

for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, I sadly come before the Congress to recognize and honor a person that I loved very much, Lillian Kawasaki. Lillian Kawasaki was a dedicated public servant, a respected community leader, a beloved wife, a sister, and she was a dear, dear friend of mine.

Sadly, on July 18, Lillian passed away, and a memorial service will be held this Saturday, August 3.

Lillian was a generous soul. Her generosity of self always was done with grace and enthusiasm. She engendered tremendous respect and love from all who knew her. She possessed an infectious smile. Her laugh made everybody feel better.

Her work for the last two decades was on environmental efforts, first with the Port of Los Angeles, and then with the Los Angeles Department of Water and Power. It brought not only recognition to her throughout California but also throughout the Nation.

She was an expert on water issues and when she passed away was a member of the Water Replenishment District, elected.

Long Beach has lost one of its finest. I, and countless others in California, already miss Lillian. She will not be forgotten.

OBAMACARE

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

Mr. HARRIS. Mr. Speaker, the bad news on ObamaCare just keeps rolling in. As if it's not bad enough that the IRS will be helping run ObamaCare, Maryland announced last Friday that health insurance premiums will go up 25 percent next year under ObamaCare.

Whatever happened to the President's promise that premiums would go down, not up? Just another empty promise?

Maryland's middle class families, already struggling to pay their health insurance premiums, will see their policies cost over \$1,000 more next year under ObamaCare. Many will just drop their insurance, and that will just increase the long lines we already see in our crowded emergency rooms.

Mr. Speaker, ObamaCare is a disaster. We should repeal it before it does more damage to our hardworking middle class taxpayers and before it destroys even more jobs.

CELEBRATING AMERICA'S IMMIGRANT HERITAGE

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

Mrs. DAVIS of California. Mr. Speaker, last week I joined my colleagues in a bipartisan trip to New York City to celebrate America's immigrant heritage. Together, we sailed toward the Statue of Liberty and Ellis Island.

We stared down those dark, cascading waterfalls at the 9/11 Memorial, and remembered our ancestors at the Museum of Jewish Heritage and the African burial grounds. All around us were reminders of how people came to America, by choice or not, sometimes not by choice, but then hoping for a better life.

Our country has been the better because of it. Whether it's the laborers who built our bridges or the scientists and leaders who made their mark in history, we couldn't be where we are today without immigrants.

I was reminded of that as I witnessed a naturalization ceremony; 82 people from 27 countries became new Americans that day, and you could see their beaming faces.

Immigration is at our core, the moral fiber that binds us together and makes us stronger. Congress now has a responsibility to pass an immigration bill that is worthy of our rich heritage.

Let's write the next chapter of American history, one that our children and our grandchildren can be proud of.

PROVIDING FOR CONSIDERATION OF H.R. 367, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2013; PRO- VIDING FOR CONSIDERATION OF H.R. 2009, KEEP THE IRS OFF YOUR HEALTH CARE ACT OF 2013; PROVIDING FOR PRO- CEEDINGS DURING THE PERIOD FROM AUGUST 3, 2013, THROUGH SEPTEMBER 6, 2013; AND PRO- VIDING FOR CONSIDERATION OF H.R. 2879, STOP GOVERNMENT ABUSE ACT

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 322 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 322

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. 367) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. 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 part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2009) to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 3. House Resolution 292 is laid on the table.

SEC. 4. On any legislative day during the period from August 3, 2013, through September 6, 2013, —

(a) the Journal of the proceedings of the previous day shall be considered as approved;

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment; and

(c) bills and resolutions introduced during the period addressed by this section shall be numbered, listed in the Congressional Record, and when printed shall bear the date of introduction, but may be referred by the Speaker at a later time.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

SEC. 6. Each day during the period addressed by section 4 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 7. Each day during the period addressed by section 4 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 8. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2879) to provide limitations on bonuses for Federal employees during sequestration, to provide for investigative leave requirements for members of the Senior Executive Service, to establish certain

procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommit.

SEC. 9. Upon passage of H.R. 2879, the following bills shall be laid on the table: H.R. 1541, H.R. 2579, and H.R. 2711.

The SPEAKER pro tempore (Mr. YODER). The gentleman from Oklahoma is recognized for 1 hour.

□ 1245

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. COLE. Mr. Speaker, yesterday, the Rules Committee met and reported a rule for consideration of H.R. 367, the REINS Act; H.R. 2009, the Keep the IRS Off Your Health Care Act; and H.R. 2879, the Stop Government Abuse Act.

The rule provides a structured rule for consideration of the REINS Act, allowing debate time for 12 of 23 amendments submitted. In addition, the rule incorporates a technical correction to the bill from Chairman SESSIONS. The rule provides for 1 hour of debate equally divided between the chairman and ranking member of the Judiciary Committee.

Additionally, the rule provides a closed rule for consideration of H.R. 2009, the Keep the IRS Off Your Health Care Act, and provides for 1 hour of debate equally divided between the chairman and ranking member of the Committee on Ways and Means.

Furthermore, the rule provides a closed rule for consideration of H.R. 2879, the Stop Government Abuse Act, and provides for 1 hour of debate equally divided between the chairman and ranking member of the Committee on Oversight and Government Reform.

Finally, Mr. Speaker, the rule provides floor management tools to be used during the August recess.

Mr. Speaker, America's job creators have struggled against strong headwinds to recover. In fact, since President Obama took office, 131 new major regulations, costing at least \$70 billion, have been added to America's regulatory system.

Under current law, Congress only has the power to disapprove regulations put forward by the executive branch. H.R. 367 flips that presumption on its head. Any major regulation estimated to cost over \$100 million would need to be approved by Congress and must be given an "up-or-down" vote within 70 legislative days.

In his State of the Union address, President Obama said:

To reduce barriers to growth and investment, when we find rules that put an unnecessary burden on businesses, we will fix them.

H.R. 367 does just that. It allows Congress to decide whether major rules place unnecessary burdens on job creators.

The second bill covered by this rule, Mr. Speaker, would prohibit the Treasury Department, including the IRS, from implementing or enforcing any provision of ObamaCare. In the last few months, the American people have learned that the IRS has targeted and intimidated Americans exercising their First Amendment rights. Given the recent scandal and the massive amount of sensitive information the IRS is required to collect under ObamaCare, it's completely inappropriate for the IRS to be given this responsibility.

A recent poll showed that 53 percent of Americans want ObamaCare repealed entirely. Mr. Speaker, health care decisions should be made by a patient and his or her doctor, not Washington bureaucrats.

