tomorrow, to vote on this tomorrow, with no opportunity to strengthen the bill, no opportunity to prevent the watering down of the bill by the majority leader of this body, which is occurring behind closed doors as we speak.

Now, again, while I cannot support the rule for those reasons, I want to also discuss one of the underlying bills that this rule will bring to the House, which is the Expedited Line-Item Veto and Rescissions Act. This act is an important step, albeit a small step, a small but constructive step, towards the cause of deficit reduction and eliminating the wasteful spending and earmarks that have too often been the hallmark of this Congress and past Congresses.

Now, Members on both sides of the aisle have disagreements about this bill. When you have a bill that impacts legislative prerogative, that's likely to be the case. I know some are concerned about constitutionality, generally, of line-item veto bills. I believe that this bill was carefully crafted to take into account those valid constitutional arguments about the separation of powers and the prerogative of the legislative branch.

This legislation strikes the correct balance between the Framers' intent to place the power of the purse in the hands of Congress, which retains, under this bill, the ability to approve or disapprove of any Presidential line-item veto, with the need to cut out wasteful spending that piggybacks on larger, must-pass legislation which, whether it's an omnibus or an appropriations bill, we know that this body has been unable to produce, cleaner, leaner spending bills. And I think it can be a constructive step to enlist the help of the President of the United States in removing unnecessary and indefensible pork from spending bills.

I would also add that this bill is a welcome change for many of the other so-called budget-reform bills that have been brought forward by the House Budget Committee. The House Budget Committee has brought forward bills to pretend that inflation doesn't exist. They've brought forward bills to have funny scoring, trick scoring, dynamic scoring, rather than the usual objective process of the Congressional Budget Office.

But you can't pretend the deficit away. You can't pretend the deficit away by assuming there's no inflation. You can't pretend the deficit away by putting in wacky numbers that are whatever you feel like, based on your biases.

So this bill is really the first budget bill that is a constructive step towards

actually controlling spending, something that I've often heard Members of both parties pay lip service to, but this body has done relatively little to address that notable goal of budgeting our budget.

However, there's a lot more to do. I've always maintained, as have many on my side of the aisle, that rather than talking about balancing the budget, rather than talking about what we want to do, and rather than trying to change the rules, let's balance the budget. The supercommittee had an opportunity to do that with a balanced approach.

The President of the United States has called for a balanced approach to balance the budget. The President of the United States has convened the Simpson-Bowles Commission to outline specific plans around ending our budget deficit and returning our Nation to fiscal responsibility. That bill, from the Simpson-Bowles Commission, there were no bills that have been taken up by this body that would fundamentally address the very real budget problems that we face.

And to be clear, we cannot simply pass this Expedited Line-Item Veto and Rescissions Act and say, problem solved, game over, let's go home. A constructive step towards balancing our budget, yes, but a small step, a baby step, a potential step in the right direction, but one that, by no means, should get Congress out of the responsibility of acting responsibly in a balanced manner to balance our budget, right our fiscal ship, ensure the long-term integrity of Social Security and Medicare, and balance our budget deficit.

We need to use a balanced approach to budget challenges. The approach needs to be comprehensive and bipartisan. I would like to maintain some hope and optimism that perhaps the Expedited Line-Item Veto and Rescissions Act would be a small first step towards a larger collaboration between the two parties to tackle the issues of the day.

While not, in and of itself, the real progress we need to actually solve the budget item, the Expedited Line-Item Veto and Rescissions Act will assist lawmakers in targeting wasteful government spending. Unlike previous attempts at a line-item veto that have been ruled unconstitutional, the Expedited Line-Item Veto and Rescissions Act respects the careful system of checks and balances that our Framers established.

Under this bill, the President can highlight unjustified government spending that's wasteful, and the President can then identify those items, but it has to come back to Congress to affirmatively approve, by majority, any cancellation of expenditures in those areas. Let them be debated and defended on their merits, rather than slipped in to thousand-page bills in the dark of night.

Further, the President's withholding authority is limited. The President can

only hold back on spending for 45 days after the appropriations bill has been enacted.

I think this bill can be a step towards putting our Nation on a path towards fiscal discipline and a balanced budget. I am aware that there are those on both sides that, for constitutional or legislative prerogative reasons, feel differently than I do. But I think a "yes" vote on the underlying bill would be a small positive step towards combating the runaway spending that has characterized not only this Republican Congress, but prior Congresses controlled by both parties.

I reserve the balance of my time.

□ 1300

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume to thank the gentleman for his kind words about the underlying bill.

I say with the utmost sincerity that here in my freshman term in Congress, one of the Members I have enjoyed working with the most is Mr. POLIS. You can always count on him in the Rules Committee to say something unexpected. You can't pigeonhole him as to where he's going to be on things because he's thoughtful about all of the issues. And I would hope that he would find that to be one of the highest compliments we can pay to a Member, to find a thoughtful Member here in this body, and it's certainly been my pleasure to work with him.

I agree with him that we can't pretend the deficit away. We can't use wacky numbers, I think was his word, to wish the deficit away, though we do have a difference of opinion about where that pretending comes from and where the wacky numbers come from.

As a member of the Budget Committee, I will tell you that the steps we're taking this year are changing a historical process of pretending the deficit away, bringing in real accounting, changing a historical process of generating wacky numbers and bringing in new, honest accounting.

But I also want to say this, Madam Speaker. As folks come to the floor to talk about whether or not we're actually saving any money today, whether we're cutting the budget today, whether we're creating jobs today, this is a Budget Committee bill.

As a member of the Budget Committee, I wish it were in my authority to cut spending and create jobs, because, by golly, I've got to tell you, I could do it, bring bills to the floor on a regular basis to promote those ideas. But it's not within the Budget Committee's authority.

What is in the Budget Committee's authority to do is craft the most honest numbers possible to share with the American people to describe what it is that we're doing with their tax dollars day in and day out. That's exactly what this legislation is designed to do. That's exactly what the other nine pieces of budget reform legislation the Budget Committee is moving, what they are designed to do.

It is really with great pride, again, as a new member to the Budget Committee, to have my colleague from Colorado say such nice things about this bipartisan work, about the hope that this presents for us moving forward, and I, too, hope we'll be able to build on that progress.

I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I yield myself such time as I might consume.

If we defeat the previous question, I will offer an amendment to the rule to ensure that the House votes on the political intelligence provisions that are included in the STOCK Act written by Ms. SLAUGHTER and Mr. WALZ as a standalone bill. This bill will help shine sunlight onto political intelligence firms and require that they register as lobbyists. This provision already has the support of a majority of the Members of this body—285 Members, including 99 Republicans.

The fact that the Republican leadership has weakened and watered down the STOCK Act by stripping out this provision we'll be considering this week is both shameful and wrong. It's clear that this House needs to act, and it will be my hope that we defeat the previous question and I'm able to offer this amendment.

I am honored to yield 5 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member of the Rules Committee and the sponsor of the STOCK Act.

Ms. SLAUGHTER. Madam Speaker, I thank my friend, my colleague, for yielding to me.

This is terribly important to me. I've spent 6 years of my life on this bill, so bear with me if I get a little emotional.

Today, I urge my colleagues to defeat the previous question so that we can strengthen the STOCK Act bill that has been weakened by House Republican leadership behind closed doors and in the dark of night. When writing their own version of the STOCK Act, Majority Leader CANTOR and House Republican leadership did not consult the bipartisan coalition that has championed this bill and, over the week, neither I nor Mr. WALZ were asked to contribute to the final product, nor was our leader consulted in any way. Despite championing the bill for 6 years, I was left completely out.

As a matter of fact, the way the bill is structured, I won't even have an opportunity to offer an amendment to put back the political intelligence piece, which I think is really the heart of the bill. The bill was changed from a bill to a suspension, which means that the minority will have neither the right of a motion to recommit or an opportunity to amend this bill in any way. That contrasts completely with what happened over in the Senate when Members of the Senate were allowed to present amendments to this bill, and many of them did it successfully.

But what we got here was a flawed bill last night and a need to reintroduce revised legislation earlier today.

As a matter of fact, the bill they put out last night has already been superseded by one about 45 minutes ago, which shows you that if you write something in the dark of night, you may not know what you wrote.

Despite their many changes, the bill is weaker, not stronger, than before. The simple truth is that the bill introduced by House Republicans waters down government reform, particularly when it comes to regulating the political intelligence industry.

Political intelligence is the latest scheme to profit from the Halls of Congress. The industry profits to the tune of \$400 million annually, and that's all we know. That grew considerably this week from the information that we had previously. We don't even know where it is, but this is at least almost half a billion dollars a year. They glean valuable information and they sell that information to high-paying Wall Street clients.

None of my constituents are able to do anything like that. They have no prior information, and they expect their Congress to be more decent and with more integrity than to be doing that.

But like the lobbyists before them, political intelligence operatives use a proximity to power to serve high-paying clients. Unlike the lobbyists, they are nameless. Under the current law, they're not required to identify themselves as they go about their work. They're completely unregulated.

America knows all too well what happens when Congress and K Street meet in the dark. From Jack Abramoff to Tom DeLay, corruption can spread through the highest reaches of Congress without the proper controls, and we know it. But with the STOCK Act, we have a chance to be proactive and simply require—no big whoop—the operatives to register as a lobbyist so we know who they are.

This is not a radical idea, but over the last week the outcry from K Street has been deafening. Soon after they rang the alarm, the House Republican leadership locked themselves behind closed doors where they reworked my original legislation and removed the language that regulated the political intelligence community. We're now set to consider a bill that commissions a study on political intelligence, hardly the type of action that will restore America's faith in this institution.

Did House Republican leadership return to their Abramoff-era ways and put the needs of K Street before Main Street? We will never know, because we don't know who they are and what they're doing, but we know that they're doing something.

What we do know is that the regulation of the political intelligence community was supported by 285 Members of Congress who were cosponsors of our original bill, including 99 Republicans, to whom we are extremely grateful, and a bipartisan supermajority in the Senate. The bill, as you know, passed

over there 96–3. What we do know is that after emerging from behind the closed doors, the bill introduced by Mr. CANTOR does nothing to regulate the political intelligence community.

The House leadership should have allowed this bill to be finalized in an open and transparent manner. It's that important. America is watching. I have never seen the editorial support or the outpouring of support like we have had on this measure. People want us to be doing this. It is really beyond my ken that we are doing this in such a hidden and weak way. But this has been allowed to come to the floor.

I'm confident that my 285 colleagues who supported the original STOCK Act would have passed the tough regulations for the political intelligence community.

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

Mr. POLIS. I would be happy to yield an additional minute to the gentlewoman from New York.

Ms. SLAUGHTER. I thank the gentleman.

Instead, the majority continued their "my way or the highway" approach and shut out their colleagues and made partisan changes to a bipartisan bill. As a result, a bipartisan coalition in the House is left with one option: to reintroduce our political intelligence regulations by defeating the previous question. Putting Main Street before K Street starts here.

I urge my colleagues to defeat the previous question, reinsert language to regulate a growing K Street industry, and make the STOCK Act as strong as it was when I introduced it 6 years ago.

□ 1310

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume to say that I appreciate the gentlewoman's work. I know that her effort on the STOCK Act comes from the heart. I disagree with a lot of the underlying crafting of that bill, but I know that the effort is to solve a very real problem and to solve it in a very genuine way, and I am grateful to her for that.

At this time, Madam Speaker, I would like to yield such time as he may consume to the gentleman from Florida, Sheriff NUGENT, one of my freshman colleagues, who also comes to this issue with a pure heart and who has an alternative proposal here in the House to prevent insider trading, of which I am a strong supporter. He is also my colleague and seatmate in the Rules Committee.

Mr. NUGENT. I want to thank my very good friend from the great State of Georgia (Mr. WOODALL) for the time. As he mentioned, we both sit on the Rules Committee.

Madam Speaker, today I rise in support of H. Res. 540, and the issue we are talking about is whether or not the American people can trust us.

Today, Congress has a job approval rating of—what?—10, 11, 12 percent.

The American people are pretty sick of us, and I don't blame them. Ms. SLAUGHTER has been working on the STOCK Act bill for over 6 years, which is commendable. Yet it's unfortunate that it never came to the Democratic Congress when it had control. That's very unfortunate that she was never able to move it forward. If anything, as we move forward here, I am amazed that 13 percent of folks actually approve of the work we're doing. I can't believe there is even 1 percent.

It was only about a year ago that I was one of those people who was disappointed in this body, but my parents always taught me that, if you're not part of the solution, then you're part of the problem. So, sure enough, I ran for Congress, and the people of Florida's Fifth Congressional District put their trust in me to represent them.

One thing I promised the folks back home is that I was never going to use my service in the House of Representatives to enrich myself, which is why I turned down the congressional health benefits. That's why I introduced my bill, H.R. 981, the Congress is Not a Career Act, so that I could turn down the congressional pension that I am legally required to take. That's why I think that trading on any kind of insider knowledge received through the virtue of working in this office is flat out, downright wrong. Anybody who uses his office to get rich and game the markets should go to jail. It's that simple. I've put people in jail for doing things that were illegal.

Madam Speaker, sometimes I wonder if folks right here in this very Chamber forget about what we're talking about. We're talking about the United States Congress. We're talking about the institution that makes up the first branch of government. We're talking about the people's branch. We're talking about the institution where men like Madison, Monroe, John Quincy Adams, JFK, and George H.W. Bush all served at one point or another in their careers.

This is an institution that ought to be held to the highest standards, an institution that I, at least, expect more from, and we're failing—we're failing our constituents; we're failing ourselves; and we're just outright failing.

What we need to do now is take deliberate steps towards making things better. We need to prove to the American people that we hear them and that they're right and that we're going to do better. One major step in the right direction would be in showing our commitment to ethics reform and in ensuring that we aren't using Congress as a way to line our own pockets.

As the Tampa Bay Times wrote in an editorial just this morning, the United States Congress needs to "finally address the exploitation of public office for individual financial gain." H. Res. 540 lets us bring that discussion to the floor of the House of Representatives, which is where it belongs.

I've gotten up here, Madam Speaker, and have spent a lot of time talking

about honesty and of doing better, so here is my opportunity to be honest with everyone here and with everybody watching us at home.

If it were up to me, we wouldn't be voting on this bill that we'll be voting on tomorrow. As I see it, the STOCK Act we'll be voting on tomorrow has some problems. Transparency and openness mean that we'll be able to look at all of these problems and really think about if the benefits outweigh the costs. It means that we will be able to have a full and knowledgeable discussion about the STOCK Act on the floor of this House tomorrow.

But I've got to tell you that the process that got us to where we are today and where we're going tomorrow is just wrong. Thirty-eight pages isn't a long bill in congressional speak, but it's 38 pages that never went through the normal legislative process, and it's 38 pages that we didn't get an opportunity to amend. Since I'm being honest, there are better alternatives out there than the STOCK Act, which is what we're going to be voting on tomorrow.

One of those options is my bill, H.R. 3639, the Prevent Insider Trading by Elected Officials Act. My bill is only 1½ pages long. It's quick; it's easy and to the point, and all elected officials both in the legislative branch and in the executive branch are required to put their stocks, bonds, securities—whatever you have—into a blind trust. It's just that simple. If you don't know what you have, you can't trade it based on insider knowledge. That's what a blind trust is all about. My bill is 1½ pages, and there is no room for loopholes. Legislation up here is written by attorneys that sometimes only attorneys can understand, and there are loopholes in all of this.

If I had my way, the discussion we'd be having on the floor tomorrow wouldn't be about honest services provisions, IPO sales, or registering searchable mortgages and disclosures and whatnot online, but that's not my call. So we're here today, and at least we've gotten this far. I wish we were doing more.

This is the United States Congress we're talking about. When I was growing up, it was supposed to mean something, and I'm hoping it still does. If it does, then we need to be holding ourselves to the highest of standards. The American people ought to know that they can have faith in the people who are serving them here in Washington.

Do I think this is the very best step? No, I do not. Do I think it's better than the bill the United States Senate sent to us through that rushed process—a bill that has conflicting provisions and at its core doesn't, in fact, address the problem that the American people want fixed? No doubt about it.

I wish the Senate hadn't rushed the STOCK Act. I suspect HARRY REID just really needed a shiny object he could wave and point to, hoping he could distract the American people long enough to forget that it has been over 1,000

days since the United States Senate passed a budget. He has already promised that they wouldn't even have one for this next year. If not for the rush, then we probably wouldn't be forced into acting on this at such breakneck speed.

Do I think that this is a discussion we must have and need to have? Absolutely. That's why I'm going to support this rule.

I'm being honest. I wish we'd done it differently, but we're here to work the will of the people, and that's the most important thing right now.

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

Madam Speaker, I have to say, after hearing my colleague from Florida, I'm a little bit confused about where he stands.

Certainly, his arguments were many of the same arguments that I and others have been making. In fact, Ranking Member SLAUGHTER proposed in committee yesterday to strike suspensions authority specifically so the gentleman from Florida could offer his bill as an amendment to the bill and so we could have a discussion about this blind trust issue. I think that would have been a better way to have brought it to the floor.

Yet the gentleman from Florida voted "no" yesterday to the provision that he is effectively trying to argue for on the floor today. He concluded his remarks by confirming that he plans to vote for a rule that fundamentally doesn't allow him to do what he thinks needs to be done to restore ethics and integrity to this body.