The final bill covered by this rule, H.R. 2879, was extensively debated on the floor yesterday. In fact, it combined three bills, all aimed at limiting government and returning that power back to the people. This bill accomplishes three major objectives:

First, it caps bonuses for Federal employees at a maximum 5 percent of their salary through the end of fiscal year 2015. With Federal officials furloughing employees due to sequestration, the government should not, at the same time, be handing out millions of dollars in bonuses to other employees;

Second, this bill allows for senior Federal officials under investigation for serious misconduct to be put on unpaid leave. Under current law, agencies have little recourse but to put officials on paid leave, where they can collect a paycheck for months or even years while the investigation occurs;

Finally, this bill allows for citizens to record their meetings and telephone exchanges with Federal regulatory officials. In my home State of Oklahoma, along with 37 other States, this is already the case. However, 12 States require all parties involved in the conversation to consent to recording. This bill would allow individuals in all 50 States to record their conversations when meeting with Federal officials acting in their official capacity.

Mr. Speaker, H.R. 367, H.R. 2009, and H.R. 2879 all express the views of my constituents. They're increasingly concerned and opposed to an intrusive and

expansive government that seeks to tell them what they can and cannot do. These bills seek to stem the tide of crushing regulation and rein in an overbearing Federal bureaucracy.

I urge support for the rule and the underlying bills, and I reserve the balance of my time.

Ms. SLAUGHTER. I thank my colleague for yielding me the 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, this is the final week that the House will be in session before we begin our recess. I don't like to call it recess since we work as hard at home, but this is probably the last time we'll get together until we come back in the fall. As the clock runs out on another legislative session, we are voting for the 40th time to repeal or to undermine the Affordable Care Act.

By now, we all know how today's debate will end. The majority will pass the bill, the Senate will refuse to take it up, and we will have wasted, again, the public's time and their patience. And then they will adjourn for August recess, only to return in September with issues like jobs, immigration reform, and sequestration left unsolved, as they are today.

The other night, I was watching comedian Stephen Colbert on his program. He was talking about the number of times we've voted to try to repeal health care. He had a good idea for the Republicans. He said, Obviously, you're not going to be able to do it if you say you're going to repeal health care, so he suggested that a bill be written that is titled, "This is Not Another Repeal of ObamaCare, We Swear, But Don't Look Inside It, Just Sign It Act." If you put that act out, maybe you would get somewhere with it.

Some speculated the GOP is desperate to get rid of this law because they know it is working and will work better as it gets fully implemented and they know they have firmly planted their feet on the wrong side of history once again. I can't comment on their motivation, but it's clear that millions of Americans are using this law because of the incredible benefits that it provides.

I was really stunned by the last speaker on the 1-minutes this morning talking about Maryland, because we just got the statistics from Maryland. The health plans are better than ever. Just last week, Maryland announced their rates are going to be among the lowest in the country, and not, as he said, a 20 percent increase.

Nevada announced a young adult will be able to purchase a catastrophic health insurance plan for less than \$100.

And I said last week, when we had the other vote to get rid of health care, New York had just come out with wonderful news on the exchanges. Seventeen insurers had applied to provide insurance in the State of New York, and it would cause those premiums to fall by more than 50 percent. And we join 11

other States with the same kind of news. It's happening all over America.

For those States that decided not to do an exchange and are going to let the government do it, fine. I think they'll do okay there. Maybe we'll move closer to single-payer, which is what we should be doing.

Sixty-two days from now, those new exchanges will open their doors and they're going to provide millions of Americans with secure and affordable health care. For the very first time, insurers are going to be barred from denying coverage because of a preexisting condition and barred from placing lifetime and yearly limits on an individual's health care. They are sending checks back to customers all over the country, because the new law requires them to spend 80 percent of the premium dollar on health care. And since far less than 80 percent is spent, many companies are doing rebates, and people are getting those checks.

I really can't go on much further without talking about what it is we are doing here today. I think it's somewhat historical, but it may not be the first time. It's probably not. I have not had the pleasure before of doing a rule which consists of five bills with very little in common being stuffed into one because the House, basically, imploded yesterday. I've done all of the rules on health care repeal. If I had a machine, I could just press "repeat" and walk out of the room and do the same speech over and over again.

The other day I asked Dr. McDermott, who's a psychiatrist, "What do you call someone or one group that does the same thing over and over and over again, anticipating a different result?" and he gave me the psychiatric definition for that.

□ 1300

We all know that today's vote is not a single thing except another cynical attempt to score political points. As we go to our districts this August, the question is whether or not the majority will double down on their failed agendas in September and continue the irresponsible attempts to repeal the health care law. If they do, they will be escalating their brinksmanship to a new level and risking a government shutdown simply because they don't want to compromise.

Already, as you know, Members of the majority are threatening to shut down the government if the Affordable Care Act is not repealed. That does show kind of an act of desperation, doesn't it? In fact, a dozen Republican Senators have signed a letter vowing to vote against a continuing resolution—that we have to have because nobody got their work done—that funds the Affordable Care Act, and more than 60 House Republicans have called on the majority's leadership to defund the Affordable Care Act in any continuing resolution that comes before the House.

Instead, I want the majority to make a change here. My fellow Kentuckian,

HAL ROGERS, who is the chairman of the Appropriations Committee, yesterday made it plain to everybody that this is all a hoax. He talked about sequestration and the impossibility of bringing a transportation bill that scarcely has enough money to maintain what roads we have, and it imploded on the floor when nobody would vote for it. While we're out on recess, please think about this, and think about what sequestration is doing in the United States.

I hope you read former Senator Byron Dorgan's article in *The New York Times* talking about the devastation on the Indian reservations because of the money that we owe them by treaty, which is being lost through sequestration; the people who are doing health research at the National Institutes of Health, where they tell me in the human genome project that they are very close to finding a cure for cancer, but now they have to stop it. As a scientist, I can promise you, you do not turn research off and on like a faucet. And think of all the people who can't get their treatment because of sequestration. Think of all the people who live in this area and work for this government and keep this government working, many of them two members of the family on the Federal payroll, who have suffered as much in that family as a 40 percent pay cut.

And the bills that are in here today, again, saying to the Federal employees: We don't value you for anything. We've already passed legislation in here that hurts their pensions. They haven't had a raise in 4 years. What we're saying now, if this bill passes today, is that they can be fired without cause and that their phones will be tapped by any citizen in the United States. I really am concerned about what's going on here.

We talk about too much regulation. I want to close with something I mentioned last night at the Rules Committee because I realize most Americans don't know it. But let me talk about under-regulation.

In the food market, chickens are inspected 100 at a time—100 a minute going through the conveyor belt. They're covered with barnyard debris and feces and whatever else. One person is inspecting them as 100 of them go by. So what's going to happen now they have decided to regulate? They will have to do 140 chickens a minute.

Recently, *The Washington Post* had a front-page story that stunned me to the core. It said that a young food inspector, working for the government, his lungs bled out and he died from the chemicals that he inhaled from his chicken inspection days. Now, after the chicken goes through a conveyor belt, it goes into a bath of cool water and Clorox. Then it's ready to be packaged and all plastic-ed up and have it for dinner. Is that overregulation? For heaven's sakes, give me more regulation than that.

But I want to urge my colleagues today to vote "no" on this rule, the un-

derlying legislation, and quit this farce in the House of Representatives.

I reserve the balance of my time.

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

I want to quickly respond, if I may, to a couple of points my good friend made.

First, I want to begin by agreeing with her because, quite frankly, as I've stated publicly on many occasions, I don't believe a government shutdown is a good idea either. I think that's not a responsible political tactic. And while my good friend has been concerned that some people in my party have advocated that, I would also express a similar concern, quoting press reports that some advisors to the President have recommended that, should we send a so-called "continuing resolution" that funded the government that did not repeal sequester, he should veto it and that would shut down the government.

So I think there's been a little bit of irresponsible discussion about shutting down the government—which, with my friend, I agree, is never a good idea—that's come from both sides of the aisle.

In terms of her observations about sequestration, as an appropriator, again, we probably find some common ground here. I would like to see us also get rid of sequestration, but I'd like to do it by redistributing the cuts to the nondiscretionary side of the budget where I think they belong. We need to keep the savings—that's why the deficit is coming down—but there are certainly smarter and better ways to do that. And if the President is willing to do that, I suspect he would find a willing negotiating partner on our side of the aisle.

In fact, though, many of my friends advocate what is effectively a third tax increase this year. We had a tax increase with the so-called "fiscal cliff." When all the Bush tax cuts ended, the President used that to raise taxes. We have a tax increase this year associated with his health care plan kicking in that's major. And now my friends on the other side of the aisle want a third tax increase to keep the government open and operating. We think we can spend money better and smarter, and that we ought to continue to reduce spending, not increase the burdens on the American people.

Finally, I want to talk to my friend, who discussed *ObamaCare*, and she's absolutely right; we certainly would like to repeal it, and we certainly have tried to make that point repeatedly. Frankly, her disagreement is not with us so much as it is with the American people. This is an extraordinarily unpopular law. No poll has ever shown that more people like it than dislike it; quite the opposite. People would like to see it repealed. It's simply not a very good idea. Frankly, we're seeing signs of that right now. The President himself, in a signature piece of legislation, had to ask that the business mandates actually be pushed back by a

year. We would like to help him in that, and we'd like to do it for individuals as well, but that suggests this was certainly a bill not ready for prime time.

A former Presidential candidate—I very seldom quote Howard Dean in agreement, but he had an interesting piece in *The Wall Street Journal* this week on why the central cost-control mechanism of ObamaCare—the Independent Payment Advisory Board—simply wouldn't work. Now, that's not us; that's criticism from somebody that probably supports a national health care plan of some kind.

Finally—and I think this does get overlooked in a debate, and I want to end my comments on a point of agreement, because while we have voted repeatedly to repeal, there have actually been times that we have, on both sides of the aisle, agreed—and agreed with the President—about changing this bill.

In the last couple of years, we have actually passed seven pieces of legislation when we were in the majority—they obviously had to go through a Democratic Senate and to the President's desk—that changed or modified ObamaCare—and saved, by the way, about \$62 billion. My friends, after ramming that legislation through, looked at the so-called 1040s that were going to be attached to every \$600 purchase and said, you know, you guys are right, that's a really bad idea. The President thought so too. And we got rid of it.

We also got rid of the assisted living portion of it, the so-called "CLASS Act" that was just financially unsustainable. Why? Secretary Sebelius looked at it and said, you know, this really isn't going to work. And I'll bet you sooner or later we'll get a medical device tax elimination down here on this floor—people on both sides know it's nuts to be taxing people's wheelchairs and oxygen cans because they're sick and use that to fund health care, and I'll bet you we can probably find common agreement on that.

So, while we would like to repeal, we certainly are willing to work when we find common areas and continue to try and improve a very flawed product.

With that, I'd like to yield such time as he may consume to my good friend and fellow Rules Committee member from Florida (Mr. NUGENT).

Mr. NUGENT. I thank my good friend on the Rules Committee, a member that I have the pleasure of serving with.

Today, I rise in support of House Resolution 322 and the underlying legislation, H.R. 367, the Regulations from the Executive in Need of Security Act. I want to thank my friend for bringing this forward as the rule. But this is better known as the REINS Act. The underlying legislation would bring much-needed reform to our broken regulatory process.

Now, my good friend from New York (Ms. SLAUGHTER) talked about chick-

ens—and she mentioned it last night. But the issue really, what she's talking about when you're talking about the number of chickens being observed by the USDA, this is the President. They want to increase the number. They want to go to a private system. So I agree that it's a bad idea. But maybe the REINS Act could actually help in that particular instance because you could bring it back to this House to talk about it because, as a valued member of the Rules Committee, she brought up a good idea.

But somewhere along the line we have lost sight of what Congress' responsibility in the role of regulation is all about. Through the years, we have delegated away our responsibility. We gave it to unelected bureaucrats to make decisions that have far-ranging effects on the American people. I'm pretty sure that our Founding Fathers really didn't envision us doing that; that bureaucrats are going to decide the fates of small businesses and industries. That's exactly what we let happen because it was easy—it's easier. And all too often, in making regulations in D.C., we just aren't in touch with how that actually affects real Americans, real jobs in this country.

We all hear from folks back home about how regulations passed in D.C. are preventing their businesses from growing and expanding. It's a common refrain, Mr. Speaker.

The REINS Act, however, would return us to the vision our Founding Fathers had for this institution and for this Nation. It does so by ensuring that any major rule—that's a rule that has over \$100 million in impact to our economy—receive approval from this body and from the Senate before it actually goes into the process of regulation.

Certainly, regulations with an impact this large deserve to have our attention, our review, and ultimately our blessing by our vote. Frankly, they deserve more than just a public comment period that regulatory agencies give the public. For that reason, I urge support of the rule and the underlying legislation.

I'll just give you one anecdote, Mr. Speaker. Back home, we have a cement kiln that produces cement for use all over the United States; employs 200 people right there. And I come from a county today that still has unemployment of 8.9 percent. What the EPA is looking to do is put those businesses out of existence.