So I think that that is an example of the type of contradictions that we're hearing, but I would urge the gentleman to be convinced by his own arguments so that he might join me in opposing the previous question and in opposing the rule.

Madam Speaker, it is my honor to yield 2½ minutes to the gentleman from Minnesota, an original sponsor of the STOCK Act, Mr. WALZ.

Mr. WALZ of Minnesota. I thank the gentleman from Colorado for yielding.

As the American people watch us here, the previous gentleman from Florida was right in that the frustration levels are as high as they've been with this sacred institution, with this idea of self-governance. It would be a lot easier if we didn't have to go through all of this.

I hear some of my constituents sometimes say, We need to get rid of some of you Members of Congress. There are too many of you.

I say, Why think small? Get rid of all of us and name a king. Then we don't have to do a dang thing, do we? They can think for us.

□ 1320

The idea is coming here together to self-govern ourselves. And the gentleman and all the speakers were right: It's about the integrity of this institution. It will be here, and it will stand

when we are long gone and forgotten. Our children will inherit this place and the things that happen here. The integrity of this institution stands above all else. That's why when I walked through this door, coming out of a classroom in Mankato, Minnesota, after a career in the military and in teaching, I was approached by LOUISE SLAUGHTER who said, You were sent here to do things differently. It's about making this place work, and I've got a bill for you. And for 5 years, LOUISE and I and seven others have tried to make this case. So I am pleased today that it's here.

It's not perfect. As one of our former colleagues, Dave Obey, used to say, Of course it's not perfect. You'll get perfect in heaven. And this place is a lot closer than hell, so let's take a compromise. Let's get something done for the American public that restores their trust, and then lets move on to debate the important issues of employment, of caring for our veterans, of educating our children, of securing our Nation.

LOUISE SLAUGHTER has been there every step of the way. This was not a twelfth-hour comeback to the righteousness thing. LOUISE has lived this way. When she says this issue of political intelligence and gathering here is undermining our markets and our trust, she knows something about it.

We're going to make a compromise. We're going to move a piece of legislation forward that is a step on a journey, not a destination. It is a quest towards a more perfect union. This is one small step.

This is the only place in the world where doing something right lets us pat ourselves on the back. This is what Americans do every day. We need to assure them we're there.

But this offering of adding this piece is all part of the bigger puzzle. I am in full support. I am proud to serve with the gentelady from New York. She has been a champion. And it's not about our political differences.

I thank all the Members here who spoke eloquently about restoring faith in this. The public wants us to come here and debate differences for the direction of our country. They don't want us to tear each other down, and they don't want us to game the system.

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

I thank my friend for his kind comments. I know that Mr. WALZ and Ms. SLAUGHTER have been working for years and years on this proposal. And again, I have some issues with this proposal. I do believe that there are some better options out there. But I must speak up on behalf of the leadership in this House.

For Congress after Congress after Congress, Ms. SLAUGHTER labored to bring this bill to the floor, labored to bring this bill to the floor to no avail, to no avail, through 4 years of democratically controlled Congresses—folks who have the deepest respect and admiration for the gentelady and her legislation—failed to bring this legislation to the floor. And the rule we have here

today does. It does. It's not the only way to bring this legislation to the floor. It's not even a requirement that the legislation come to the floor in this way. But what this rule does is it provides the first opportunity that this Congress has had to vote on the STOCK Act. Madam Speaker, that's not a topic for the gnashing of teeth. That's a topic for the clapping of hands.

If you believe in this bill, if you believe, as Mr. WALZ said, that this may not be the end-all/be-all, but it's a step in that direction, if we can move a little today and a little tomorrow and a little beyond that to ultimately get to where we need to be, this is a step in the right direction.

As a member of the Budget Committee, Madam Speaker, it just happens to be my privilege that that opportunity was attached to the bottom of a budget rule because the truth is, the reason we are here today is not to talk about the STOCK Act and not to talk about ethics reform but to talk about budget process reform, budget process reform that was reported out of the Budget Committee in a bipartisan way, budget process reform that was sponsored by both the Republican chairman of the Budget Committee and the Democratic ranking member of the Budget Committee—budget process reform that makes sure that every little piece of the United States budget, every topic in an appropriations bill, doesn't just get examined in committee, doesn't just get examined on the House floor, doesn't just get examined at the White House, but gets examined one more time for those things that just don't pass the smell test, by coming back to this body for an up-or-down vote on that rescission.

I would inquire of my friend from Colorado if he has any speakers remaining?

Mr. POLIS. Yes, I do. I have one further request for time.

Mr. WOODALL. I reserve the balance of my time.

Mr. POLIS. It's my honor to yield 2 minutes to the gentelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I'm always in awe at the gentleman from the Rules Committee who has just spoken so eloquently about consensus and coming together. I've seen him in action in the Rules Committee. And certainly we thank the members of the Rules Committee for their service. We know that his history brings him here after being a staffer, so he knows this institution. He knows where all the bathrooms are. He knows about how much good we can do. I'm grateful for him acknowledging our friends, Congresswoman SLAUGHTER and Mr. WALZ, who have been working and, of course, who wanted to have their bill come forward in a way that would be transparent and to have the opportunity for all facets of this bill to be understood. So I thank the gentleman from Colorado (Mr. POLIS) for his leadership. So it begs the question of how we have the cloak-and-dagger midnight legislation trick that really is not befitting of this carefully drawn initiative.

Let me share with my colleagues why I am so concerned about good work that should be presented as good work. At this moment, we are trying to make sure that no one has insider trading. And if we had a sledgehammer here, we would go around and make sure to stamp it out. But we are doing it through legislation, and you can't do it by legislation and half-fix it. We can't misrepresent to our colleagues and the American people.

Right now, the language that was in Ms. SLAUGHTER's bill dealing with political intelligence firms that have grown dramatically over the last few decades and are now a \$100 million industry and are sharing moneys and resources and information, intel, with Wall Street every single day, and investors who are unfairly profiting at the benefit or the loss of the American people—

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

Mr. POLIS. I yield a total of 1 additional minute to the gentelady from Texas.

Ms. JACKSON LEE of Texas. I thank the gentleman.

Some single mother, some hard-working parents are being taken advantage of because they—our friends on the other side—have taken language out that would deal with the transferring of political intelligence by political insiders.

We need to be able to vote “no” on the previous question to allow this language to come up. And it's a closed rule, and it's by suspension. For those of you who know that, nobody gets a chance to do anything. It's a super majority. Then to add insult to injury, they've got an expedited veto bill in here that would take away the powers of the three branches of government, slam the Congress that should be here doing its work—that's what you asked us to come here to do—and allow this expedited veto to go forward and to undermine the give-and-take of the three branches of government, which is what the Constitution asks us to do.

I would ask us to vote “no” on turning the lights out and using dagger politics to keep the American people from knowing what is going on. I ask for a “no” on this vote.

Mr. WOODALL. Madam Speaker, I would inquire of my friend if he has any further requests for time.

Mr. POLIS. I am prepared to close.

Mr. WOODALL. I'm prepared to close as well.

The SPEAKER pro tempore. The gentleman from Colorado has 3½ minutes remaining.

Mr. POLIS. Madam Speaker, I yield myself the remainder of my time.

The Expedited Line-Item Veto and Rescissions Act is a fiscally sound way for both Congress and the President to reduce wasteful government spending and ensure that American taxpayer dollars are spent wisely. This legislation will help in a small way to address

our budget crisis. Again, I want to be clear that the Expedited Line-Item Veto and Rescissions Act does not solve our deficit, does not restore fiscal discipline and fiscal integrity to our country, but is a step in the right direction that will produce savings that will all be applied to deficit reduction under this bill.

□ 1330

The bill is a balanced measure, and I know that there is some support and opposition from both sides of the aisle. I encourage my colleagues to seriously consider supporting this small, but important, step forward.

The country's budget situation is dire. The supercommittee's failure and the threat of sequestration underscores the need to address our fiscal policies head on. The worst possible outcome is that we pat ourselves on the back and say "job well done" while this country faces record deficits of trillions of dollars over the next 10 years.

We need a big and balanced budget compromise to reduce our Nation's debt. Passing the bipartisan Expedited Line-Item Veto and Rescissions Act will be a small step and keep us on track to help restore fiscal integrity to our country; but we need to remind ourselves that it is only a small first step toward addressing our budget problem.

I urge my colleagues on both sides of the aisle to extend the unemployment insurance and middle class tax cuts to reach a big, bold, and balanced solution to our Federal budget situation along the lines of the President's commission.

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 Colorado?

There was no objection.

Mr. POLIS. I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule, and I yield back the balance of my time.

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

It really is a source of pride for me as a Budget Committee member to be a part of this. This is an effort, much like the STOCK Act, that did not begin in this Congress. The Expedited Line-Item Veto is an effort that has been going on for almost two decades here in this body. And previous attempts, Madam Speaker, I would argue, were in fact an unconstitutional delegation of our responsibility here in the House to legislate delegating that responsibility to the President.

This underlying bill, however, looks less like a line-item veto and more like an expedited rescission, rescission authority that the President already has today, but ensures that when that re-

scission is presented, it actually gets a vote here on the House floor.

If these were wonderful economic times, Madam Speaker, I don't know if I would be as enthusiastic about this legislation, but these are dire economic times. Our budget challenges here have grown exponentially in my life time. And I think we must pull out every single stop that we can to make the situation better. Whether a little or whether a lot, every single opportunity we must seize. And this is one of those. I so appreciate, again, the work of Chairman RYAN and Ranking Member VAN HOLLEN in bringing this forward.

But I would be remiss, Madam Speaker, if given all of the talk about the STOCK Act today, I didn't speak up just a little on behalf of my colleagues. I have served now 13 months as a Member of Congress. I see good and decent, hardworking men and women trying to do the very best that they can for their Nation. I see men and women from different parts of the country whose constituencies have different hopes and dreams, and those Members coming here to advocate for those hopes and dreams as best as they can. And I see a population back home that has lost all faith in those good men and women here in this body. And I wonder what we do here in this body to perpetuate that stereotype.

You know, the STOCK Act, Madam Speaker, has been characterized colloquially as the prevent-insider-trading-by-Members-of-Congress as if, as if Members of Congress are allowed to participate in insider trading today. And they are not. Insider trading was against the law yesterday, it was against the law a week ago, it was against the law a year ago, and it will still be against the law tomorrow. Do not let your constituents, Madam Speaker, believe for a minute that you have a right to insider trade when they don't. The laws of the land apply to us as well, and we owe it to this institution and we owe it to our constituents back home to tell them they are not being represented by a bunch of thieves and scoundrels, but they are being represented by their neighbors. Can we do even more? Must we do even more? We must.

Thirty-eight pages in the STOCK Act of new criminal regulations, new sanctions. If you got bribed last week, you're going to go to prison for a number of years. If you get bribed next week, you're going to go to prison for more years. Folks, don't get bribed. It was wrong yesterday; it is wrong tomorrow. It's not more wrong because we're deciding this here today.

We have a responsibility to do the job we have been entrusted to do, and we must punish the bad actors in this body, but we cannot let our constituents back home believe that this body cannot be saved. We cannot let our constituents back home believe that this body is being operated by folks who breach the public trust. We do America a disservice, Madam Speaker,

when we allow that contention to go unchallenged.

Are there bad apples here in this Congress? I don't know if they are here today. I know they have been here in years past. And we've sent those folks to prison. There are bad apples in my church; we've sent those folks to prison, too.

This body is only as good as the American voter back home. And I tell you, Madam Speaker, if your district is like my district, the American voter back home is spectacular. The American voter back home is a man or woman of integrity. The American voter back home is a person with hopes and dreams for a better America tomorrow than we have today. We can deliver that on their behalf. We are the voice of those hopes and dreams in this body.

The kind of bipartisan work that we've done on the Expedited Line-Item Veto and Rescissions Act, I say that is exemplary. My colleague who chuckles, Madam Speaker, has been here longer than I. He's been here longer than I. I don't believe he's beyond saving, though. I think we can convince him that it's not a laughable matter to work together, that it's actually something that folks do. And I'm optimistic to be the carrier of that message today and tomorrow.

With that, let me again urge strong support for the rule. The rule both allows the Expedited Line-Item Veto bill to come to the floor, as well as provides an opportunity for the very first time a vote on the STOCK Act here in this body. I rise in strong support of that rule and in strong support of the underlying provision.

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

AN AMENDMENT TO H. RES. 540 OFFERED BY  
MR. POLIS OF COLORADO

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 a bill consisting of the text specified in section 5, which will bear the title "to provide for disclosure of political intelligence activities under the Lobbying Disclosure Act". 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 between the chair and ranking minority member of the Committee on the Judiciary. 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 recommend 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 the bill specified in section 3 of this resolution.

SEC. 5. The text referred to in section 3 is as follows:

**SEC. 1. DISCLOSURE OF POLITICAL INTELLIGENCE ACTIVITIES UNDER LOBBYING DISCLOSURE ACT.**

(a) DEFINITIONS.—Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is amended—

(1) in paragraph (2)—

(A) by inserting after “lobbying activities” each place that term appears the following: “or political intelligence activities”; and

(B) by inserting after “lobbyists” the following: “or political intelligence consultants”; and

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

(17) POLITICAL INTELLIGENCE ACTIVITIES.—The term ‘political intelligence activities’ means political intelligence contacts and efforts in support of such contacts, including preparation and planning activities, research, and other background work that is intended, at the time it is performed, for use in contacts, and coordination with such contacts and efforts of others.

(18) POLITICAL INTELLIGENCE CONTACT.—

“(A) DEFINITION.—The term ‘political intelligence contact’ means any oral or written communication (including an electronic communication) to or from a covered executive branch official or a covered legislative branch official, the information derived from which is intended for use in analyzing securities or commodities markets, or in informing investment decisions, and which is made on behalf of a client with regard to—

“(i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

“(ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government; or

“(iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license).

“(B) EXCEPTION.—The term ‘political intelligence contact’ does not include a communication that is made by or to a representative of the media if the purpose of the communication is gathering and disseminating news and information to the public.

“(19) POLITICAL INTELLIGENCE FIRM.—The term ‘political intelligence firm’ means a person or entity that has 1 or more employees who are political intelligence consultants to a client other than that person or entity.

“(20) POLITICAL INTELLIGENCE CONSULTANT.—The term ‘political intelligence consultant’ means any individual who is employed or retained by a client for financial or other compensation for services that include one or more political intelligence contacts.”

(b) REGISTRATION REQUIREMENT.—Section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after “whichever is earlier,” the following: “or a political intelligence consultant first makes a political intelligence contact,”; and

(ii) by inserting after “such lobbyist” each place that term appears the following: “or consultant”;

(B) in paragraph (2), by inserting after “lobbyists” each place that term appears the

following: “or political intelligence consultants”; and

(C) in paragraph (3)(A)—

(i) by inserting after “lobbying activities” each place that term appears the following: “and political intelligence activities”; and

(ii) in clause (i), by inserting after “lobbying firm” the following: “or political intelligence firm”;

(2) in subsection (b)—

(A) in paragraph (3), by inserting after “lobbying activities” each place that term appears the following: “or political intelligence activities”; and

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting after “lobbying activities” the following: “or political intelligence activities”; and

(ii) in subparagraph (C), by inserting after “lobbying activity” the following: “or political intelligence activity”;

(C) in paragraph (5), by inserting after “lobbying activities” each place that term appears the following: “or political intelligence activities”;

(D) in paragraph (6), by inserting after “lobbyist” each place that term appears the following: “or political intelligence consultant”; and

(E) in the matter following paragraph (6), by inserting “or political intelligence activities” after “such lobbying activities”;

(3) in subsection (c)—

(A) in paragraph (1), by inserting after “lobbying contacts” the following: “or political intelligence contacts”; and

(B) in paragraph (2)—

(i) by inserting after “lobbying contact” the following: “or political intelligence contact”; and

(ii) by inserting after “lobbying contacts” the following: “and political intelligence contacts”; and

(4) in subsection (d), by inserting after “lobbying activities” each place that term appears the following: “or political intelligence activities”.

(c) REPORTS BY REGISTERED POLITICAL INTELLIGENCE CONSULTANTS.—Section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is amended—

(1) in subsection (a), by inserting after “lobbying activities” the following: “and political intelligence activities”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting after “lobbying activities” the following: “or political intelligence activities”;

(ii) in subparagraph (A)—

(I) by inserting after “lobbyist” the following: “or political intelligence consultant”; and

(II) by inserting after “lobbying activities” the following: “or political intelligence activities”;

(iii) in subparagraph (B), by inserting after “lobbyists” the following: “and political intelligence consultants”; and

(iv) in subparagraph (C), by inserting after “lobbyists” the following: “or political intelligence consultants”;

(B) in paragraph (3)—

(i) by inserting after “lobbying firm” the following: “or political intelligence firm”; and

(ii) by inserting after “lobbying activities” each place that term appears the following: “or political intelligence activities”; and

(C) in paragraph (4), by inserting after “lobbying activities” each place that term appears the following: “or political intelligence activities”; and

(3) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting “or a political intelligence consultant” after “a lobbyist”.