When I talked to the folks that actually run the cement kiln, they said, Rich, we can just go across the border into Mexico, where they don't have any restrictions on air pollution, and we can do it cheaper because we don't have to have the pollution controls. But you know what, that air doesn't stop at the border, it comes back into the United States. So when you force companies out—and we have some of the strongest and most stringent EPA requirements for air and water—when you force those companies to leave our

country, take the jobs with them, we still breathe dirtier air than we would have. So there has got to be a common ground.

Ms. SLAUGHTER. Mr. Speaker, let me take just a second to say another case of un-regulation is the fertilizer plant blowing up in West, Texas, that had not been inspected in over 20 years.

Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

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

Mr. HOYER. I thank the ranking member of the Rules Committee, my friend, Ms. SLAUGHTER, for yielding.

Mr. Speaker, I want to say that I have a great deal of respect for the gentleman from Oklahoma. But I say that this House is not working. And the American people are angry with all of us, 100 percent of us.

The gentleman from Florida just said "surely we can find common ground." The gentleman talked about shutting down the government being an unreasonable response, although many in his party promote that. The President's not promoting it; the President is against it. You know our side is against that. Surely, we can reach common ground.

Yesterday, we had eight bills on the floor on suspension. The public doesn't know process, I understand that—they're not too interested in hearing about process. But suspensions make for short debates and no amendments, no ability to make changes in those bills. That's why they were offered on suspension.

□ 1315

Apparently, three of those bills were pulled because they didn't think they had the votes. I don't think they had the votes either—"they" being the majority.

So what did they do in their pursuit of a transparent "let the House work its will" pledge that they had made to the American public when they sought control, being in the majority? They've gone to the Rules Committee. One rule, five bills. How can you debate five different bills with rules, whether the rules are correct? And what are those rules? Closed, no amendments, limited discussion.

Yesterday, we had an appropriations bill on the floor. It was pulled. It was pulled, as I predicted it would be, because the Republican majority cannot get its act together. It disagrees with itself. It is a deeply divided party.

I was just on television, and they played a clip of Rush Limbaugh before that, and Rush Limbaugh said "we ought not to compromise because we don't have anything in common with them"—meaning Democrats. My response was: "Oh, I think Rush Limbaugh is wrong."

We are all Americans, and we are all elected here by Americans to serve

them and to serve their country, to serve our communities and our neighbors, and to try to do things that make sense. Americans elected all of us from different places, different interests.

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

Ms. SLAUGHTER. I yield an additional 2 minutes to the gentleman from Maryland.

Mr. HOYER. I say this because, Mr. Speaker, the American people need to know what's happening.

They pulled the Transportation-Housing bill. I wasn't for that bill as it came out of committee, nor were any Democrats that voted on it in committee, but they brought it to the floor and then pulled it. Nine days from tomorrow, nine legislative days from tomorrow, we are going to have that issue of how we are going to fund government and keep it running.

The Senate just a few minutes ago refused to allow the Senate—because the Republican Party voted “no” on bringing debate to close after days of debate and discussion, and they voted “no” to take the HUD bill up for discussion.

So in both Houses the Republican Party has abandoned the appropriations process. Now, I've just said that.

HAL ROGERS, chairman of the Appropriations Committee, a conservative Republican, says this:

“I am extremely disappointed with the decision to pull the bill from the House calendar today. The prospects of passing this bill in September are bleak at best, given the vote count on passage that was apparent this afternoon. With this action, the House has declined to proceed on the implementation of the very budget it adopted” without a single Democratic vote.

He went on to say—Mr. ROGERS, conservative, Kentucky, chairman of the Appropriations Committee, Republican:

Thus, I believe that the House has made its choice: sequestration—and its unrealistic and ill-conceived discretionary cuts—must be brought to an end.

The Ryan budget was unrealistic when it was considered on this floor. Mr. ROGERS voted for that budget. He knew then it was unrealistic. He knew then it could not be implemented.

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

Ms. SLAUGHTER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

Mr. HOYER. I predicted then that if you took every Democrat out of the House and every Democrat out of the Senate, that that budget could not be implemented through the appropriations process and through the Ways and Means process, and I was right.

Yes, we need to seek common ground. We are hurting the economy, we are undermining the confidence of the American people and, indeed, we are undermining the confidence of our international partners.

TOM COLE sits here representing the Rules Committee. I want to tell everybody in America TOM COLE is a reasonable Member of this House. He's been a leader of this House. He wants to see common ground, in my view, so I do not criticize him.

But I say, Mr. Speaker, as you tap the gavel, time is not only running out on STENY HOYER, time is running out on this House, time is running out on America, time is running out on the patience of Americans that their House is not working.

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

Mr. HOYER. Mr. Speaker, we are witnessing on full display the utter failure of Republicans to govern as the majority.

Yesterday, after the Speaker and Majority Leader pulled the Transportation, Housing, and Urban Development appropriations bill from the floor, because they didn't have the votes to pass it, chairman HAL ROGERS of the Appropriations Committee—that is, Republicans' top appropriator—issued a scathing rebuke to his party's own sequester strategy.

He wrote:

With this action, the House has declined to proceed on the implementation of the very budget it adopted just three months ago. Thus, I believe that the House has made its choice: sequestration—and its unrealistic and ill-conceived discretionary cuts—must be brought to an end.

Not my words, Mr. Speaker, but the Republican chairman of the Appropriations Committee.

What a shame that we are now harming our national security and limiting our ability to protect the most vulnerable people in America through this sequester process.

It is also hurting our economic recovery, as the nonpartisan CBO has estimated it could cost us as many as 1.6 million jobs that would have been created by the end of the next fiscal year—and 1.3 percentage points of added GDP.

The sequester is a result of Congress stalling on tough decisions and an insistence by tea party Republicans on divesting from America and dismantling the foundations of the American Dream.

And it has been embraced by the Republican leadership as their singular approach to deficits.

But the sequester is not a rational or responsible solution.

It was never meant to be.

The mere threat of sequester was intended to be so severe that it would compel both parties to cooperate and find a balanced alternative.

Now, like Chairman ROGERS, many Republicans are growing tired of the sequester and are ready to compromise.

But not the Republican leadership, and that is very sad.

The complete implosion of their appropriations strategy demonstrates that, in order to pass appropriations or any substantive legislation, Republicans will have to compromise and work with Democrats in a bipartisan way.

It is sad and shameful that we are about to adjourn for a 5-week district work period, leaving critical business to create jobs and tackle deficits unfinished, while Republicans waste

this Congress's time on a 40th vote to repeal ObamaCare.

When we return in September, I hope Republicans will see this week's appropriations debacle as their own appropriations chairman has—and abandon their reckless support for the sequester.

Let us focus now on seeking bipartisan compromise and the big, balanced solution that will restore fiscal sanity and give American families and businesses the certainty they deserve.

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

My friend—and he is my friend—I think is really one of the great speakers of this Chamber. I mean that with all sincerity.

Mr. HOYER. I thank the gentleman.

Mr. COLE. But this isn't the Senate. We don't have unlimited debate over here, so he's kind of stretching it a little bit, but it's always worth listening to.

Mr. HOYER. Will the gentleman yield?

Mr. COLE. I will certainly yield to my friend.

Mr. HOYER. I used to be the majority leader, and the thing that I hated losing most was my magic 1 minute, because as the gentleman will recall, it was an unlimited 1 minute.

Mr. COLE. And I want to say, my friend, the gentleman, exercised it to the extreme, but he's always worth listening to.

I want to underscore a point my good friend made, because I do agree with you very much about government shutdown. I don't think that's a responsible tactic. I've seen it advocated from time to time from people on both sides of the aisle. We've had reports of it from advisors to the President. I certainly wouldn't suggest the President would agree with that. But I hope we don't get there, and I will pledge to work with my friend to make sure that we do not.

I also think, though, that we ought to recognize that we have worked together on some occasions. My friend and I worked together on the fiscal cliff, we worked together on violence against women, we worked together on Sandy, we worked together, actually, on the CR in March. So there are times when we can come together.

We are working together now. I suspect the President will soon sign the Student Loan Act, an act that was originated on our side—problems were on the Senate side—and passed. Eventually, they came around and saw the same thing the way the President and we saw it on this side of the aisle.

Mr. HOYER. If the gentleman will yield, I say respectfully to my friend, we think the President sent down a piece of legislation similar to yours, correct. But we both worked together; you're right.

Mr. COLE. We did. I appreciate that, and we found common ground. I hope we can again.

But also when we're lectured a little bit on rules—and, look, we both wear

these hats occasionally—I will remind my friends, when they were in the majority, the rules under which they brought a massive health care bill to this floor with almost no debate, a massive stimulus, billions of dollars, with essentially no debate and no consideration, the Dodd-Frank rule.

So whatever sins have been committed on our side of the aisle, I would suggest this is one where you need to look at the log in your own eye in terms of the size and scope of that legislation and the rules that accompany them.

Mr. HOYER. Will my friend yield on that point?

Mr. COLE. I will yield to the gentleman on that.

Mr. HOYER. The gentleman is correct. Both sides have done it. But you will recall, your side criticized us very substantially and said you would not do it. That I think is the difference. But both sides, you're absolutely correct, have brought rules that have been closed and limited in their scope.

Mr. COLE. Reclaiming my time, I seriously doubt that you have never said we wouldn't do this. I've heard the same thing when we talk about debt ceiling where we know the rules get reversed from time to time.

So I think this legislation—and I think it's very significant legislation—but I don't think it ranks with either of the three examples that I gave in which this body was not given the opportunity. Frankly, I think the Republican majority is here today largely because that's the way the House was operated the way the last time my friends had an opportunity to do that.

But regardless of that, I appreciate my friend's remarks as always. I always enjoy the exchange, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. WAXMAN), the distinguished ranking member of the Committee on Energy and Commerce.

Mr. WAXMAN. I thank the gentleman for yielding to me some time to talk about one specific bill that this rule would allow the House to consider.

Mr. Speaker, I would urge a "no" vote on the rule and a "no" vote on the underlying bill. It's called the REINS Act, Regulations From the Executive in Need of Scrutiny Act.

What does that mean? Well, that's a bill that says anytime there's a regulation adopted pursuant to a law that we passed that costs over a certain amount of money, Congress is going to pass the regulation. Well, that just delays things and means special interests can get in here and stop those regulations that are needed to protect the public health and the environment.

I want to give an example. I asked the Rules Committee to make in order that this particular bill shouldn't stop proposed FDA food safety regulations. Well, they didn't even allow me to offer that amendment.

But the reason I wanted to offer that amendment and the reason this bill is not a good bill, is that foodborne illnesses, we are seeing outbreaks striking often and more frequently, and that can happen to anybody, Democrat or Republican. Foods we never thought would have imagined to be unsafe—everything from spinach to peanut butter—have sickened an untold number of Americans. Our food supply has also become increasingly globalized, which poses another danger. So 50 percent of our fresh fruit and 20 percent of our fresh vegetables are imported, and this imported food is responsible for a large share of the number of foodborne illness outbreaks. Since 2011, eight of the 19 multi-State outbreaks were from imports.

So what did Congress do? Well, we said we've got to do something about it, and we adopted a bill on a bipartisan basis called the FDA Food Safety Modernization Act. It passed in 2010. That law provided FDA the power to set a way to police the food supply and make significant improvements throughout the food chain from the farm to the dinner table to stop these unsafe foods.

FDA has been working hard to comply with this mandate. This year, they issued three proposed rules that would implement some of the key pieces of the food safety legislation.

One rule would require farmers to comply with science-based standards for safe production and harvesting of produce. Another would require companies that process or package foods to implement preventive systems to stop outbreaks before they occur.

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

Ms. SLAUGHTER. I yield an additional minute to the gentleman from California.

Mr. WAXMAN. The purpose of these rules are to stop and prevent the outbreak of foodborne illnesses.

Last week, FDA issued a proposed rule to mandate that importers demonstrate that the food they bring into the country is safe. Well, these rules will not be allowed to go into effect until Congress—both the House of Representatives and the Senate of the United States with all their committees and subcommittees—meet to consider the regulations that FDA adopted. While they're doing all of that, we'll be exposed to foodborne illnesses.

My amendment would make this process of the REINS bill unnecessary as it applies to this particular area, but it illustrates why the REINS bill is not well thought through. Congress shouldn't have to adopt every regulation if we adopt a law saying to an agency "adopt regulations based on the science, adopt regulations to enforce the law."

I would urge we oppose the rule and oppose the REINS bill as well.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Minnesota (Mr. NOLAN).

□ 1330

Mr. NOLAN. Mr. Speaker, there were 87 new Members elected in the last session of the Congress—about half of them Republicans, about half of them Democrats. I'll tell you what, we all got the same message in the last election, and that was that the people in this country had had it with gridlock and partisanship, and they wanted to see some more collaboration, some co-operation, some problem-solving, fixing things, getting things done.

There is so much that we agree on. I mean, our roads are in need of repair; our bridges are literally falling down; the rich are getting richer and the poor are getting poorer; the middle class is getting crushed, and we all want to rebuild this middle class; there are millions of people who are unemployed every day, and there are millions more who are underemployed.