(d) DISCLOSURE AND ENFORCEMENT.—Section 6(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amended—

(1) in paragraph (3)(A), by inserting after “lobbying firms” the following: “, political intelligence consultants, political intelligence firms,”;

(2) in paragraph (7), by striking “or lobbying firm” and inserting “lobbying firm, political intelligence consultant, or political intelligence firm”;

(3) in paragraph (8), by striking “or lobbying firm” and inserting “lobbying firm, political intelligence consultant, or political intelligence firm”.

(e) RULES OF CONSTRUCTION.—Section 8(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1607(b)) is amended by striking “or lobbying contacts” and inserting “lobbying contacts, political intelligence activities, or political intelligence contacts”.

(f) IDENTIFICATION OF CLIENTS AND COVERED OFFICIALS.—Section 14 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1609) is amended—

(1) in subsection (a)—

(A) in the heading, by inserting “or Political Intelligence” after “Lobbying”;

(B) by inserting “or political intelligence contact” after “lobbying contact” each place that term appears; and

(C) in paragraph (2), by inserting “or political intelligence activity, as the case may be” after “lobbying activity”;

(2) in subsection (b)—

(A) in the heading, by inserting “or Political Intelligence” after “Lobbying”;

(B) by inserting “or political intelligence contact” after “lobbying contact” each place that term appears; and

(C) in paragraph (2), by inserting “or political intelligence activity, as the case may be” after “lobbying activity”; and

(3) in subsection (c), by inserting “or political intelligence contact” after “lobbying contact”.

(g) ANNUAL AUDITS AND REPORTS BY COMPTROLLER GENERAL.—Section 26 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1614) is amended—

(1) in subsection (a)—

(A) by inserting “political intelligence firms, political intelligence consultants,” after “lobbying firms”; and

(B) by striking “lobbying registrations” and inserting “registrations”;

(2) in subsection (b)(1)(A), by inserting “political intelligence firms, political intelligence consultants,” after “lobbying firms”; and

(3) in subsection (c), by inserting “or political intelligence consultant” after “a lobbyist”.

**SEC. 2. EFFECTIVE DATE**

This Act and the amendments made by this Act shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

**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 opposition, at least for the moment, 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.”

Because the vote today may look bad for the Republican majority they will 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. WOODALL. Madam 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 noes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 240, nays 184, not voting 9, as follows:

[Roll No. 43]

YEAS—240

Adams	Gosar	Nunnelee
Aderholt	Gowdy	Olson
Amash	Granger	Palazzo
Amodei	Graves (GA)	Paulsen
Austria	Graves (MO)	Pence
Bachmann	Griffin (AR)	Peterson
Bachus	Griffith (VA)	Petri
Barletta	Grimm	Pitts
Bartlett	Guinta	Platts
Barton (TX)	Guthrie	Poe (TX)
Bass (NH)	Hall	Pompeo
Benishek	Hanna	Posey
Berg	Harper	Price (GA)
Biggett	Harris	Quayle
Bilbray	Hastings (WA)	Reed
Bilirakis	Hayworth	Rehberg
Bishop (UT)	Heck	Reichert
Black	Hensarling	Renacci
Blackburn	Herger	Ribble
Bonner	Herrera Beutler	Rigell
Bono Mack	Huelskamp	Rivera
Boren	Huizenga (MI)	Roe (TN)
Boustany	Hultgren	Rogers (AL)
Brady (TX)	Hunter	Rogers (KY)
Brooks	Hurt	Rogers (MI)
Broun (GA)	Issa	Rohrabacher
Buchanan	Jenkins	Rokita
Bucshon	Johnson (IL)	Rooney
Buerkle	Johnson (OH)	Ros-Lehtinen
Burgess	Johnson, Sam	Roskam
Burton (IN)	Jones	Ross (AR)
Calvert	Jordan	Ross (FL)
Camp	Kelly	Royce
Campbell	Kind	Runyan
Canseco	King (IA)	Ryan (WI)
Cantor	King (NY)	Scalise
Capito	Kingston	Schilling
Carter	Kinzinger (IL)	Schmidt
Chabot	Kline	Schock
Chaffetz	Labrador	Schweikert
Coble	Lamborn	Scott (SC)
Coffman (CO)	Lance	Scott, Austin
Cole	Landry	Sensenbrenner
Conaway	Lankford	Sessions
Cravaack	Latham	Shimkus
Crawford	LaTourette	Shuler
Crenshaw	Latta	Shuster
Culberson	Lewis (CA)	Simpson
Davis (KY)	LoBiondo	Smith (NE)
Denham	Long	Smith (NJ)
Dent	Lucas	Smith (TX)
DesJarlais	Luetkemeyer	Southerland
Diaz-Balart	Lummis	Stearns
Dold	Lungren, Daniel	Stivers
Dreier	E.	Stutzman
Duffy	Mack	Sullivan
Duncan (SC)	Manzullo	Terry
Duncan (TN)	Marchant	Thompson (PA)
Elmers	Marino	Thornberry
Emerson	Matheson	Tiberi
Farenthold	McCarthy (CA)	Tipton
Fincher	McCaul	Turner (NY)
Fitzpatrick	McClintock	Turner (OH)
Flake	McCotter	Upton
Fleischmann	McHenry	Walberg
Fleming	McKeon	Walden
Flores	McKinley	Walsh (IL)
Forbes	McMorris	Webster
Fortenberry	Rodgers	West
Fox	Meehan	Westmoreland
Franks (AZ)	Mica	Whitfield
Frelinghuysen	Miller (FL)	Wilson (SC)
Galleghy	Miller (MI)	Wittman
Gardner	Miller, Gary	Wolf
Garrett	Mulvaney	Womack
Gerlach	Murphy (PA)	Woodall
Gibbs	Myrick	Yoder
Gibson	Neugebauer	Young (AK)
Gingrey (GA)	Noem	Young (FL)
Gohmert	Nugent	Young (IN)
Goodlatte	Nunes	

NAYS—184

Ackerman	Berman	Capps
Altmire	Bishop (GA)	Capuano
Andrews	Bishop (NY)	Cardoza
Baca	Bonamici	Carnahan
Baldwin	Boswell	Carney
Barrow	Brady (PA)	Carson (IN)
Bass (CA)	Braley (IA)	Castor (FL)
Becerra	Brown (FL)	Chandler
Berkley	Butterfield	Chu

Ciilline	Holt	Pingree (ME)
Clarke (MI)	Honda	Polis
Clarke (NY)	Hoyer	Price (NC)
Clay	Inslee	Quigley
Cleaver	Israel	Rahall
Clyburn	Jackson (IL)	Rangel
Cohen	Jackson Lee	Reyes
Connolly (VA)	(TX)	Richardson
Conyers	Johnson (GA)	Richmond
Cooper	Johnson, E. B.	Rothman (NJ)
Costa	Kaptur	Roybal-Allard
Costello	Keating	Ruppersberger
Courtney	Kildee	Rush
Critz	Kissell	Ryan (OH)
Crowley	Kucinich	Sánchez, Linda
Cuellar	Langevin	T.
Cummings	Larsen (WA)	Sanchez, Loretta
Davis (CA)	Larson (CT)	Sarbanes
Davis (IL)	Lee (CA)	Schakowsky
DeFazio	Levin	Schiff
DeGette	Lewis (GA)	Schrader
DeLauro	Lipinski	Schwartz
Deutch	Loeb sack	Scott (VA)
Dicks	Lofgren, Zoe	Scott, David
Dingell	Lowey	Serrano
Doggett	Luján	Sewell
Donnelly (IN)	Lynch	Sherman
Doyle	Maloney	Sires
Edwards	Markey	Slaughter
Ellison	Matsui	Smith (WA)
Engel	McCarthy (NY)	Speier
Eshoo	McCollum	Stark
Farr	McDermott	Sutton
Filner	McGovern	Thompson (CA)
Frank (MA)	McIntyre	Thompson (MS)
Fudge	McNerney	Tierney
Garamendi	Meeks	Tonko
Gonzalez	Michaud	Towns
Green, Al	Miller (NC)	Tsongas
Green, Gene	Miller, George	Van Hollen
Grijalva	Moore	Velázquez
Gutierrez	Moran	Visclosky
Hahn	Murphy (CT)	Walz (MN)
Hanabusa	Nadler	Wasserman
Hartzler	Napolitano	Schultz
Hastings (FL)	Neal	Waters
Heinrich	Olver	Watt
Higgins	Owens	Waxman
Himes	Pallone	Welch
Hinchey	Pascarell	Wilson (FL)
Hinojosa	Pastor (AZ)	Woolsey
Hirono	Pelosi	Yarmuth
Hochul	Perlmutter	
Holden	Peters	

NOT VOTING—9

Akin	Cassidy	Payne
Alexander	Fattah	Pearce
Blumenauer	Paul	Roby

□ 1402

Messrs. HOYER, LANGEVIN, BOSWELL, Ms. WATERS, and Mr. KUCINICH changed their vote from “yea” to “nay.”

Mr. GRIMM changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 238, nays 175, not voting 20, as follows:

[Roll No. 44]

YEAS—238

Adams	Bachmann	Benishek
Aderholt	Bachus	Berg
Alexander	Barletta	Biggett
Amash	Bartlett	Bilbray
Amodei	Barton (TX)	Bilirakis
Austria	Bass (NH)	Bishop (UT)

Black	Hanna	Pence	Hastings (FL)	McCarthy (NY)	Schakowsky
Blackburn	Harper	Perlmutter	Herrich	McCollum	Schiff
Bonner	Harris	Petri	Higgins	McDermott	Schrader
Bono Mack	Hartzler	Pitts	Himes	McGovern	Schwartz
Boren	Hastings (WA)	Platts	Hinochey	McNerney	Scott (VA)
Boustany	Hayworth	Poe (TX)	Hinojosa	Meeke	Scott, David
Brady (TX)	Heck	Pompeo	Hirono	Michaud	Serrano
Brooks	Hensarling	Posey	Holden	Miller (NC)	Sherman
Broun (GA)	Herger	Price (GA)	Holt	Moore	Shuler
Buchanan	Hochul	Quayle	Honda	Moran	Sires
Buchson	Huelskamp	Quigley	Hoyer	Murphy (CT)	Slaughter
Buerkle	Huizenga (MI)	Reed	Inslee	Nadler	Smith (WA)
Burgess	Hultgren	Rehberg	Israel	Napolitano	Speier
Burton (IN)	Hunter	Reichert	Jackson (IL)	Neal	Stark
Calvert	Hurt	Renacci	Jackson Lee	Oliver	Sutton
Camp	Issa	Ribble	(TX)	Owens	Thompson (CA)
Campbell	Jenkins	Rigell	Johnson (GA)	Pallone	Thompson (MS)
Canseco	Johnson (IL)	Rivera	Johnson, E. B.	Pascrell	Tierney
Cantor	Johnson (OH)	Roe (TN)	Kaptur	Pastor (AZ)	Tonko
Capito	Johnson, Sam	Rogers (AL)	Keating	Pelosi	Towns
Carter	Jones	Rogers (KY)	Kildee	Peters	Tsongas
Chabot	Jordan	Rogers (MI)	Kucinich	Peterson	Van Hollen
Chaffetz	Kelly	Rohrabacher	Langevin	Pingree (ME)	Velázquez
Coble	Kind	Rokita	Larsen (WA)	Price (NC)	Visclosky
Coffman (CO)	King (IA)	Rooney	Larson (CT)	Rahall	Walz (MN)
Conaway	King (NY)	Ros-Lehtinen	Lee (CA)	Rangel	Wasserman
Cravaack	Kingston	Roskam	Levin	Reyes	Schultz
Crawford	Kinzinger (IL)	Ross (AR)	Lewis (GA)	Richardson	Waters
Crenshaw	Kissell	Ross (FL)	Lipinski	Richmond	Watt
Culberson	Kline	Royce	Loeback	Rothman (NJ)	Waxman
Davis (KY)	Labrador	Ryunan	Roybal-Allard	Roybal-Allard	Welch
Denham	Lamborn	Ryan (WI)	Rush	Rush	Wilson (FL)
Dent	Lance	Scallise	Lujan	Ryan (OH)	Woolsey
DesJarlais	Landry	Schilling	Lynch	Sánchez, Linda	Yarmuth
Diaz-Balart	Lankford	Schmidt	Maloney	T.	Young (AK)
Dold	Latham	Schock	Markley	Sanchez, Loretta	
Donnelly (IN)	LaTourette	Schweikert	Matsui	Sarbanes	
Dreier	Latta	Scott (SC)			
Duffy	Lewis (CA)	Scott, Austin			
Duncan (SC)	LoBiondo	Sensenbrenner	Akin	Herrera Beutler	Payne
Duncan (TN)	Long	Sessions	Blumenauer	Meehan	Polis
Ellmers	Lucas	Shimkus	Butterfield	Mica	Roby
Emerson	Luetkemeyer	Shuster	Cassidy	Miller (MI)	Ruppersberger
Farenthold	Lummis	Simpson	Chu	Miller, George	Sewell
Fincher	Lungren, Daniel	Smith (NE)	Cole	Nunes	Stutzman
Fitzpatrick	E.	Smith (NJ)	Franks (AZ)	Paul	
Flake	Mack	Smith (TX)			
Fleischmann	Manzullo	Southerland			
Fleming	Marchant	Stearns			
Flores	Marino	Stivers			
Forbes	Matheson	Sullivan			
Fortenberry	McCarthy (CA)	Terry			
Fox	McCauley	Thompson (PA)			
Frelinghuysen	McClintock	Thornberry			
Gallely	McCotter	Tiberi			
Gardner	McHenry	Tipton			
Garrett	McIntyre	Turner (NY)			
Gerlach	McKeon	Turner (OH)			
Gibbs	McKinley	Upton			
Gibson	McMorris	Walberg			
Gingrey (GA)	Rodgers	Walden			
Gohmert	Miller (FL)	Walsh (IL)			
Goodlatte	Miller, Gary	Webster			
Gosar	Mulvaney	West			
Gowdy	Murphy (PA)	Westmoreland			
Granger	Myrick	Whitfield			
Graves (GA)	Neugebauer	Wilson (SC)			
Graves (MO)	Noem	Wittman			
Griffin (AR)	Nugent	Wolf			
Griffith (VA)	Nunnelee	Womack			
Grimm	Olson	Woodall			
Guinta	Palazzo	Yoder			
Guthrie	Paulsen	Young (FL)			
Hall	Pearce	Young (IN)			

## NAYS—175

Ackerman	Castor (FL)	DeLauro
Altmire	Chandler	Deutch
Andrews	Cicilline	Dicks
Baca	Clarke (MI)	Dingell
Baldwin	Clarke (NY)	Doggett
Barrow	Clay	Doyle
Bass (CA)	Cleaver	Edwards
Becerra	Clyburn	Ellison
Berkley	Cohen	Engel
Berman	Connolly (VA)	Eshoo
Bishop (GA)	Conyers	Farr
Bishop (NY)	Cooper	Fattah
Bonamici	Costa	Fiener
Boswell	Costello	Frank (MA)
Brady (PA)	Courtney	Fudge
Braley (IA)	Critz	Garamendi
Brown (FL)	Crowley	Gonzalez
Capps	Cuellar	Green, Al
Capuano	Cummings	Green, Gene
Cardoza	Davis (CA)	Grijalva
Carnahan	Davis (IL)	Gutierrez
Carney	DeFazio	Hahn
Carson (IN)	DeGette	Hanabusa

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3521.

□ 1409

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes, with Mr. DENHAM in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, and the gentleman from Idaho (Mr. SIMPSON).

The gentleman from Wisconsin (Mr. RYAN), the gentleman from Maryland (Mr. VAN HOLLEN), and the gentleman from Idaho (Mr. SIMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 2 minutes.

I want to begin by thanking my friend, CHRIS VAN HOLLEN, the ranking member of the Budget Committee. This is a collaborative effort. This is a bipartisan effort. It's not that often that we have a chance to do this. Mr. Chairman, I want to first thank the gentleman from Maryland for this collaborative effort. We believe whenever we can find the opportunity to reach across the aisle and work in a bipartisan fashion to go after wasteful spending we should do that, and that's what this effort is all about.

I also want to thank the staffers who put a lot of work in this: Paul Restuccia, Nicole Foltz, and Jon Romito on the majority side. I want to thank Tom Kahn, Gail Millar, and Ellen Balis, for their hard work on the minority side; Chairman DREIER at the Rules Committee; Congressman HENSARLING, who has been one of the forefathers of this effort.

What this does is it is the expedited line-item veto and enhanced rescissions. This bill is constitutional, and I want to explain to Members why.

The 1996 line-item veto was ruled unconstitutional because it delegated legislative power to the executive branch. This does not do that. This is quite the opposite. This simply says, after an appropriations bill has been passed, within a short period of time, the President can send up a new rescissions proposal to the House and the Senate to consider rescinding spending from that bill, and we have to simply have the vote. We can't hide from the vote. We have to have the vote.

Here's why we're doing this, Mr. Chairman. Lots of bills from both parties over the years have had so many

## NOT VOTING—20

Herrera Beutler	Payne
Meehan	Polis
Mica	Roby
Miller (MI)	Ruppersberger
Miller, George	Sewell
Nunes	Stutzman
Paul	

□ 1408

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.