Mr. Speaker, I'm a businessman. I've been a business owner, responsible for the bottom line and for getting things done in my business. I've got to tell you, if we weren't getting the job done, we wouldn't be going on a 5-week recess, vacation—or whatever it is you want to call it. There are so many pressing needs, and we are scheduled to be in session for 9 days in September, and we know what those Mondays and Tuesdays are like. We know what happens here. So we're looking at about 3 or 4 days, and what have we got to deal with? We have to deal with appropriations, the budget, the farm bill, the jobs bill, immigration, transportation, the debt ceiling—and there are Members of this Congress who are calling for a shutdown of the Federal Government.

So I wanted to address just two things today. One is to postpone, or delay, this recess; and let's take up a couple of things. Like I said, our bridges are falling down. Let's take up the SAFE Bridges Act that Congressman RAHALL has offered. Let's take up the American Jobs Act that the President has offered. Let's put people to work in this country. Let's support Congresswoman SLAUGHTER's motion to defeat the previous question, and let's amend it to allow for the consideration of the SAFE Bridges Act.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to a member of the Committee on Rules, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the gentleman for yielding.

Mr. Speaker, what is particularly frustrating about what we are doing here today is that this is a colossal waste of time. We are taking up five bills that are going nowhere in the Senate. The President has already issued veto threats on all of them. These are just press releases that the Republican National Committee has decided would be good things for Republican Members to release in their

districts. None of this stuff is meaningful. It's going nowhere.

We are also repealing the Affordable Care Act for the 40th time. When the gentleman says that the Affordable Care Act is not popular, I will remind him that we had a referendum on the Affordable Care Act—it was called a Presidential election. The last time I checked, Mitt Romney was not in the White House. I think he's out on his yacht somewhere, but he's certainly not in the White House.

So we are doing this meaningless stuff, and we have 9 legislative days left before the end of the fiscal year, before we approach a government shutdown, and we have people on the other side of the aisle—people running for President on the other side of the aisle—publicly bragging about how they want to shut the government down.

Now, I have great respect for the gentleman from Oklahoma. I think he is a reasonable, rational, good Member of this Congress. I wish there were more like him on his side of the aisle, but there aren't. In fact, the Republican Party is being ruled by the fringe right-wing elements of that party—those who are pushing for a shutdown, those who are saying compromise on nothing, those who helped defeat the farm bill, those who, quite frankly, are insisting on budget numbers that are so unbelievably low for things like our infrastructure that they had to pull the Transportation-HUD bill from the floor yesterday.

We ought to be fixing sequester. CHRIS VAN HOLLEN, on our side of the aisle, has an alternative to sequester. We ought to vote on it. My Republican friends haven't allowed a vote on an alternative to sequester all year—nothing. We ought to go to conference on the budget so that we can actually get a budget so that we can have reasonable numbers on our appropriations bills that we can pass and be proud that we're doing something to put people back to work. We are doing nothing in this House. We ought not go on recess until we do the people's business.

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

Mr. Speaker, we did have a referendum on ObamaCare. Do you know what we got? We got a split decision because, while the American people certainly reelected the President, they also reelected a Republican House. That's a hard thing to achieve in what my friends would regard as a great Presidential victory. We had 435 different referendums about this. So the American people, for whatever reason, either wanted the debate to continue or certainly didn't want to leave the President, as they did in 2009 and 2010, with essentially total control over the legislative branch. They didn't like what they saw then, and I don't think they would like what they would see if that were to happen.

As for our friends in the Senate, letting them decide what the agenda is

going to be in the House, I think, is, quite frankly, a mistake. They don't get a lot done over there. Every now and then, though, they'll surprise you.

I remember hearing these same arguments about the Student Loan Act in that, gosh, what we were planning and proposing, even though it was relatively close to what the President proposed, was never going to happen. In fact, if you'll remember at one point and if I recall correctly, I think the President, himself, issued a veto threat against the legislation. So, had we followed our friend's advice, everybody's student loans in America would be skyrocketing right now.

Every now and then, you just have to go out and fight for the things that you believe in; and, amazingly, sometimes the United States Senate will come around, and, occasionally, the President of the United States will change his mind or at least will decide this was close enough to be good enough.

So I would suggest we just continue to get up every day as we all do, to work as best we can for the things that we believe in, and at the end of the day—believe me—the American people will make a judgment, and we'll see what happens.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM), a member of the Committee on Oversight and Government Reform.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today in opposition to this rule.

Every weekend, I go home to New Mexico, and my constituents always ask me: What's going on in Congress? What is Congress doing to create jobs and grow the economy and end the sequester?

There are currently 2,000 constituents in my district who are getting furloughed every week, and they want to know. There are countless teachers, construction workers, small business owners, and first responders; and they want to know. Unfortunately, the answer is "nothing" because of the House Republican leadership. They simply cannot govern.

Yesterday, Republicans pulled the Transportation, Housing and Urban Development appropriations bill from the schedule, illustrating that the sequester and the Republican budget are not feasible. Tomorrow, we will adjourn for a 5-week district work period, and we still haven't passed a jobs bill or a budget that replaces the sequester or that reduces the deficit, and we haven't passed comprehensive immigration reform. Instead of addressing any of these critical issues, House Republicans have decided that it's more important to vote one more time to repeal the Affordable Care Act—for the 40th time.

Mr. Speaker, New Mexicans and Americans want Congress to focus on jobs and economic growth.

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

Mr. Speaker, I want to respond to a number of points my friends have made about the issue of sequester. I simply want to remind them whose idea it was. If they have any doubt, they should read the Bob Woodward book, "The Price of Politics," or follow the lively correspondence that came after the book was published.

The reality is that the idea of sequester was the President's proposal. He proposed it; he advocated for it; he signed it into law. Now we hear from our friends, gosh, the Republicans won't undo it or we didn't really mean that it would actually ever happen.

We've had this discussion before. The simple truth is that we are willing to renegotiate where the cuts come from. We actually agree with our friends on that. What they're not willing to do is to actually reduce spending. That's essentially what the debate is about.

This is the method that the President recommended, signed and advocated for. If he wants to undo it—something, by the way, this House twice in the last term did, but our friends in the Senate never picked it up, and the President never came up with a counteroffer, so we're sort of still waiting over here—and if the President would like to redistribute the cuts, I have no doubt the Speaker would like to talk to him. But the idea that we're just going to simply undo it and lose all the savings, I think, is also unlikely to occur.

So let's sit down. We all know there are better ways to do this. We're willing to do that on our side, but we are not willing to raise taxes, and we are not willing to lose savings.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Nevada (Ms. TITUS), a member of the Committee on Transportation and Infrastructure.

Ms. TITUS. I thank the gentlelady for yielding me the time.

Mr. Speaker, I rise today in opposition to this rule and the underlying bills. I am especially disappointed that my amendment to H.R. 367, the REINS Act, wasn't made in order.