Stated for:

Mr. COLE. Madam Speaker, on rollcall 44, the question of agreeing to the resolution (H. Res. 540) which provides for the consideration of H.R. 3521, the Expedited Legislative Line-Item Veto and Rescissions Act, had I been present I would have voted "yes."

Mrs. MILLER of Michigan. Madam Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Ms. SEWELL. Madam Speaker, on rollcall No. 44, had I been present, I would have voted "no."

Ms. CHU. Madam Speaker, on rollcall No. 44, had I been present, I would have voted "no."

Stated for:

Mrs. ROBY. Madam Speaker, on rollcall No. 43, 44, I was unavoidably detained. Had I been present, I would have voted "yes," on both.

## GENERAL LEAVE

Mr. RYAN of Wisconsin. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3521, the Expedited Legislative Line-Item Veto and Rescissions Act.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 540 and rule

miscellaneous provisions stuffed into them without seeing the light of day, whether they even pass the House or Senate or not. The President has to sign the whole bill or nothing at all. This gives us the ability to pull those miscellaneous provisions out, send them back to Congress and have them vote on them on their individual merits.

We believe what this will do will make every Member of Congress think twice before trying to insert, sometimes we call them airdrops or earmarks or pork or whatever you want to call it. We ought to have Members of Congress think twice that they might have to justify this provision on the spending bill on the merits by a stand-alone vote by their own peers. We think that act of sunshine, that act of transparency, that act of accountability will help improve the integrity of the spending process here in Congress.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself 30 additional seconds to simply say this bill is bipartisan, it's constitutional, and it is yet one more tool in several that we are bringing to the floor to restore trust, accountability, and transparency to the way we spend hardworking taxpayer dollars.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

Let me begin by thanking the chairman of the committee, PAUL RYAN, and our staffs for working together in a cooperative and bipartisan manner on what I think is a very important piece of legislation to bring before the House.

While we have deep disagreements in this House over many policy issues, I know that we all agree that we should be responsible and careful stewards of taxpayer dollars. That's what this bill before us is all about. It creates new mechanisms for greater transparency and greater accountability in spending taxpayer dollars. I believe that it will, over time, result in a better use of those taxpayer dollars, and savings identified through this process will go to deficit reduction.

For those of us who believe that government can play a positive role in people's lives by creating opportunities, like investing in education for our kids, like strengthening our economy through investments in infrastructure—our roads, our bridges, broadband—by making key investments in scientific research, for those of us who believe that, it is especially important that taxpayers have confidence that their tax dollars are being used wisely. To the extent they don't believe that, it makes it more difficult to invest in the common good. So we should take every opportunity in this body to make sure those taxpayer dollars are being well spent.

Let's be clear about what this bill does and what it does not do.

As the chairman indicated, it does not give the President unilateral line-item authority. The Supreme Court ruled in 1996 that the line-item veto law that was passed by an earlier Congress was unconstitutional because it handed over that unilateral authority to the President of the United States. I think that was the right Court decision. I also think it was the right policy decision.

This approach is entirely different. It's different because it expressly requires congressional action before any savings, sometimes called rescissions, proposed by the President can take place. It simply requires Congress to consider and vote on the President's proposed savings. Congress, by a majority vote in each House, can support the President's recommended savings or reject those savings. In the end, Congress has the final say.

Now, I think everybody here knows we can do a better job in this Congress of scrutinizing spending bills. This bill provides a strong incentive to do that. Let's consider how the process worked just last December with the Consolidated Appropriations Act of 2012.

That bill was over 1,200 pages long and included over a trillion dollars in spending. In fact, Mr. Chairman, I've got that bill right here. It was submitted to this House at 10:47 p.m. on December 15, 2011, and was voted on less than 15 hours later. No one can say they had an adequate opportunity to scrutinize that spending bill.

Let me mention a couple facts about that bill. It included in it nine separate appropriation bills rolled into one. Of those nine bills, four had not been reviewed or voted on by the full House. The House had never had a chance to look at them or vote on them. Two of them hadn't even had a vote in the Appropriations Committee. One of those two, the Labor-H bill, \$160 billion in taxpayer money, not voted on even in Appropriations Committee. The Foreign Ops bill, not voted in Appropriations Committee. Only one of those nine was voted on in the United States Senate before that last-minute decision.

I want to make this clear. This is not a criticism of the Appropriations Committee. This is a criticism of the process that we've had in this Congress whether you have Democratic Houses in control or Republicans in control. What this bill does is try and provide a small fix to that process so that we have a little more scrutiny.

Under current law, the President can already propose savings, but under current law, the Appropriations Committee can totally ignore it. All this does is say let's take up those recommended savings in the light of day. Let's have an up-or-down vote in the United States Congress and, you know what, if we agree the President's identified additional savings, that will help reduce the deficit.

This is a good bill. It's a bipartisan bill, and I urge my colleagues to support it.

I reserve the balance of my time.

□ 1420

Mr. SIMPSON. Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full Appropriations Committee, an individual who is trying to do more to reform the appropriations process by bringing individual bills to the floor.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to this bill.

In article I, section 9, clause 7, the U.S. Constitution bestows upon Congress what we now call the "power of the purse"—that the representatives of the people should distribute taxpayer dollars as warranted and needed. The line-item veto would weaken that power, shifting budgetary authority to the executive branch and giving the President a power that our Founding Fathers did not see fit to give to him. In fact, a previous effort to provide the President a line-item veto, as has been noted, was ruled unconstitutional by the Supreme Court in 1998.

Two weeks ago, during his State of the Union address, we heard how the President would choose to spend our precious taxpayer dollars. The line-item veto would strengthen the President's ability to give preference to his spending priorities over those of the Congress and the constituents that you represent.

Our Founding Fathers had seen firsthand what an absolute authority could do when wielding too much influence, particularly over spending and taxation, and they drafted our Constitution accordingly, providing for checks and balances to prevent too much power from falling into the hands of one branch of government, the executive. The Framers would surely shake their heads at the idea of transferring this much authority to the executive branch.

So powerful was this defense of Congress' role that James Madison in *Federalist Paper No. 58* stated:

The power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people for obtaining a redress of every grievance and for carrying into effect every just and salutary measure.

Not only does the line-item veto fly in the face of our Constitution and the Framers' protections, but budget experts also doubt its effectiveness as a spending reduction tool. Look back to Congress' experience with the line-item veto under President Clinton. He wielded this authority to little effect in saving taxpayer dollars. In fact, Congress declared that he "misused" that authority, and overturned nearly half of his cancellations. So, to summarize the line-item veto: It is a power likely to be abused and not likely to save money.

In an effort to better this flawed bill, to at least improve its chances at having a tangible effect on government spending, we offered an amendment in the Rules Committee that would have made the bill also apply to tax benefits and runaway entitlement spending. However, that amendment was ruled out of order. The amendment wouldn't have made this bill perfect nor would it have solved the constitutional problem, but it would have at least increased the potential for achieving actual budget savings.

Nearly 25 years ago, former CBO Director Rudolph G. Penner famously said in reference to our budget: "The problem isn't the process. The problem is the problem."

Mr. Chairman, today's problem isn't with whether or not the President can veto budget line items nor is it even with annual discretionary spending. On that front, we've saved more than \$95 billion over the last 2 years, thanks to the support of this House.

The CHAIR. The time of the gentleman has expired.

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

Mr. ROGERS of Kentucky. The real problem today lies with exploding and unsustainable mandatory and entitlement spending, which the Budget Committee should be addressing forthwith. Mandatory spending comprises two-thirds of the Federal budget. We only deal with a third on discretionary—most of that military—and it continues to blow up the Nation's deficit and debt at these rapid rates, putting our economy and the stability of our Nation at risk.

I urge my colleagues to look beyond the opportunity for the easy press release in order to see that the line-item veto does more harm than good. We can't dismiss the fundamental tenets of the Constitution, and we can't pretend that it will have any positive effect on the Nation's financial predicament. We must put an end to these budgetary smoke screens to find more appropriate and effective ways to address our budget crisis and focus our efforts on mandatory entitlement spending, which is where the real problem is.

Mr. RYAN of Wisconsin. Mr. Chairman, I would simply say that 44 State governments have the line-item veto in their constitution, but we're not proposing that here. We're proposing to keep the power of the purse with the legislative branch and not grant that to the executive branch. This bill does that.

With that, I yield 1½ minutes to the gentleman from Arizona, a member of the Appropriations Committee, Mr. FLAKE.

Mr. FLAKE. I thank the gentleman for yielding, and I rise in strong support of this legislation. I appreciate that it's a bipartisan piece of legislation.

I lose no sleep at night over whether the President of my party or the other party can take action to send back

some spending that we have done here and force Congress to reaffirm it. Had we had that over time, I think we would have saved considerable money. We've had the process here that the chairman of the Budget Committee has mentioned, the process of earmarking over the years. Tens of thousands of earmarks have been proposed by Members of this body unchecked. Oftentimes we would approve one bill with 6,300 earmarks in it. It would be wonderful to have somebody able to send one of those items back and at least force us to spend additional time on that item and to say, do we really want to spend that money or not? It provides some check on this process. We need more checks, not fewer.

Like I said, I think that this is constitutional. It doesn't cede our power of the purse. It simply reconfirms our commitment to control spending, something that we have not had much control of lately as evidenced by the massive deficits that we've run.

So I rise in support of that legislation.

Mr. VAN HOLLEN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida, a member of the Budget Committee, Ms. CASTOR.

Ms. CASTOR of Florida. Mr. Chairman, I rise today in support of the bipartisan Expedited Legislative Line-Item Veto and Rescissions Act. As a member of the Budget Committee and a cosponsor, I would like to thank Chairman RYAN and Ranking Member VAN HOLLEN for their work and cooperation.

I support a line-item veto because congressional appropriations and spending oversight is broken. They're broken. Almost every year appropriation bills are rolled into one massive package at the end of the year with little opportunity to review, debate, or amend the provisions. That means Members have little ability to eliminate a wasteful expenditure or program.

This past year was a perfect example. Despite the expressed desire of Speaker BOEHNER that we would have open debate and open amendments on every appropriations bill, that did not happen. Instead, the bills were rolled into one huge package in the eleventh hour, released with, as I think Ranking Member VAN HOLLEN said, 15 hours to review, and then Members were asked to provide an up-or-down vote. We had little ability or no ability to amend the bill. That is not how it is supposed to work.

The Congress must endeavor to effectively exercise its responsibilities and scrutinize every appropriation and be able to debate and amend expenditures. The logrolling of appropriations bills that has become common practice undermines confidence in Government and permits wasteful spending to squeak through.

Under this bipartisan line-item veto bill, we will establish a new layer of accountability in the budget process. The

President, whether it is a Republican or a Democrat, will have a new critical look at a spending provision, a potential veto or veto of that provision, but then it will come back to the Congress, and then we can debate it and vote on it in the light of day up or down.

Mr. Chairman, so far this congressional session has been described as a particularly difficult one, and it was highlighted by difficult debates of last year, and then we ended the year with a big appropriations package we were asked to vote on at the last minute with no review practically and no ability to amend it. So I have to say that it is refreshing that we can bring a bipartisan bill to the floor of the House that we agree on. Reform with a line-item veto bill today, hopefully the STOCK Act tomorrow.

I urge my colleagues to support the bipartisan line-item veto bill and demonstrate to the American public that the Congress can work again.

□ 1430

Mr. SIMPSON. I yield 2 minutes to the gentleman from California (Mr. LEWIS), the former chairman of the Appropriations Committee.

Mr. LEWIS of California. I very much appreciate my chairman yielding.

Mr. Chairman, while I am very hesitant to oppose my friend from the Budget Committee, he has been wrong in this subject area before. The line-item veto that the Supreme Court essentially set aside was an illustration that we are on dangerous ground when we presume, as the legislative branch, the people's House, that we are going to do something worthwhile but, in the process, exceed our authority and constitutional responsibility to the administration, any administration, whether it be Democrat or Republican.

In the last go-around preceding the Court setting it aside, the administration had vetoed a number of items but, indeed, about 80 percent of them were sponsored on one side of the aisle versus the other, essentially partisanizing that piece of the appropriations process. One way or another, this body has got to get away from those partisan extremes. In this case, you are going to have a bureaucrat at a third level within the administration deciding, ah-ha, there's an item there that we don't agree with in our bureaucracy, so let's send it back for very special attention, taking up the time of the Congress and essentially undermining the work of the Congress.

Our responsibility within our subcommittees on the Appropriations Committee and in the full House is to legislate. Theirs is to review that which we direct them to do, not to either set aside or to veto that work. So for that reason, I strongly oppose the proposal by the Budget Committee chairman.

Mr. RYAN of Wisconsin. I would simply say that the same majority that produces the appropriations bill can reject any rescission requests by the President in the same majority.

With that, I yield 1 minute to the gentleman from Wisconsin (Mr. RIBBLE), a member of the Budget Committee.

Mr. RIBBLE. Mr. Chairman, I thank Chairman RYAN and Ranking Member VAN HOLLEN for bringing this very important piece of legislation.

Spending has run rampant in Washington, and it's because "no" is not a word that Congress is used to when it comes to spending. For too long, Members have been able to take advantage of the system and spend taxpayer money on projects that have proved to be unnecessary and frivolous. There are far too many examples of spending absurdity to share today; but the fact is that needless projects are squandering away millions of dollars at a time when our country is facing a record-breaking \$15 trillion debt.

It's time to start changing the way Congress budgets and spends taxpayer money, and the line-item veto is a positive step. I would contend to you it's not that we have too much oversight. It may be that we have too little oversight. By allowing the President to target unjustified spending and send it back to Congress for a vote, we'll increase accountability and make Members think twice before they commit hardworking taxpayer dollars on some special interest project.

I am proud to be a cosponsor of this bipartisan legislation and the sponsor of my own biennial budgeting bill which will help fix Washington's broken budget process. The time for change is now because if we don't strive to fundamentally fix this problem—not just some pretend fix—then it will be our children and grandchildren who will pay the price. Mr. Chairman, I urge my friends and colleagues to support this legislation.

Mr. VAN HOLLEN. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH), who has spent a lot of time focusing on budget issues.

Mr. WELCH. I thank the gentleman from Maryland.

There are two constitutional principles; there is one practical problem; and there is one democratic ideal. The most important constitutional principle is the power of the purse that must be retained by Congress. No one could give a better affirmation of why that's important than the chairman of the Appropriations Committee, except for the author of the Federalist Papers who the gentleman quoted.

Does this violate Congress' power of the purse? It reserves to the Congress the right to overturn by majority vote a recommendation by the executive that focuses on a single item of spending. Now, that may make life somewhat more difficult for those of us in Congress. It may make it particularly more difficult for the appropriators who have to deal with the incredible complexities of the large and multifaceted Federal budget; but in my view, it does not in any way violate the constitutional right that this House has over the power of the purse.

The second constitutional provision is the right of the executive to exercise a veto. And that is part of the checks and balances where the executive, a Republican or Democratic President, is given the power to say "no." And then it imposes on us a burden of coming up with two-thirds votes in order to overcome it. A veto is not a practical tool. If the effect of that veto is a budget that keeps government going, that pays for our troops, that pays doctors who are providing Medicare services, that everything goes down with the ship, we're forcing the President to make what, in fact, is a radical decision to tear the whole thing down or to let some things go.

The practical problem we have is the budget. And again, Mr. ROGERS is right: process reform is not going to get us from where we are to where we need to be. The problem is the problem. But this is one budget reform that can't help because what it does ultimately lead to is the application of that great democratic principle of transparency. What this means is that if you or I voted for a budget and the President highlighted a few items where the President said, Hey, what's going on, we would have to stand up here—you and I—and vote "yes" or "no," and then be able to defend that vote to the people who elected us.

One of the challenges that I think we all know we have is that the confidence that people have in this institution is very low. So anything we can do—and transparency is the way to do something quite effective—we should do.

So this simply means that at the end of the day, these budget bills that are complicated, that are big, that few Members really have an opportunity to review, when the President reviews them and identifies a few things that he wants to send back, we have to say "yes" or "no" in the full light of day.

Mr. SIMPSON. I yield 2 minutes to the gentlelady from Minnesota (Ms. MCCOLLUM), a member of the Appropriations Committee and the Budget Committee.

Ms. MCCOLLUM. I thank the chairman.

I respect the bipartisan efforts of my colleagues on the Budget Committee, but I oppose passage of H.R. 3521. This bill grants the executive branch more power, and it will do little to reduce our deficit. Make no mistake, this bill sacrifices congressional authority. If H.R. 3521 were a serious effort to reduce our deficit, it would address the hundreds of billions of dollars we currently spend through our Tax Code.

In fiscal year 2010, tax expenditures constituted a bigger part of our budget than Social Security, Medicare, Medicaid, and national defense. Tax expenditures were twice as large as all nondiscretionary spending combined. With the Federal budget on an unsustainable path, our country's fiscal problems need to be addressed in a way that is both effective and equitable. Scaling back and reforming tax

expenditures must be an important part of the effort.

The bipartisan Simpson-Bowles report explained that the spending in the Tax Code costs over \$1 trillion every year. They call these tax earmarks. Why? Because they are special tax breaks granted to special taxpayers.

Tax expenditures are not periodically reviewed; and unlike the budgets of individual Federal Government Departments and agencies, which are set by Congress and annually reviewed through the appropriations process, special interest earmarks in law today contribute directly to deficit spending. A report by the Joint Committee on Taxation says tax expenditures "may be considered to be analogous to direct outlay programs, and the two can be considered as alternative means of accomplishing similar budget policy objectives."

Very few Members know what's hidden in our Tax Code because it's not subject to annual scrutiny like the budget. Special interest spending in our Tax Code does not deserve more protection in the budget process than public interest appropriations that support our local communities, our police and fire departments, and our schools.

The CHAIR. The time of the gentlewoman has expired.

Ms. MCCOLLUM. With that, I would urge colleagues to vote this bill down.

FEBRUARY 8TH, 2012, REMARKS BY BETTY MCCOLLUM—  
TAX EXPENDITURES AND BUDGET RESCISSION AUTHORITY

I respect the bipartisan efforts of my colleagues on the Budget Committee; I oppose passage of this H.R. 3521. This bill grants the Executive Branch more power and will do little to reduce our deficit.

Make no mistake; this bill sacrifices Congressional authority, because we have failed to do our jobs by taking a balanced approach to deficit reduction.

If H.R. 3521 was a serious effort to reduce our deficit, it would address the hundreds of billions of dollars we currently spend through our tax code.

In fiscal year 2010, tax expenditures constituted a bigger part of our budget than Social Security, Medicare, Medicaid, or national defense. Tax expenditures were twice as large as all non-security discretionary spending combined.

With the federal budget on an unsustainable path, our country's fiscal problems need to be addressed in a way that is both effective and equitable. Scaling back and reforming "tax expenditures" must be an important part of that effort.

The bipartisan Simpson-Bowles report explained that spending in the tax code cost over \$1 trillion every year. They called these "tax earmarks." Why? Because they are special tax breaks granted to special taxpayers.

Tax expenditures are not periodically reviewed, unlike the budgets of individual federal government departments and agencies, which are set by Congress annually through the appropriations process.

A report by the Joint Committee on Taxation says: "Tax expenditures . . . may be considered to be analogous to direct outlay programs, and the two can be considered as alternative means of accomplishing similar budget policy objectives."

Very few Members know what is hidden in our tax code, because it is not subject to annual scrutiny like the budget.

The hundreds of billions of dollars we spend on these “tax earmarks” must be addressed if we are serious about putting our country on a sustainable fiscal path.

And without the opportunity to include tax expenditures, which are a larger part of our budget than Social Security, Medicare, Medicaid, or national defense, we will not get our fiscal house in order. Therefore, I will vote no on H.R. 3521.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds to simply say that what we are trying to do here is add another layer of transparency and accountability. When an appropriation bill comes to the floor—at least under this majority—it comes under an open rule, which means that any Member can open it up to amendment, and we can have those up-or-down votes on individual items under consideration in this bill.

□ 1440

But what happens after that moment, after a bill has passed the House, after a bill has passed the Senate and then it's conferred, a bill comes to the floor, up or down, take it or leave it. Lots of things go into those bills in those moments between House and Senate passage and final conference report passage.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself an additional 10 seconds to say that this simply gives us that extra layer of accountability so that we can still consider individual items. And all we have to do if we don't approve of them is not pass them. We decide.

With that, I yield 1 minute to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Chairman, I had the honor to be part of the Republican Congress that produced the first balanced budget in nearly 30 years. Part of that effort included providing the President line-item veto authority. Unfortunately, the Supreme Court ruled the line-item veto unconstitutional. After the dot-com and 9/11 recessions, the deficit reemerged. Again, Republicans were making progress towards eliminating the annual budget deficit, reducing it down to \$161 billion in 2007. But when the Democrats took over control of Congress, we now have a monthly deficit of over \$90 billion.

Since 2007, I've voted more than 700 times to cut over \$2.6 trillion in spending, over 150 times in 2011 alone. This bill represents another effort to rein in spending and get our fiscal house in order. It will withstand constitutional scrutiny, and I urge my colleagues to support this legislation.

Mr. VAN HOLLEN. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), a former member of the Budget Committee.

Mr. CONNOLLY of Virginia. Mr. Chairman, I thank my colleague from

Maryland and I thank my colleague from Wisconsin for their bipartisan effort today.

I'm pleased to be an original cosponsor of the Expedited Legislative Line-Item Veto and Rescissions Act, and I urge my colleagues to support it.

I'm listening to the concerns from our friends on both sides of the aisle, especially those on the Appropriations Committee, and I'm not unsympathetic to the constitutional concerns raised about what does this do to the balance of power. I believe our friend from Wisconsin, the chairman of the Budget Committee, very ably just explained how this framework takes cognizance of those concerns and guarantees that while we give the President an opportunity to take another look at the whole bill and make some excisions, it also gives us another crack, an up-or-down on whether we agree or we don't. I believe that we as an institution cannot have it both ways. We can't say that we are obsessed with the national debt, but when a statutory remedy is at hand to try to address it, we say “no” because of an argument about prerogatives.

The debt is so large and it isn't, I say to my friend from Illinois, a matter of Democrats or Republicans. No hands are clean when it comes to the national debt. But we have in front of us one more tool to add to PAYGO, to add to the sequestration process, and hopefully other debt-relief measures.

Here is a tool right in front of us, a statutory tool, not a constitutional amendment, that actually can make an efficacious difference. I believe we should do that. I believe it will make a difference, and I believe that it doesn't compromise the balance of power between the executive and the congressional used the way it's designed.

So I'm happy to rise in support of this legislation, and I urge my colleagues to think carefully before they vote about whether we say “yea” or “nay” to this tool in a kit bag.

Mr. Speaker, I am pleased to be an original cosponsor of the Expedited Rescission Act, and I urge my colleagues to join us in supporting it.

It is no secret that if left unchecked, our federal deficit will cause lasting damage to our economy and to American families. No one action, and no one party caused the fiscal challenges we face, but it will take bipartisan efforts like this bill to put us back on the right path.

Just as you cannot build a house with just a saw, there is no one panacea to correct the debt imbalance. The Expedited Rescission Act, however, is another tool in our toolbox for fixing the Nation's financial problems, and it builds upon our previous actions.

As my colleagues will recall, we re-instituted the Statutory Pay As You Go Act in the last Congress. PAYGO is a simple concept that some here in Washington often forget—if you have a nifty idea, you have to find a way to pay for it first. The original PAYGO was a bipartisan bill enacted under a Democratic Congress and a Republican President in 1990. A Republican Congress and a Democratic Presi-

dent then adhered to it throughout the 1990s, culminating in four straight surpluses starting in FY1998. Unfortunately, PAYGO was allowed to lapse in 2002 until we revived it in 2010.

More recently, we took another critical step in addressing our financial challenges when the bipartisan debt ceiling agreement was enacted into law last August, cutting \$2.1 trillion of debt over the next decade. Although a number of my colleagues recently have suggested we retrench on that agreement, it represents the largest debt reduction in our Nation's history. While more must be done, this was a significant step.

Today, Expedited Rescission presents us with another tool we can use. It gives the President and then Congress a second chance to review federal spending proposals and eliminate unneeded expenditures. Encouraging fiscal discipline and creating one more opportunity to cut unnecessary spending will help strengthen our Nation's financial foundation.

The Expedited Rescission Act is a bipartisan effort that will move us closer to reducing the federal debt and building a stronger and sustainable fiscal future, and I urge my colleagues to support it.

Mr. SIMPSON. I yield 2 minutes to the gentleman from California (Mr. CALVERT), a member of the Appropriations Committee and, more importantly, the Budget Committee.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the Expedited Legislative Line-Item Veto and Rescissions Act. While I think today's debate is valid and relevant, I have serious concerns about ceding more legislative authority to the executive branch.

While I understand what my colleagues on the Budget Committee are trying to do, I fear we are tilting the constitutional separation of powers and giving even more authority to the executive branch that it will soon resemble a monarchy.

Every budget reform exercise we go through, going back to the Congressional Budget and Impoundment Control Act of 1974, seems to strengthen the executive branch and weaken the legislative branch.

This process has morphed into a yearly exercise in which Congress receives a 10-pound, five-volume, shrink-wrapped budget that is simply the executive branch's earmarks. Congress rarely challenges the bulk of the President's budget and is left fighting over the margins—a very small percentage of the total budget. When we do question the President's budget, we get push back from the executive branch agencies on any changes we want to make. Now we want to let ourselves off the hook from writing good legislation and forcing the President to either accept what Congress passes or veto it.

If the point of this legislation is to reduce our overall spending by giving the President this power, then we are ignoring one of the biggest drivers of our debt, which is the Tax Code, which was mentioned earlier. Why leave out the loopholes and giveaways from Ways and Means which is permanent spending via the Tax Code?

It was mentioned by the chairman that the appropriations bills are brought up under an open rule. I wonder why this bill wasn't brought up under an open rule. Again, the point here is that Congress should be doing its duty, addressing Tax Code loopholes and writing thoughtful spending bills, not simply turning over the hard choices to the President.

We are inserting the President in the legislative process. Congress giving up its authority under the Constitution, this will not resolve our budget problem.

I urge my colleagues to preserve the constitutional right of Congress to appropriate and vote against this bill.

Mr. RYAN of Wisconsin. At this time, Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. McCLINTOCK), a member of the Budget Committee.

Mr. McCLINTOCK. I thank the gentleman for yielding.

Mr. Chairman, this bill presents us with a very simple question: Is it just conceivably possible that the Congress has, from time to time, passed a spending bill or two that ought to have had greater scrutiny?

Now, the answer to that question may elude certain Members of this House, but I can assure them it is self-evident to everybody else. A country whose finances are as far out of control as ours suffers from not too many checks and balances on spending but from too few.

Now the opponents discuss this bill as if it were some new and radical idea. The fact is many States operate with a genuine line-item veto and have for generations. For those States, it's been a vital tool to control their spending, and those provisions are far more stringent than what is proposed here.

In conformance with our Constitution, this bill simply invites the President to call to Congress' attention those spending items that he recommends that we give additional thought to and puts a 6-week hold on those funds while we do so. In fact, from 1801 until 1974, the President had the recognized authority to impound excess spending indefinitely, a legitimate executive function first asserted by President Thomas Jefferson. The Budget Act of 1974 stripped the Executive of this vital check on congressional excess. I'd prefer to see us restore that fiscal safeguard; or, better still, amend the Constitution to provide the President with an actual line-item veto.

But let's at least set up a process so the President can warn us when he believes that we have appropriated more money than he needs to execute the laws that we have passed. This bill is, frankly, a mouse when we need a lion. The fact that it has produced shrieks of horror from some quarters of the House is an exact measure of the extent and nature of our problem.

Mr. VAN HOLLEN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of H.R. 3521, the Expedited Line-Item Veto and Rescissions Act of 2011. This bipartisan legislation will cut wasteful spending and reduce the deficit by reestablishing the principal of a line-item veto.

It should come as no surprise to anyone that occasionally an unnecessary or wasteful expenditure makes its way into a spending bill. This bill increases accountability over those expenditures by giving the President the authority to identify specific wasteful spending and make Congress take an up-or-down vote on its merits.

□ 1450

This legislation requires that all savings go directly toward deficit reduction. This legislation is a commonsense solution to cut wasteful spending and reduce our unsustainable deficit. I urge my colleagues to support this bill. It's a step toward getting our economy back on track and getting people back to work.

Mr. SIMPSON. I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE), a member of the Appropriations Committee and the Budget Committee that marked this bill up.

Mr. COLE. I thank the gentleman for yielding.

Mr. Chairman, a lot of people have asked whether or not this bill is constitutional. Frankly, I think it is. I don't think there's much doubt about it. A lot of people have raised the point that it enhances the power of the Presidency. I don't think there is much question that it does do that.

A lot of people have argued it's substantive, and there I have to respectfully disagree. There's nothing substantive about this legislation at all. We already have gotten rid of earmarks, don't use them anymore, and the Appropriations Committee has already shown that on its own it can cut spending. It's done it in 2 budget years in a single calendar year.

The sad thing here is we had a chance to do something substantive. We had amendments offered by Ms. MCCOLLUM and myself that actually would have made tax expenditures in order to be reviewed, that actually would have looked at direct spending. Those amendments, unfortunately, were ruled out of order.

Pursuing bipartisanship and providing Members with political cover at the expense of substantive policy, frankly, is unworthy of the Congress, in my view, and certainly of this majority. Our budget problems are serious. They deserve serious solutions. The Ryan budget is a serious solution. The 2006 legislative line-item veto bill, which included provisions to cover the very items that this bill does not, was a serious solution. This legislation, sadly, is not serious and ought to be rejected. We ought to be serious about the budget deficit we face.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 10 seconds to simply say I agree with a lot of what the gentleman said. He's a good friend. We don't have all spending in this bill, but that doesn't mean don't go after some of the spending that's passed by Congress. This is the kind of spending Congress passes annually every year. I think it's a good step in the right direction.

With that, Mr. Chairman, I yield 3 minutes to the chairman of the House Republican Conference, the gentleman from Texas (Mr. HENSARLING), who is one of the fathers of this idea and of budget process reform.

Mr. HENSARLING. I thank the distinguished chairman of the Budget Committee for yielding and particularly for his leadership in being the number one budget hawk in the House.

Mr. Chairman, hopefully by now, all Americans know we have a spending-driven debt crisis. We are now looking at the fourth—fourth—trillion-dollar deficit in a row. Our debt-to-GDP ratio now exceeds the entire size of our economy for the first time since World War II. Again, we are in the midst of a crisis. We are mortgaging our children's future, we are bankrupting a great nation, and we are hindering jobs and economic growth in this country.

I've listened very carefully to friends—close friends—come to the House floor to argue against this bill, and I agree with much of what they say. This is one individual tool in a toolbox. They point out the absence of many more, and they are correct. And it is my hope and my aspiration that this House would take them up.

I want to also congratulate the gentleman from Maryland, the ranking member of the House Budget Committee. It's not always easy in these times to work on a bipartisan basis. We had an opportunity to work on the Joint Select Committee, to which he was a positive force. We often disagreed, but he has commanded my respect, and he commands my respect today for his bipartisan work.

I do want to congratulate the chairman of the Appropriations Committee and the entirety of his committee. For the first time in my lifetime, under his leadership, discretionary spending will decline 2 years in a row—an incredible achievement.

I also want to thank our Speaker, Speaker BOEHNER, for his leadership on the entire subject of earmarks. Earmarks are not necessarily inherently bad. But, Mr. Chairman, we all know that too often they represented the triumph of seniority over merit and the triumph of local and special interest over national interest.

Under the leadership of our Speaker, with a little help from the gentleman from Arizona (Mr. FLAKE), they are no more. But in a different time, a different era, they may return. This is at least an insurance policy that the one individual who is elected to represent the entirety of the Nation, the President of the United States, can at least

put a spotlight on that type of spending and just ask the United States Congress to take that up-or-down vote.

It's about transparency, it's about accountability, and it's about a modest tool in a time of debt crisis to help with jobs, economic growth, and the survival of a great nation.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

I thank the gentleman from Texas for his words. I just want to hark back to what the gentleman from Oklahoma (Mr. COLE) said, who's in opposition to the bill, but he did make clear that in his opinion this bill is constitutional. I really think we should put that question aside.

As the chairman of the committee has pointed out on several occasions, Congress gets the last word on this issue. Congress gets an up-or-down majority vote. We're simply requiring that Congress take a vote on savings that the President recommends for the taxpayer. We believe we should do that in the light of day. It's a small step.

It's a little curious to hear one of the solutions offered from some of the folks opposed to this bill is to give the President even more authority. On the one hand they say, well, we shouldn't do this because you're giving the President too much leverage. The amendment they mention, of course, would give the President even more leverage over tax expenditures and mandatory spending, so I'm a little puzzled there.

Where I do agree with them is that if we're going to get a hold on this deficit situation, we've got to deal with mandatory spending as well, and we've got to deal with the revenue side of the equation—tax expenditures. And the bipartisan commissions, Simpson-Bowles, Rivlin-Domenici, all of them presented a more bipartisan framework for doing that. While I don't agree with every one of their recommendations, I think the framework they presented was the right one.

I would agree with the chairman of the committee, Mr. RYAN, here: just because we're not able to tackle the whole thing as part of this reform effort doesn't mean we shouldn't try and tackle a piece of it. And I think this is a small piece, but I think it's an important piece. I think it will have a positive impact on how this body approaches the appropriations bills.

Again, the way this process is driven now, it's not a criticism of the Appropriations Committee. They do the best they can under the rules as they exist now. What this bill does is just say let's have one more opportunity, an opportunity to take an up-or-down vote on savings that the President believes we can make toward deficit reduction. And it seems to me that's a positive step to take.

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

Mr. SIMPSON. I yield 2 minutes to the gentleman from Washington, the ranking member of the Appropriations Committee, Mr. DICKS.

Mr. DICKS. I rise in strong opposition to this bill. It is my judgment that—and I listened to the statement made by the distinguished chairman of the Appropriations Committee, Mr. ROGERS from Kentucky, that this is unwarranted, especially now that Congress has decided, at least for the time being, that we're not going to do earmarks. This would get down to a situation where if, on the Defense Appropriations Subcommittee, we added money for additional predator ISR vehicles, the President can as I understand it, take it right back down to his budget request.