My amendment would have protected women and children from the delay and obstructionism in this bill by exempting the Family Medical Leave Act, the Healthy, Hunger-Free Kids Act, the Individuals With Disabilities Education Act, and the Lilly Ledbetter Fair Pay Act from the bill's intrusive provisions.

These four laws safeguard the economic, social, and physical well-being of women and children in Nevada and across the country. They give mothers the chance to care for a new child, ensure that our students have access to nutritious food, protect the rights of students with disabilities, and help women fight for equal pay for equal work.

My amendment would have offered the Republicans a chance to be reasonable and to dial back their war on the most vulnerable in our country.

H.R. 367, like the other bills being considered under this rule, would hinder our government's ability to serve the people, and it is simply a waste of valuable time. I urge my colleagues to reject it.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Illinois (Ms. DUCKWORTH), a member of the Committee on Oversight and Government Reform.

Ms. DUCKWORTH. I thank the gentlelady from New York for yielding.

Mr. Speaker, instead of bickering over partisan pieces of legislation that will go nowhere, we should be working to fix the sequester and hammer out a budget that creates jobs, grows our middle class, and responsibly reduces the deficit.

We should be taking up a well-funded Transportation and Housing appropriations bill rather than the draconian measure that drastically underfunded projects like those in my home district, such as the Elgin-O'Hare and the Barrington Road and Interstate 90 interchange. We need to make investments to rebuild our bridges, to improve our infrastructure, and to keep our children safe. We should be working on comprehensive immigration reform that is practical, fair, and humane. Reform with a pathway to citizenship will expand our workforce, secure our borders, and bring in new revenue to help us balance our budget.

I was sent to Washington to work on legislation that creates jobs and tackles the deficit. I don't want to leave for a 5-week district work period without taking some action on our critical, unfinished business.

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

Ms. SLAUGHTER. I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, we will offer on our side an amendment to the rule that allows the House to consider the SAFE Bridges Act, which funds emergency repairs and creates countless American jobs. We are about to go into a 5-week break; and so far, the Congress has done nothing to end sequestration or to create jobs for the country. My amendment will prevent the House from going home until we have done the job we were sent here to do.

To discuss our proposal, I am pleased to yield 2 minutes to the gentleman from Washington State (Mr. LARSEN), a member of the Committee on Transportation and Infrastructure.

Mr. LARSEN of Washington. Mr. Speaker, I rise today to support Ranking Member SLAUGHTER's motion to call up the SAFE Bridges Act.

In May, a portion of a bridge on Interstate 5 in my district collapsed into the Skagit River. Like most of my constituents, I've driven over that bridge hundreds of times. The fact that no one died when it collapsed was a blessing, but not everyone has been so lucky. My colleagues will remember in 2007 when a bridge spanning the Mississippi River in Minneapolis crashed down during rush hour, killing 13 people and injuring 145.

So, today, I want to ask my colleagues a very simple question: Should not Americans be able to drive across a highway bridge with the reasonable expectation that it will not crumble away from underneath them?

There are 67,000 bridges in our country that are rated structurally deficient—67,000 bridges. When those bridges fall, it isn't just the unlucky few on those bridges who suffer. Whole

economies that rely on safe and efficient transportation suffer. The I-5 bridge across the Skagit River doesn't just connect Burlington and Mount Vernon. It connects the entire west coast and carries millions of dollars' worth of trade every day between Canada and the U.S.

□ 1345

Here's the good news: we know how to build safe bridges. There are thousands of civil engineers devoting their lives today to building good structures that don't fall down, but we need to pay for them. We need to maintain our bridges until they're old and replace them when we need to. We can't wait for them to crumble into the water below.

In light of this obvious need, how much has this Congress done to improve bridge safety or invest in infrastructure?

Mr. Speaker, that was the sound of how much congressional action has been taken—nothing.

Just yesterday, house leadership pulled the Transportation appropriations bill because they couldn't find enough Republicans to support its draconian cuts. Instead of rushing home, we should take up the SAFE Bridges Act introduced by Mr. RAHALL to immediately invest in bridges. Rather than repealing ObamaCare for the 40th time this Congress, we should invest in our infrastructure for the first time.

If you think your constituents should be able to drive over a bridge without wondering whether it will crumble beneath them, then this Congress must act on robust transportation funding.

Mr. Speaker, I enter into the RECORD a State-by-State funding table under the SAFE Bridges Act.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

ESTIMATED DISTRIBUTION OF \$2,750,000,000 FOR EACH OF FISCAL YEARS 2013 AND 2014 BASED ON THE DRAFT BILL, STRENGTHEN AND FORTIFY EXISTING BRIDGES ACT OF 2013

State	Estimated FY 2013	Estimated FY 2014	Estimated Total
ALABAMA	34,528,552	34,528,552	69,057,105
ALASKA	10,150,614	10,150,614	20,301,227
ARIZONA	14,438,937	14,438,937	28,877,874
ARKANSAS	28,254,401	28,254,401	56,508,803
CALIFORNIA	232,052,224	232,052,224	464,104,449
COLORADO	15,902,404	15,902,404	31,804,807
CONNECTICUT	126,132,725	126,132,725	252,265,450
DELAWARE	8,962,416	8,962,416	17,924,832
DIST. OF COL.	20,403,500	20,403,500	40,806,999
FLORIDA	46,328,630	46,328,630	92,657,259
GEORGIA	24,586,058	24,586,058	49,172,116
HAWAII	17,770,494	17,770,494	35,540,988
IDAHO	7,397,016	7,397,016	14,794,031
ILLINOIS	88,159,721	88,159,721	176,319,441
INDIANA	37,906,433	37,906,433	75,812,866
IOWA	31,283,878	31,283,878	62,567,756
KANSAS	22,117,236	22,117,236	44,234,472
KENTUCKY	38,179,080	38,179,080	76,358,160
LOUISIANA	123,906,912	123,906,912	247,813,824
MAINE	18,533,603	18,533,603	37,067,205
MARYLAND	63,577,346	63,577,346	127,154,692
MASSACHUSETTS	137,288,383	137,288,383	274,576,767
MICHIGAN	49,782,579	49,782,579	99,565,158
MINNESOTA	22,911,312	22,911,312	45,822,625
MISSISSIPPI	20,657,648	20,657,648	41,315,297
MISSOURI	63,319,326	63,319,326	126,638,651
MONTANA	7,815,085	7,815,085	15,630,171
NEBRASKA	15,165,106	15,165,106	30,330,212
NEVADA	2,891,304	2,891,304	5,782,609
NEW HAMPSHIRE	15,442,851	15,442,851	30,885,702
NEW JERSEY	137,486,038	137,486,038	274,972,076
NEW MEXICO	5,953,606	5,953,606	11,907,212
NEW YORK	341,675,601	341,675,601	683,351,202
NORTH CAROLINA	63,124,530	63,124,530	126,249,060
NORTH DAKOTA	3,830,998	3,830,998	7,661,997
OHIO	111,055,549	111,055,549	222,111,097
OKLAHOMA	39,269,408	39,269,408	78,538,816