We've had a lot of experience, many Members of the Appropriations Committee, Mr. YOUNG and I, have been here over 30 years and served on this committee over 30 years, and a lot of positive things have happened where Congress makes increases or decreases. Now, if you're going to give the President the authority to send up a bill undoing our work, especially after it's been voted on, the Appropriations Committee has gone through all these things. I just think it's wrong.

In fact, on the earmark issue, I frankly think the solution that the Democrats had when we were in the majority was appropriate where we said you can't have earmarks for private companies unless it's competitively awarded, and then we took that away, but you still can help your schools.

□ 1500

You can still help your local governments. You can still help your universities, your NGOs that are doing work on meth for example—rather important issues. That would have been a better compromise, I think, than saying no earmarks under any circumstance.

It is clear to me that over the years there were too many earmarks, and that became a problem. But to go beyond that now and say that we're going to have a line-item veto and Congress has to vote on this, I think, is a serious mistake; and I join my colleagues on the Appropriations Committee in opposition.

I'll just say one final thing. I also think if you're going to do it, then you ought to do it for Ways and Means as well—that's where all the spending is—and not just pick on the Appropriations Committee. We've done our job. Ways and Means hasn't done their job.

Mr. RYAN of Wisconsin. Mr. Chairman, with that, I yield 2 minutes to the gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank the gentleman for yielding.

I rise today in support of the Expedited Legislative Line-Item Veto and Rescissions Act, and I thank Chairman RYAN and Ranking Member VAN HOLLEN for their work on this important bipartisan legislation.

At a time when we are borrowing 40 cents on every dollar we spend, there's no more important time for Congress

to have an honest conversation about balancing our Federal budget and cutting wasteful government spending.

It is clear that real reform is needed in our flawed Federal budget process. The real reforms that we have considered over the last 2 weeks seek to improve this flawed process by getting at the root of the Washington accounting gimmicks that have plagued Congress for years. These reforms will provide more Federal Government transparency and accountability and put an end to business as usual when it comes to out-of-control spending in Washington. That is why I support this line-item veto legislation. This bill would give the President the ability to veto wasteful spending provisions as a part of the appropriations process.

This bill and the remaining budget-reform bills will give the American people an honest picture of how their hard-earned tax dollars are being spent and will move us one step closer to addressing the debt crisis that threatens the very future of this great Nation.

Mr. Chairman, we know that both sides of the aisle have been a part of the problem when it comes to Washington's reckless spending habit. What we have failed to recognize is that both sides must be a part of the solution.

I urge all of my colleagues to support this line-item veto bill and the rest of our budget-reform proposals, proposals that hold a promise of a balanced and honest Federal budget and a brighter future for our children and our grandchildren.

Mr. VAN HOLLEN. Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. I yield 1 minute to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, fellow colleagues, when you first took this office, you held up your hand and swore to uphold the Constitution of America. I hope you read the Constitution. You say it's not relevant. It is. What we're doing here is transferring the power—and I've watched this for 40 years slowly creep into this body—transferring the power to the President's regulatory law. Now we're going to give him the power to line-item veto. Shame on you. Shame on you. This is a Congress of the people. It's up to us to do the job, and the chairman has done the job this time.

I'm looking down the road. The idea that we're going to let this House give this power to this President or any other President in the future, you've lost the Constitution in America as we have today. Let's think about this, ladies and gentlemen. That's what you're doing. You're transferring it to a monarchy to control it by executive orders, and now control the purse strings of this great Nation to the Congress, saying you can't do it when we're the representative of the people.

You talk about the debt. The debt is terrible; it's awful. But it would be worse to have our body, in fact, transfer the power of this House, under the

Constitution, to the President of the United States.

Mr. RYAN of Wisconsin. Mr. Chairman, after that, I'd like to yield 3 minutes to the distinguished gentleman from Oklahoma (Mr. LANKFORD), a member of the Budget Committee.

Mr. LANKFORD. Mr. Chairman, you know, this bill is called the Expedited Legislative Line-Item Veto and Rescissions Act. I think it may be inappropriately named because it gives an illusion that this is a veto power as we're used to seeing a veto power in the Congress.

This is not handing over to the President and saying, cut wherever you want and we have to override you. Instead, this is a Presidential handing to him and just saying, okay, check this. If he sees anything he doesn't like, he sends it back and we have to agree with it. If either the House or the Senate says, no, that should be there, it stays. It's not an override. It's actually an agreement with the President on one thing or another.

Maybe this bill should have been called the "second opinion" bill, to be able to have what we put out of the House and out of the Senate and what we pass, pass onto the President. He takes a look at it and says, That all looks great, I'm signing off on it; or say, You know what, maybe we should take a look at this area.

Currently, our appropriations team that we have in the House is doing a fantastic job of holding the line on spending. I am not as confident 10 years from now that that may still exist. This is a check to that.

Currently, this body has banned earmarks. It's not a permanent ban; it's in the rules for us for this current session. Will that still exist years from now? I don't know. This is a way to be able to deal with that issue to say if that were ever to slip back in, we can get that in. Maybe this bill should be called the "trust but verify" bill.

I can tell you, even as a freshman House Member, there have been moments that I voted for something and then picked up the newspaper the next day only to read something that none of us were aware had slipped in. This provides that moment, that when we pick up the newspaper the next day after something has passed, to have another moment, to have that trust-but-verify moment to be able to look at it and say, Why don't we see if we can take another look at that. And if that came back to us in an individual form, I bet we would vote that down. This is one more tool in the toolbox of reducing spending.

In a moment with \$15.3 trillion in debt, in a moment with a deficit all of us have great disdain for, let's take every opportunity we can possibly take to find moments and places where we can reduce spending, to allow the President to take a look at it and say, Take a second look at this, and allow this body and the body on the other side of the rotunda to say we agree or

disagree. If we disagree, fine. We voted for it the first time; let's vote it the second time. We may come back at it and say, You know what, when that comes back out in the light of day, I agree with you. Let's pull that out and let's find one more spot to do deficit reduction.

Mr. VAN HOLLEN. Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I would inquire—we're ready to close—how much time do I have remaining, Mr. Chairman?

The CHAIR. The gentleman from Idaho has 5 minutes remaining.

Mr. SIMPSON. Mr. Chairman, I yield myself the balance of my time.

I appreciate the fact that some of my good friends have a different opinion about this than I do, particularly Chairman RYAN and Mr. VAN HOLLEN. I appreciate the bipartisanship with which they have worked on this issue; but I will tell you, bipartisanship does not make something right which is fundamentally wrong, and this is fundamentally wrong.

I also feel a little bit like Custer at the Little Big Horn. I know this is probably going to pass without much doubt, but it's still wrong.

For 200 years, as the gentleman from Alaska said, Congress has been shifting more and more authority to the administrative branch of government. We are doing it again with this legislation.

I keep hearing people talk about earmarks and airdropped provisions in appropriation bills. I would remind the Members, in the 2011 appropriation bill there were no earmarks, there were no airdrops. In the 2012 appropriation bills there were no earmarks, there were no airdrops. We have changed the way we do business around here.

Now, you might have had an argument several years ago when there were thousands of earmarks in the appropriation bill. That doesn't happen anymore. For the first time, we're trying to bring appropriation bills—for the first time in 5 years—bring appropriation bills to the floor under an open rule. We didn't get it all done last year. We ended up with an omnibus, as Mr. VAN HOLLEN shows on his table. This year we are committed, given the floor time, we're going to bring every appropriation bill to the floor under an open rule so that every Member that has a problem with any provision can offer an amendment to have that removed.

It's been said that this is constitutional, Mr. VAN HOLLEN said, so let's take that argument away. Not necessarily and not so quickly. In conversations with members of the third branch of government, the judiciary, they have concerns that this may be unconstitutional, because what's required now is that the President presents the judicial request for appropriations, but he can't change it. He just passes it on to Congress. This gives the President a say in line-iteming specific provisions in the judi-

cial request, which may violate both U.S. Code and be unconstitutional.

□ 1510

So that question is still out there about the constitutionality of this. But I will tell you, in times of extraordinary circumstances, as we currently have, with a \$15 trillion debt, and everyone wants to reduce that debt, nobody more than the members of the Appropriations Committee have reduced spending in the last 2 years. But in times of extraordinary circumstances, we often do unwise things in the name of trying to address that problem. Such is this bill.

Most Members have never negotiated an appropriation bill with the Senate. Let me tell you how it works. We would think that the President has no say in the appropriation process until we present him with a bill. When I was negotiating the Interior bill with the Senate, I was not negotiating with the Senate. I was negotiating with the White House. They did not approve anything that was not pre-approved by the administration.

And we made some deals, and we got some priorities of things that we, on the Republican side, think are important, and the President got some priorities that he thinks are important on his side. That's called legislating.

But now, what you are going to do is say, okay, you make those deals. You get an appropriation bill. There's going to be things in it I don't like. There's going to be things in it the administration doesn't like. There's going to be things in it that nobody in here likes.

But now you're going to give the President a second bite at the apple to break that deal. And do you think he's going to take those things that Democrats think are not their priorities and take them out of the bill? Of course not. He's going to take out Republican priorities and put them for a second vote. And a Republican President would do the same thing to the Democrats.

This is going to be partisan politics. And when you say it comes back for Congress to have a final say, once it comes back to overriding a veto or overriding a rescission, it then becomes political. You, on your side of the aisle, in this case, are going to say we have to support our President. That's what happens. That's the reality. We, on our side of the aisle, would say the same thing if it were a Republican President. That's just reality.

So what you're breaking down is that balance of power between the administrative branch of government and the legislative branch of government. This is, without a doubt, a step in the wrong direction.

Voting for this bill will not make you a budget hawk. And frankly, I don't think it will save any money. But it will make for some good press releases.

But don't go out and say that you've reduced Federal spending, and you've taken wasteful spending out of the

Federal budget by passing this bill. You haven't. What you've done is said, I'm willing to sacrifice the legislative authority that was given to us in the Constitution and shift more power to the administrative branch of government.

Do you honestly believe that the Founding Fathers would recognize what they built in the Constitution? Do you really think that they would look at the administrative branch of government and say we wanted this kind of Presidency and a weak legislative branch? I don't think so.

This is a bad bill. I would vote it down if I were you.

I yield back the balance of my time.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Mr. Chairman, this bill is an important, bipartisan measure. It has bipartisan support here in the House. It has strong bipartisan support in the Senate where it's introduced by Senator CARPER and Senator MCCAIN and has strong bipartisan co-sponsorship. It's supported by the Obama administration.

But Mr. SIMPSON is absolutely right: it's not the bipartisanship that makes this bill the right thing to do. It's the fact that it calls for greater transparency and greater accountability in our process. Everybody in this body has to concede that we can improve our budget process. Yes, we should work on the tax expenditure component. Yes, we should work on mandatory spending. Of course we should. But this is a simple bipartisan measure we can take to provide more transparency when it comes to over \$1 trillion in discretionary spending.

And I go back to where I started. Just look at this bill, 1,200-plus pages. This House took less than 15 hours, less than 15 hours to review this bill. Now, given the fact that we didn't have adequate time to scrutinize this, I don't see anything wrong with saying that if the President of the United States, Republican or Democrat, identifies some savings we can make for the taxpayer that go to deficit reduction, that this Congress should have to vote on that. You don't have to say yes. You just have to vote, up or down.

And for those who argue otherwise, I have to say that I don't think putting turf over the taxpayer is a winning argument when it comes to dealing with our budget issues because, make no mistake, this is constitutional. It's been designed to be constitutional.

Mr. YOUNG said I said it wasn't relevant that it's constitutional. That's not what I said. It's totally relevant that it's constitutional. And it's designed that way; Congress has the final say. That's what makes this constitutional.

Are we giving the President a little more power? Well, only if you say that it's more power to recommend to Congress some savings for the taxpayer and that we will then vote on them. It seems to me that's just basic responsibility.

Well over a majority of Governors have total line-item authority. This is not line-item authority because it requires congressional vote and oversight.

So I would say that the process is broken. It's not broken because of the Appropriations Committee. They do incredible, hard work and put in lots of hours. But at the end of the day, we just saw last December, less than 15 hours to review 1,200 pages of appropriations bills. Who, in this body, can say that they looked at everything, they scrutinized everything, that we can't find any additional savings for the taxpayer for the purpose of deficit reduction?

So I ask my colleagues to support this bill, not because it's bipartisan, but it is; and I think that's an important reflection on the fact that people on both sides of the aisle, bringing their own independent judgment to bear on this, have concluded this would be in the best interest of the country.

But, in addition to that, because it does take one measured, responsible step toward improving a broken budget process, and my goodness, at the end of the day, that would be a good day's work in a bipartisan Congress if we could get that done.

I thank, again, the chairman of the committee, Mr. RYAN. I thank his staff and our staff, the Democratic staff on the committee, for working together.

And with that, Mr. Chairman, I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the remainder of our time.

Let me, first of all, say the gentleman left the floor, I believe, but Mr. SIMPSON, I want to thank him for a civil and spirited debate. This is not an attempt to go after one committee, the Appropriations Committee. And I understand that this committee might feel that way. This is an attempt to take one more step on behalf of the taxpayer to clean up the system on how we spend hardworking taxpayers' dollars.

Here's the issue, Mr. Chairman. When we pass large spending bills, we vote on things we're not even necessarily sure we're voting on. And I think the measure of success of this reform will not be measured by how many individual spending line items get voted out of spending by Congress, but how many items don't get put in these bills in the first place because this brings through to the final part of the process that extra level of transparency and accountability that has been lacking.

I'll take a provision authored by a Republican a few years ago as an example: \$40 million, I think that's the number, for a rainforest museum in Iowa in a spending bill for Labor and Health that didn't go through the House, didn't go through the Senate, but came at the last minute.

And, yes, this Congress, through the rules of this House, is banning earmarks and airdrops, but who's to say

they won't return under our new management some day?

I think it would be helpful to the process to say, you know what, if we're going to put \$40 million for a rainforest museum without real consideration before the House and the Senate, we ought to think about that individually. Or, more importantly, if I'm a Member of Congress and I want to put something like this in a spending bill, I ought to think twice about whether or not I'm willing to defend this kind of spending in the light of day on an individual vote among my peers, because that could happen under this reform.

This is constitutional because the President signs this spending bill. He doesn't sign part of it. He doesn't rescind part of it. He signs it, and then this gives him the ability to create a new bill saying, vote on this piece of spending.

□ 1520

We have expedited procedures so we have to take a vote. It's no different than how Presidents send us trade agreements to vote on under expedited procedures.

We're not saying the President can take a part of a bill and not sign it and then send us this. No. We're saying the President signs a big spending bill and then, if he wants, he can write a new bill within a tight time window saying cancel that spending. Then Congress makes the decision, the House and the Senate, by a simple majority vote, both Houses. They get to decide whether or not to reaffirm or to spend that money.

All this does is it puts the taxpayer in front of turf, as my friend from Maryland says, and it gives Members of Congress the ability to have that extra layer of accountability and transparency so that at the end of the day we are always thinking of the taxpayer first and special interests second in the way we spend taxpayer dollars.

Will this fix all of our problems? No. But this, along with many other reforms we seek to bring to the floor, will hopefully turn the process by which we spend taxpayer dollars into one that is more accountable, more transparent, and more responsible.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chair, I support H.R. 3521, the Expedited Line-Item Veto and Rescissions Act, which creates a process enabling the President to propose the elimination of certain individual spending items that he deems unnecessary and to submit those eliminations to Congress for an expedited vote. This may prove to be a useful tool to ensure that our government closely stewards important taxpayer dollars. It is disappointing, however, that such a tool should be necessary.

Our constitution vests Members of Congress with the responsibility to raise and spend revenue to provide for the general welfare of the United States. In other words, we are obligated to invest taxpayer dollars in ways that grow our economy, protect our environment and public health, defend our nation, educate

our children, and build a strong infrastructure. In sum, Congress has the responsibility to keep America competitive in the 21st century.

It is my hope that the President will not need to use this new power. Unfortunately, Congress has too often shown that it is unable to make the hard choices necessary—on unnecessary weapons systems, on subsidizing big agribusiness, on the provision of expensive tax benefits to the oil industry—to eliminate wasteful spending.

I support H.R. 3521, but I remain hopeful that Congress finds the will to act responsibly and avoids use by the President of a line item veto.

Mr. HOLT. Mr. Chair, when this body last considered legislation to institute a "line-item veto" during the 109th Congress, I joined 171 of my colleagues in voting against it. Today, we again find ourselves considering a similar measure, and, once again, I rise in opposition to this latest attempt to abdicate our responsibilities, H.R. 3521, the Expedited Legislative Line-Item Veto and Rescissions Act of 2011.

This legislation alters dramatically the balance of power that the framers so delicately established. It is an abdication of our responsibilities as Members of Congress. The separation and balance of governmental powers must be kept. We have heard proponents of this measure come to the floor and speak about how this bill provides us with another tool to ensure that we are spending taxpayer funds sensibly. Why do we need another tool in our toolkit, Mr. Chair? I would argue that if we are seeking ways to cut the deficit, let's do it by sending appropriate spending bills to the President's desk. We are not missing a tool in our toolkit; we are missing the political will to come together as members of this body to produce spending bills that accomplish this goal without prompting from The White House. If indeed political will is missing, this "line item veto" will not be the way to find it.

Furthermore, this measure puts us in danger of losing funding for good programs in the midst of partisan bickering. Funding for International Family Planning, funding for public transportation's funding for the arts or any of countless valuable items in our country, could be jeopardized if this legislation is enacted and the political climate is such that the President has other ideological views.

There is no evidence and no good reason to believe that this will actually succeed in reducing wasteful spending. Again, I would urge my colleagues to work together and produce common sense legislation that terminates wasteful programs and evaluate both our revenues and our spending to put our budget back on the right track. We have done it in the past and I believe that it is possible for us to do it again. I urge my colleagues to oppose this measure.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendments recommended by the Committees on the Budget and Rules, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 112-12. That amendment in the nature of a substitute shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3521

*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 "Expedited Legislative Line-Item Veto and Rescissions Act of 2012".*

**SEC. 2. CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS.**

*Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by striking all of part B (except for sections 1015, 1016, and 1013, which are transferred and redesignated as sections 1017, 1018, and 1019, respectively) and part C and by inserting after part A the following:*

**"PART B—CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS**

**"CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS**

**"SEC. 1011. (a) PROPOSED RESCISSIONS.—**With-  
in 45 days after the enactment of any bill or joint resolution providing any funding, the President may propose, in the manner provided in subsection (b), the rescission of all or part of any dollar amount of such funding.

**"(b) SPECIAL MESSAGE.—**If the President proposes that Congress rescind funding, the President shall transmit a special message to Congress containing the information specified in this subsection.

**"(1) PACKAGING OF REQUESTED RESCISSIONS.—**For each piece of legislation that provides funding, the President shall request at most 2 packages of rescissions and the rescissions in each package shall apply only to funding contained in that legislation. The President shall not include the same rescission in both packages.

**"(2) TRANSMITTAL.—**The President shall deliver each message requesting a package of rescissions to the Secretary of the Senate if the Senate is not in session and to the Clerk of the House of Representatives if the House is not in session. The President shall make a copy of the transmittal message publicly available, and shall publish in the Federal Register a notice of the message and information on how it can be obtained.

**"(3) CONTENTS OF SPECIAL MESSAGE.—**For each request to rescind funding under this part, the transmittal message shall—

**"(A) specify—**

**"(i) the dollar amount to be rescinded;**

**"(ii) the agency, bureau, and account from which the rescission shall occur;**

**"(iii) the program, project, or activity within the account (if applicable) from which the rescission shall occur;**

**"(iv) the amount of funding, if any, that would remain for the account, program, project, or activity if the rescission request is enacted;**

**"(v) the reasons the President requests the rescission;**

**"(vi) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed rescission;**

**"(vii) to the maximum extent practicable, all facts, circumstances, and considerations relating to or bearing upon the proposed rescission and the decision to propose the rescission, and the estimated effect of the proposed rescission upon the objects, purposes, or programs; and**

**"(viii) if a second special message is transmitted pursuant to paragraph (2), a detailed explanation of why the proposed rescissions are not substantially similar to any other proposed rescission in such other message; and**

**"(B) designate each separate rescission request by number; and include proposed legislative text of an approval bill to accomplish the requested rescissions which may not include—**

**"(i) any changes in existing law, other than the rescission of funding; or**

**"(ii) any supplemental appropriations, transfers, or reprogrammings.**

**"GRANTS OF AND LIMITATIONS ON PRESIDENTIAL AUTHORITY**

**"SEC. 1012. (a) PRESIDENTIAL AUTHORITY TO WITHHOLD FUNDING.—**Notwithstanding any other provision of law and if the President proposes a rescission of funding under this part, the President may, subject to the time limits provided in subsection (c), temporarily withhold that funding from obligation.

**"(b) WITHHOLDING AVAILABLE ONLY ONCE PER PROPOSED RESCISSION.—**Except as provided in section 1019, the President may not invoke the authority to withhold funding granted by subsection (a) for any other purpose.

**"(c) TIME LIMITS.—**The President shall make available for obligation any funding withheld under subsection (a) on the earliest of—

**"(1) the day on which the President determines that the continued withholding or reduction no longer advances the purpose of legislative consideration of the approval bill;**

**"(2) the 45th day following the date of enactment of the appropriations measure to which the approval bill relates; or**

**"(3) the last day that the President determines the obligation of the funding in question can no longer be fully accomplished in a prudent manner before its expiration.**

**"(d) DEFICIT REDUCTION.—**

**"(1) IN GENERAL.—**Funds that are rescinded under this part shall be dedicated only to reducing the deficit or increasing the surplus.

**"(2) ADJUSTMENT OF LEVELS IN THE CONCURRENT RESOLUTION ON THE BUDGET.—**Not later than 5 days after the date of enactment of an approval bill as provided under this part, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise allocations and aggregates and other appropriate levels under the appropriate concurrent resolution on the budget to reflect the rescissions, and the Committees on Appropriations of the House of Representatives and the Senate shall report revised suballocations pursuant to section 302(b) of title III, as appropriate.

**"(3) ADJUSTMENTS TO STATUTORY LIMITS.—**After enactment of an approval bill provided under this section, the President shall revise downward by the amount of the rescissions applicable limits under the Balanced Budget and Emergency Deficit Control Act of 1985.

**"PROCEDURES FOR EXPEDITED CONSIDERATION**

**"SEC. 1013. (a) EXPEDITED CONSIDERATION.—**

**"(1) INTRODUCTION OF APPROVAL BILL.—**The majority leader of each House or a designee shall (by request) introduce an approval bill as defined in section 1015 not later than the fifth day of session of that House after the date of receipt of a special message transmitted to the Congress under section 1011(b).

**"(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—**

**"(A) REFERRAL AND REPORTING.—**Any committee of the House of Representatives to which an approval bill is referred shall report it to the House without amendment not later than the fifth legislative day after the date of its introduction. If a committee fails to report the bill within that period or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, such committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

**"(B) PROCEEDING TO CONSIDERATION.—**Not later than 5 legislative days after the approval bill is reported or a committee has been discharged from further consideration thereof, it shall be in order to move to proceed to consider

the approval bill in the House. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within two legislative days after the day on which the proponent announces an intention to the House to offer the motion provided that such notice may not be given until the approval bill is reported or a committee has been discharged from further consideration thereof. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to that special message. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

“(C) CONSIDERATION.—If the motion to proceed is agreed to, the House shall immediately proceed to consider the approval bill in the House without intervening motion. The approval bill shall be considered as read. All points of order against the approval bill and against its consideration are waived. The previous question shall be considered as ordered on the approval bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the approval bill shall not be in order.

“(3) CONSIDERATION IN THE SENATE.—

“(A) REFERRAL.—The approval bill introduced in the Senate shall be referred to the committees having jurisdiction over the provisions of law contained in the approval bill.

“(B) COMMITTEE ACTION.—Each committee of referral of the Senate shall report without amendment the approval bill referred to it under this subsection not later than the fifth session day after introduction. If a committee fails to report the approval bill within that period or the Senate has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, the Committee shall be automatically discharged from further consideration of the approval bill and it shall be placed on the appropriate calendar.

“(C) MOTION TO PROCEED.—Not later than 5 session days after the approval bill is reported in the Senate or committees have been discharged thereof, it shall be in order for any Senator to move to proceed to consider the approval bill in the Senate. The motion shall be decided without debate and the motion to reconsider shall be deemed to have been laid on the table. Such a motion shall not be in order after the Senate has disposed of a prior motion to proceed with respect to the approval bill.

“(D) CONSIDERATION.—If a motion to proceed to the consideration of the approval bill is agreed to, the Senate shall immediately proceed to consideration of the approval bill without intervening motion, order, or other business, and the approval bill shall remain the unfinished business of the Senate until disposed of. Consideration on the bill in the Senate under this subsection, and all debatable motions and appeals in connection therewith, shall not exceed 10 hours. All points of order against the approval bill or its consideration are waived. Consideration in the Senate on any debatable motion or appeal in connection with the approval bill shall be limited to not more than 1 hour. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the approval bill is not in order. A motion to reconsider the vote by which the approval bill is agreed to or disagreed to is not in order.

“(4) AMENDMENTS PROHIBITED.—No amendment to, or motion to strike a provision from, an approval bill considered under this section shall be in order in either the Senate or the House of Representatives.

“(5) COORDINATION WITH ACTION BY OTHER HOUSE.—

“(A) IN GENERAL.—If, before passing the approval bill, one House receives from the other a bill—

“(i) the approval bill of the other House shall not be referred to a committee; and

“(ii) the procedure in the receiving House shall be the same as if no approval bill had been received from the other House until the vote on passage, when the bill received from the other House shall supplant the approval bill of the receiving House.

“(B) This paragraph shall not apply to the House of Representatives if the approval bill received from the Senate is a revenue measure or an appropriation measure.

“(b) LIMITATION.—Subsection (a) shall apply only to an approval bill introduced pursuant to subsection (a)(1).

“(c) CBO ESTIMATE.—Upon receipt of a special message under section 1101 proposing to rescind all or part of any dollar amount, CBO shall prepare and submit to the appropriate committees of the House of Representatives and the Senate an estimate of the reduction in budget authority which would result from the enactment of the proposed rescissions.

#### “TREATMENT OF RESCISSIONS

“SEC. 1014. Rescissions proposed by the President under this part shall take effect only upon enactment of the applicable approval bill. If an approval bill is not enacted into law within 45 days from the enactment of the appropriation measure to which the approval bill relates, then the approval bill shall not be eligible for expedited consideration under the provisions of this Act.

#### “DEFINITIONS

“SEC. 1015. As used in this part:

“(1) APPROPRIATION MEASURE.—The term ‘appropriation measure’ means an Act referred to in section 105 of title 1, United States Code, including any general or special appropriation Act, or any Act making supplemental, deficiency, or continuing appropriations, that has been enacted into law pursuant to article I, section 7, of the Constitution of the United States.

“(2) APPROVAL BILL.—The term ‘approval bill’ means a bill which only approves rescissions of funding in a special message transmitted by the President under this part and—

“(A) the title of which is as follows: ‘A bill approving the proposed rescissions transmitted by the President on \_\_\_\_\_’, the blank space being filled in with the date of transmission of the relevant special message and the public law number to which the message relates; and

“(B) which provides only the following after the enacting clause: ‘That the Congress approves the proposed rescissions \_\_\_\_\_’, the blank space being filled in with the list of the rescissions contained in the President’s special message, ‘as transmitted by the President in a special message on \_\_\_\_\_’, the blank space being filled in with the appropriate date, ‘regarding \_\_\_\_\_’, the blank space being filled in with the public law number to which the special message relates.

“(3) DAY.—Except as used in section 1013, the term ‘day’ means a standard 24-hour period beginning at midnight and a number of days shall be calculated by excluding Sundays, legal holidays, and any day during which neither chamber of Congress is in session.

“(4) RESCIND OR RESCISSION.—The terms ‘rescind’ or ‘rescission’ mean to permanently cancel or prevent budget authority or outlays available under an obligation limit from having legal force or effect.

“(5) CONGRESSIONAL BUDGET OFFICE.—The term ‘CBO’ means the Director of the Congressional Budget Office.

“(6) COMPTROLLER GENERAL.—The term ‘Comptroller General’ means the Comptroller General of the United States.

“(7) DEFERRAL OF BUDGET AUTHORITY.—The term ‘deferral of budget authority’ includes—

“(A) withholding or delaying the obligations or expenditure of budget authority (whether by establishing reserves or otherwise) provided for projects or activities; or

“(B) any other type of Executive action or inaction which effectively precludes the obligation or expenditure of budget authority, including authority to obligate by contract in advance of appropriations as specifically authorized by law.

“(8) FUNDING.—(A) Except as provided in subparagraph (B), the term ‘funding’ means all or part of the dollar amount of budget authority or obligation limit—

“(i) specified in an appropriation measure, or the dollar amount of budget authority or obligation limit required to be allocated by a specific proviso in an appropriation measure for which a specific dollar figure was not included;

“(ii) represented separately in any table, chart, or explanatory text included in the statement of managers or the governing committee report accompanying such law; or

“(iii) represented by the product of the estimated procurement cost and the total quantity of items specified in an appropriation measure or included in the statement of managers or the governing committee report accompanying such law.

“(B) The term ‘funding’ does not include—

“(i) direct spending;

“(ii) budget authority in an appropriation measure which funds direct spending provided for in other law;

“(iii) any existing budget authority canceled in an appropriation measure; or

“(iv) any restriction or condition in an appropriation measure or the accompanying statement of managers or committee reports on the expenditure of budget authority for an account, program, project, or activity, or on activities involving such expenditure.

“(9) WITHHOLD.—The terms ‘withhold’ and ‘withholding’ apply to any executive action or inaction that precludes the obligation of funding at a time when it would otherwise have been available to an agency for obligation. The terms do not include administrative or preparatory actions undertaken prior to obligation in the normal course of implementing budget laws.

#### “EXPIRATION

“SEC. 1016. On December 15, 2015, the amendments made by the Expedited Legislative Line-Item Veto and Rescissions Act of 2012 shall be replaced by the provisions of part B of the Impoundment Control Act of 1974 as in effect immediately before the date of enactment of the Expedited Legislative Line-Item Veto and Rescissions Act of 2012.”

#### SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking “1017” and inserting “1013”; and

(2) in subsection (d), by striking “section 1017” and inserting “section 1013”.

(b) CLERICAL AMENDMENTS.—(1) The last sentence of section 1(a) of the Congressional Budget and Impoundment Control Act of 1974 is amended to read as follows: “Sections 1011 through 1016 of part B of title X may be cited as the ‘Expedited Legislative Line-Item Veto and Rescissions Act of 2012.’”

(2) Section 1017 of such Act (as redesignated) is amended by striking “section 1012 or 1013” each place it appears and inserting “section 1011 or 1019” and section 1018 (as redesignated) is amended by striking “calendar” and “of continuous session”.

(3) Section 1019(c) of such Act (as redesignated) is amended by striking “1012” and inserting “1011”.

(4) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the items relating to parts B and C (including all of the items relating to the sections therein) of title X and inserting the following:

*"PART B—CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS"*

*"Sec. 1011. Congressional consideration of proposed rescissions and deferrals of budget authority and obligation limitations."*

*"Sec. 1012. Grants of and limitations on presidential authority."*

*"Sec. 1013. Procedures for Expedited Consideration."*

*"Sec. 1014. Treatment of rescissions."*

*"Sec. 1015. Definitions."*

*"Sec. 1016. Expiration."*

(c) **EFFECTIVE DATE.**—*The amendments made by this Act shall apply to funding as defined in section 1015(8) of the Congressional Budget Act and Impoundment Control of 1974 in any Act enacted after the date of enactment of this Act.*

**SEC. 4. APPROVAL MEASURES CONSIDERED.**

*Section 314 of the Congressional Budget Act of 1974 is amended—*

(1) *by redesignating subsections (b) through (e) as subsections (c) through (f) and by inserting after subsection (a) the following new subsection:*

*"(b) ADJUSTMENTS FOR RESCISSIONS.—(1) Whenever an approval bill passes the House of Representatives, the Committee on the Budget shall immediately reduce the applicable allocations under section 302(a) by the total amount of reductions in budget authority and in outlays resulting from such approval bill.*

*"(2) As used in this subsection, the term 'approval bill' has the meaning given to such term in section 1015.";* and

*(2) in subsection (d) (as redesignated), by inserting "or (b)" after "subsection (a)".*

The CHAIR. 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 House Report 112-389. 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.

AMENDMENT NO. 1 OFFERED BY MR. RYAN OF WISCONSIN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-389.

Mr. RYAN of Wisconsin. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 8, strike "45" and insert "10".  
Page 3, line 21, insert "and" after the semicolon.

Page 3, line 23, strike the semicolon and insert a period.

Page 3, strike line 24 and all that follows thereafter through page 4, line 16.

Page 5, line 21, strike "45th" and insert "60th".

Page 6, line 9, strike "5 days" and insert "3 days of session".

Page 6, line 20, strike "After" and insert "Not later than 3 days after".

Page 7, line 4, strike "fifth" and insert "third".

Page 7, line 14, strike "fifth" and insert "third".

Page 7, line 24, strike "5" and insert "3".

Page 9, strike lines 9 through 12.

Page 9, line 13, strike "(B)" and insert "(A)".

Page 9, lines 13 and 14, strike "Each committee of referral" and insert "The appropriate committee".

Page 9, lines 15 and 16, strike "referred to it under this subsection" and insert "as defined in section 1015(2)".

Page 9, lines 16 and 17, strike "fifth session day" and insert "third session day".

Page 10, line 1, strike "(C)" and insert "(B)".

Page 10, line 2, strike "5" and insert "3".

Page 10, line 3, strike "committees have" and insert "the committee has".

Page 10, line 12, strike "(D)" and insert "(C)".

Page 10, line 22, insert "equally divided in the usual form" before the period.

Page 12, line 4, strike "if" and all that follows thereafter through "measure" on line 6.

Page 12, line 8, insert ", as such term is defined in section 1015(2)," after "approval bill".

Page 12, after line 8, insert the following:

*"(c) EXTENDED TIME PERIOD.—If Congress adjourns at the end of a Congress prior to the expiration of the periods described in sections 1012(c)(2) and 1014 and an approval bill was then pending in either House of Congress or a committee thereof, or an approval bill had not yet been introduced with respect to a special message, or before the applicable 10-day period specified in section 1011(a) has expired, then within the first 3 days of session, the President shall transmit to Congress an additional special message containing all of the information in the previous, pending special message and an approval bill may be introduced within the first five days of session of the next Congress and shall be treated as an approval bill under this part, and the time periods described in sections 1012(c)(2) and 1014 shall commence on the day of introduction of that approval bill.*

*"(d) APPROVAL BILL PROCEDURE.—In order for an approval bill to be considered under the procedures set forth in this part, the bill must meet the definition of an approval bill and must be introduced no later than the third day of session following the beginning of the period described in section 1013(a)(1) or the fifth day in the case of paragraph (1)."*

Page 12, line 9, strike "(c)" and insert "(e)".

Page 12, line 11, strike "dollar amount" and insert "funding".

Page 12, line 20, strike "45" and insert "60".

Page 12, line 23, strike "Act" and insert "part".

Page 14, strike lines 5 through 10.

Page 14, line 11, strike "(4)" and insert "(3)".

Page 14, line 15, strike "(5)" and insert "(4)".

Page 14, line 18, strike "(6)" and insert "(5)".

Page 14, line 21, strike "(7)" and insert "(6)".

Page 15, line 9, strike "(8)" and insert "(7)".

Page 16, line 16, strike "(9)" and insert "(8)".

The CHAIR. Pursuant to House Resolution 540, the gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, I don't think we need to spend a lot of time on this.

This amendment makes technical revisions to certain procedures and definitions. The time period was reduced from 5 legislative days to 3 legislative days for the introduction of an approval bill in the motion to proceed. The amendment clarifies that approval bills are described as discretionary bills only. Additionally, it includes a procedure that provides for the consideration of an approval bill should the previous Congress end before an up-or-down vote.

All this simply does, Mr. Chairman, is clarify concerns raised by the Rules Committee so that we have consistent procedures and concerns by the minority that this bill simply does what it says it does and that it circumscribe to discretionary spending.

With that, I really have no other things to say other than I'd be happy to yield such time as he may consume to the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Chairman, I have nothing to add to that and would urge adoption of the amendment.

Mr. RYAN of Wisconsin. I yield back the balance of my time.

Mr. DREIER. Mr. Chair, since 1999, the Committee on Rules has worked to standardize the practices related to expedited consideration of legislation. In general, the Committee believes that expedited procedures are unnecessary, particularly in the House. However, when necessary, the Committee strives to ensure that these procedures are uniform in application and agnostic toward the content of any measure considered thereunder.

The circumstances surrounding consideration of H.R. 3521 are unique, and several changes are included in the manager's amendment that represent the uniqueness of this legislation. The procedures contained in the House-passed version of H.R. 3521 should not be viewed as a new standard for future expedited procedures the House may consider.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. ALEXANDER

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-389.

Mr. ALEXANDER. Mr. Chairman, I have an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 24, add the following new subsection:

*"(c) EXEMPTION FOR THE CORPS OF ENGINEERS.—The President may not propose the rescission under this part of all or part of any dollar amount of funding for the Corps of Engineers."*

The CHAIR. Pursuant to House Resolution 540, the gentleman from Louisiana (Mr. ALEXANDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. ALEXANDER. Mr. Chairman, as we decide whether or not the President of the United States should have the

authority to propose cuts to funding that Congress appropriates money to, I cannot help but be gravely concerned about how he may use those powers.

While I, as much as anyone here, agrees that our government must constrain and cut the unnecessary expenditures, I fear that giving the President certain powers to take away that which Congress has given would severely harm certain States and regions whose needs the President may not fully understand.

Of particular concern to me, Mr. Chairman, is the importance of the water resources, the projects across this country that are vitally important to our national security and economy. With this in mind, I believe that a line must be drawn when it comes to the President's authority to propose a rescission to the budget of the Army Corps of Engineers, an agency that's older than our Nation itself.

The Corps of Engineers helped General Washington win the Revolutionary War. The Corps of Engineers carries out water resource projects throughout the United States, including projects that protect citizens from flood hazards and keep commercial waterways navigable.

These projects are important. They are important to lawmakers on both sides of the aisle. The congressional appropriations for the Corps typically exceed what the President's requests have been. I believe that we must prevent any President, Republican or Democrat, from having the authority to reduce funding for critical water resource projects. It is just too important to this Nation.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. RYAN of Wisconsin. Mr. Chairman, I won't take all of my time.

The gentleman says the Army Corps clearly provides an extremely important function, a very valid Federal function to our government, to our country. I rise in opposition only that we shouldn't be carving out exceptions.

The idea that we'll carve out an exception from appropriation bills for expedited rescission consideration to one government agency versus all of the other government agencies out there, I don't think that's a good precedent to set. What's to say that other agencies shouldn't be exempt in consideration? If Congress feels that these are important projects, which they clearly do when they pass these bills, then clearly they will affirm that if another vote ever does arise.

For the sake of consistency, for the sake of treating all agencies equal, I would urge a rejection of this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. ALEXANDER).

The question was taken; and the Chair announced that the yeas appeared to have it.

## RECORDED VOTE

Mr. ALEXANDER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 128, noes 300, not voting 5, as follows:

[Roll No. 45]

AYES—128

Alexander  
Altmire  
Austria  
Bachus  
Barletta  
Barrow  
Bishop (GA)  
Bishop (NY)  
Boswell  
Boustany  
Brady (PA)  
Brown (FL)  
Butterfield  
Calvert  
Capps  
Capuano  
Cardoza  
Castor (FL)  
Chu  
Clyburn  
Coble  
Cole  
Costa  
Costello  
Courtney  
Crawford  
Critz  
Culberson  
Cummings  
Davis (CA)  
DeFazio  
DeLauro  
Dicks  
Doyle  
Emerson  
Fattah  
Fitzpatrick  
Fortenberry  
Garamendi  
Gingrey (GA)  
Gonzalez  
Granger  
Green, Al  
Green, Gene  
Grimm  
Gutierrez  
Hanabusa  
Harper  
Harris  
Herrera Beutler  
Hinchey  
Holden  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson, E. B.  
Jones  
Keating  
King (IA)  
King (NY)  
Kingston  
Kucinich  
Landy  
Larson (CT)  
Latham  
LaTourette  
Lewis (CA)  
Lipinski  
LoBiondo  
Loebsock  
Lujan  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McGovern  
McNerney  
Meehan  
Miller, Gary  
Moore  
Nadler  
Napolitano  
Nunnelee  
Palazzo  
Pallone  
Pascrell  
Pastor (AZ)  
Perlmutter

NOES—300

Ackerman  
Adams  
Aderholt  
Akin  
Amash  
Amodei  
Andrews  
Baca  
Bachmann  
Baldwin  
Bartlett  
Bartlett  
Barton (CA)  
Bass (TX)  
Bass (NH)  
Becerra  
Benishek  
Berg  
Berkley  
Berman  
Biggart  
Bilbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonamici  
Bonner  
Bono Mack  
Boren  
Brady (TX)  
Braley (IA)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Camp  
Campbell  
Cansco  
Cantor  
Capito  
Carnahan  
Carney  
Carson (IN)  
Carter  
Chabot  
Chaffetz  
Chandler  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleave  
Coffman (CO)  
Cohen  
Conaway  
Connolly (VA)  
Conyers  
Cooper  
Cravaack  
Crenshaw  
Crowley  
Cuellar  
Davis (IL)  
Davis (KY)  
DeGette  
Denham  
Dent  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell

Peters  
Peterson  
Price (NC)  
Rahall  
Rehberg  
Reyes  
Richardson  
Richmond  
Rogers (AL)  
Rogers (KY)  
Rooney  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sarbanes  
Scalise  
Schilling  
Schwartz  
Sewell  
Shimkus  
Shuster  
Sires  
Sutton  
Terry  
Thompson (CA)  
Tierney  
Tonko  
Turner (NY)  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
West  
Wilson (FL)  
Womack  
Woolsey  
Young (AK)

Doggett  
Dold  
Donnelly (IN)  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Ellmers  
Engel  
Eshoo  
Farenthold  
Farr  
Filner  
Fincher  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fox  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)

Lynch  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
T.  
McCaul  
McClintock  
McCollum  
McCotter  
McDermott  
McHenry  
McKeon  
McKinley  
McMorris  
Rogers  
Meeks  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, George  
Moran  
Mulvaney  
Murphy (CT)  
Murphy (PA)  
Myrick  
Neal  
Neugebauer  
Noem  
Nugent  
Nunes  
Olson  
Olver  
Owens  
Paulsen  
Pearce  
Pelosi  
Pence  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Quayle  
Quigley  
Rangel  
Reed  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (MI)  
Rohrabacher  
Rokita

NOT VOTING—5

Blumenauer  
Cassidy  
McIntyre  
Paul  
Payne

□ 1559

Messrs. GALLEGLY, MCCOTTER, AMODEI, Mrs. NOEM, Messrs. OLSON, GRIFFIN of Arkansas, JORDAN, Mrs. MYRICK, Mr. CROWLEY, Ms. LEE of California, Messrs. LATTA, WOODALL, HIGGINS, BACA, BURGESS, GEORGE MILLER of California, LEWIS of Georgia, and KISSELL changed their vote from "aye" to "no."

Messrs. ROONEY, COLE, ALTMIRE, BRADY of Pennsylvania, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SCHWARTZ, Messrs. CALVERT, LEWIS of California, TIERNEY, HOLDEN, Ms. DELAURO, Messrs. REYES, GONZALEZ, Ms. MOORE, Ms. SEWELL, Messrs. LARSON of Connecticut, BUTTERFIELD, Ms. BROWN of Florida, Ms. WATERS, Mr. HARRIS, Ms. CASTOR of Florida, Mrs. NAPOLITANO, and Mrs. MCCARTHY of New York changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. FLEISCHMANN). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DENHAM) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes, and, pursuant to House Resolution 540, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 254, noes 173, not voting 6, as follows:

[Roll No. 46]

AYES—254

Adams	Brady (TX)	Costa
Akin	Brooks	Costello
Altmire	Buchanan	Cravaack
Amodei	Bucshon	Crawford
Andrews	Buerkle	Cuellar
Bachmann	Burgess	Culberson
Barletta	Camp	Davis (KY)
Barrow	Campbell	DeFazio
Bartlett	Canseco	Denham
Barton (TX)	Cantor	Dent
Bass (CA)	Capito	DesJarlais
Bass (NH)	Capps	Diaz-Balart
Benishek	Cardoza	Doggett
Berg	Carnahan	Dold
Biggert	Carney	Donnelly (IN)
Bilbray	Castor (FL)	Dreier
Bilirakis	Chabot	Duffy
Bishop (NY)	Chaffetz	Duncan (TN)
Bishop (UT)	Chandler	Ellmers
Black	Cicilline	Eshoo
Blackburn	Coble	Farenthold
Bonamici	Coffman (CO)	Fincher
Bono Mack	Conaway	Fitzpatrick
Boren	Connolly (VA)	Flake
Boswell	Cooper	Fleischmann

Fleming	Lankford	Renacci	Moore	Rooney	Thompson (CA)
Flores	Larsen (WA)	Ribble	Moran	Rothman (NJ)	Thompson (MS)
Forbes	Latham	Rigell	Murphy (CT)	Roybal-Allard	Thompson (PA)
Fortenberry	Latta	Rivera	Nadler	Rush	Tierney
Franks (AZ)	LoBiondo	Roe (TN)	Napolitano	Ryan (OH)	Tonko
Frelinghuysen	Loeb sack	Rogers (MI)	Neal	Sánchez, Linda	Towns
Gallegly	Lucas	Rohrabacher	Nunnelee	T.	Velázquez
Garamendi	Luetkemeyer	Rokita	Olver	Sanchez, Loretta	Visclosky
Gardner	Lummis	Ros-Lehtinen	Palazzo	Sarbanes	Walsh (IL)
Garrett	Lungren, Daniel	Roskam	Pallone	Schakowsky	Walz (MN)
Gerlach	E.	Ross (AR)	Pascrell	Schiff	Wasserman
Gibbs	Mack	Ross (FL)	Pastor (AZ)	Scott (VA)	Schultz
Gibson	Manzullo	Royce	Peterson	Scott, Austin	Waters
Gingrey (GA)	Marchant	Runyan	Pingree (ME)	Scott, David	Watt
Gohmert	Marino	Ruppersberger	Price (NC)	Serrano	Waxman
Goodlatte	Matheson	Ryan (WI)	Rahall	Sewell	Whitfield
Gosar	McCarthy (CA)	Scalise	Rangel	Shuster	Wolf
Gowdy	McCarthy (NY)	Schilling	Reyes	Simpson	Womack
Graves (GA)	McCaul	Schmidt	Richardson	Sires	Woolsey
Graves (MO)	McClintock	Schock	Richmond	Slaughter	Yarmuth
Griffin (AR)	McCotter	Schrader	Roby	Speler	Young (AK)
Grimm	McHenry	Schwartz	Rogers (AL)	Stark	Young (FL)
Guinta	McKeon	Schweikert	Rogers (KY)	Sutton	
Guthrie	McKinley	Scott (SC)			
Hall	McMorris	Sensenbrenner			
Hanna	Rodgers	Sessions	Blumenauer	Long	Paul
Harper	Meehan	Sherman	Cassidy	McIntyre	Payne
Harris	Mica	Shimkus			
Hartzler	Michaud	Shuler			
Hastings (WA)	Miller (FL)	Smith (NE)			
Hayworth	Miller (MI)	Smith (NJ)			
Heck	Miller, Gary	Smith (TX)			
Heinrich	Miller, George	Smith (WA)			
Hensarling	Mulvaney	Southerland			
Herger	Murphy (PA)	Stearns			
Higgins	Myrick	Stivers			
Himes	Neugebauer	Stutzman			
Hochul	Noem	Sullivan			
Huelskamp	Nugent	Terry			
Huizenga (MI)	Nunes	Thornberry			
Hultgren	Olson	Tiberi			
Hurt	Owens	Tipton			
Inslee	Paulsen	Tsongas			
Israel	Pearce	Turner (NY)			
Issa	Pelosi	Turner (OH)			
Jenkins	Pence	Upton			
Johnson (IL)	Perlmutter	Van Hollen			
Johnson (OH)	Peters	Walberg			
Johnson, Sam	Petri	Walden			
Jordan	Pitts	Webster			
Kelly	Platts	Welch			
King	Poe (TX)	West			
King (NY)	Polis	Westmoreland			
Kingston	Pompeo	Posey			
Kinzinger (IL)	Pompeo	Wilson (FL)			
Kissell	Price (GA)	Wilson (SC)			
Kline	Quayle	Wittman			
Lamborn	Quigley	Woodall			
Lance	Reed	Yoder			
Langevin	Rehberg	Young (IN)			
	Reichert				

NOES—173

Ackerman	Crowley	Honda
Aderholt	Cummings	Hoyer
Alexander	Davis (CA)	Hunter
Amash	Davis (IL)	Jackson (IL)
Austria	DeGette	Jackson Lee
Baca	DeLauro	(TX)
Bachus	Deutch	Johnson (GA)
Baldwin	Dicks	Johnson, E. B.
Becerra	Dingell	Jones
Berkley	Doyle	Kaptur
Berman	Duncan (SC)	Keating
Bishop (GA)	Edwards	Kildee
Bonner	Ellison	King (IA)
Boustany	Emerson	Kucinich
Brady (PA)	Engel	Labrador
Braley (IA)	Farr	Landry
Broun (GA)	Fattah	Larson (CT)
Brown (FL)	Filner	LaTourette
Burton (IN)	Frank (MA)	Lee (CA)
Butterfield	Fudge	Levin
Calvert	Gonzalez	Lewis (CA)
Capuano	Granger	Lewis (GA)
Carson (IN)	Green, Al	Lipinski
Carter	Green, Gene	Lofgren, Zoe
Chu	Griffith (VA)	Lowey
Clarke (MI)	Grijalva	Luján
Clarke (NY)	Gutierrez	Lynch
Clay	Hahn	Maloney
Cleaver	Hanabusa	Markey
Clyburn	Hastings (FL)	Matsui
Cohen	Herrera Beutler	McCollum
Cole	Hinchee	McDermott
Conyers	Hinojosa	McGovern
Courtney	Hirono	McNerny
Crenshaw	Holden	Meeks
Critz	Holt	Miller (NC)

NOT VOTING—6

Blumenauer	Long	Paul
Cassidy	McIntyre	Payne

□ 1617

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 3521, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES ON H.R. 3630, TEMPORARY PAY-ROLL TAX CUT CONTINUATION ACT OF 2011

Mr. BISHOP of New York. Mr. Speaker, I offer a motion to instruct on H.R. 3630.

The SPEAKER pro tempore (Mr. RIVERA). The Clerk will report the motion.

The Clerk read as follows:

Mr. Bishop of New York moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3630 be instructed to file a conference report not later than February 17, 2012.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. BISHOP) and the gentleman from Oregon (Mr. WALDEN) each will control 30 minutes.