ESTIMATED DISTRIBUTION OF \$2,750,000,000 FOR EACH OF FISCAL YEARS 2013 AND 2014 BASED ON THE DRAFT BILL, STRENGTHEN AND FORTIFY EXISTING BRIDGES ACT OF 2013—Continued

State	Estimated FY 2013	Estimated FY 2014	Estimated Total
OREGON	54,382,275	54,382,275	108,764,549
PENNSYLVANIA	250,234,865	250,234,865	500,469,731
RHODE ISLAND	37,487,542	37,487,542	74,975,083
SOUTH CAROLINA	21,911,959	21,911,959	43,823,919
SOUTH DAKOTA	6,903,255	6,903,255	13,806,510
TENNESSEE	29,951,857	29,951,857	59,903,714
TEXAS	73,722,532	73,722,532	147,445,064
UTAH	6,055,018	6,055,018	12,110,037
VERMONT	9,894,077	9,894,077	19,788,153
VIRGINIA	84,581,236	84,581,236	169,162,472
WASHINGTON	79,795,827	79,795,827	159,591,654
WEST VIRGINIA	28,908,317	28,908,317	57,816,633
WISCONSIN	14,616,136	14,616,136	29,232,273
WYOMING	3,313,600	3,313,600	6,627,199
TOTAL	2,750,000,000	2,750,000,000	5,500,000,000

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

Ms. SLAUGHTER. May I inquire if my colleague has more speakers?

Mr. COLE. I do not have any more speakers, and I'm prepared to close whenever my friend is.

Ms. SLAUGHTER. Mr. Speaker, I shall close, and I yield myself such time as I may consume.

As we speak, sequestration is hitting very hard in communities all across the country. Federal employees are furloughed; important investments in science, technology, public health, and defense are being curtailed; children are being shut out of Head Start. Meanwhile, the majority has repeatedly refused to repeal the sequester and have failed to pass a single job bill creation into law.

The American people need us to stop these political games and get down to work creating jobs and rebuilding this economy. Now is not the time to adjourn Congress, and we should not leave here until we have produced real results for the American families that are truly struggling to get by.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into 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 New York?

There was no objection.

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

I yield back the balance of my time.

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

In closing, I want to begin by reminding my friends whose idea sequester was. It was the President of the United States.

The President likes to take some credit—and in some ways he deserves some—for our budget deficit coming down. Frankly, after four trillion-dollar deficits in a row, a Republican Congress came into office and that deficit is now moving down. It's about half of what it was. We've worked with the President to actually achieve something he said he wanted to, which is lower the deficit. He likes to take credit for it.

Second, I'd like to also remind my friends, Mr. Speaker, in closing, that I think these bills really are good bills. They provide important checks on the expanding power of the executive branch. How many times have all of us gone home and been regaled with tales of bureaucrats that are simply out of control or rules that make no sense or have an enormous economic impact? It happens all the time. That needs to change.

Senator Daniel Webster described the Federal Government as "made by the people, made by the people, and answerable to the people." I would suggest we've forgotten the last of these three phases, "answerable to the people." That's what these bills are about, trying to make the Federal Government more responsive and more answerable to the people. The underlying bills recognize just that and restore the power of governance to elected officials, not to unaccountable Washington bureaucrats.

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

Mr. COLE. Mr. Speaker, when the Committee on Rules filed its report (H. Rept. 113–187) to accompany House Resolution 322 the Committee was unaware that the waiver of all points of order against consideration of H.R. 2879 included:

A waiver of clause 9(a)(2) of rule XXI, prohibiting consideration of a bill or joint resolution not reported by a committee, unless the chair of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the CONGRESSIONAL RECORD prior to its consideration. The required statement from the chair of the Committee on Oversight and Government Reform, the primary committee of jurisdiction, was printed in the CONGRESSIONAL RECORD dated July 31, 2013. However, the required statement from the chair of the Committee on the Judiciary, which also received an additional referral, was submitted for printing on August 1, 2013. Both statements provide that H.R. 2879 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits.

A waiver of clause 11 of rule XXI, prohibiting the consideration of a bill or joint resolution which has not been reported by a committee until the third calendar day (excluding

Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which such measure has been available to Members, Delegates, and the Resident Commissioner. While the text of the bill is substantially identical to the three bills previously debated in the House on July 31, 2013, H.R. 2879 was not introduced until later that day.

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

AN AMENDMENT TO H. RES. 322 OFFERED BY
MS. SLAUGHTER OF NEW YORK

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

SEC. 10. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2428) to direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 11. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 10 of this resolution.

SEC. 12. It shall not be in order to consider a concurrent resolution providing for adjournment or adjournment sine die unless the House has been notified that the President has signed legislation to provide for the creation of American jobs.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to

offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

The SPEAKER pro tempore (Mr. HOLDING). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

ENERGY CONSUMERS RELIEF ACT OF 2013

GENERAL LEAVE

Mr. CASSIDY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 1582.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 315 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1582.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 1353

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 further consideration of the bill (H.R. 1582) to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than \$1 billion and will cause significant adverse effects to the economy, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, July 31, 2013, a request for a recorded vote on amendment No. 3 printed in part B of House Report 113-174 offered by the gentleman from Virginia (Mr. CONNOLLY) had been postponed.

AMENDMENT NO. 4 OFFERED BY MR. WOODALL

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 113-174.

Mr. WOODALL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, lines 11 through 17, amend subparagraph (D) to read as follows:

(D)(i) an estimate of the total benefits of the rule and when such benefits are expected to be realized;

(ii) a description of the modeling, the calculations, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph; and

(iii) a certification that all data and documents relied upon by the Agency in developing such estimates—

(I) have been preserved; and

(II) are available for review by the public on the Agency's Web site, except to the extent to which publication of such data and documents would constitute disclosure of confidential information in violation of applicable Federal law;

The Acting CHAIR. Pursuant to House Resolution 315, the gentleman from Georgia (Mr. WOODALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WOODALL. Mr. Chairman, I yield myself such time as I may consume to talk about an amendment that recognizes that knowledge is power.

So often today, we've talked about what we can do to make the government more accountable to the people. One of those things is entailed in the underlying bill that says, for these big rules that make a big difference, tell us what it is that you did. How did you come to this decision that this is the rule that you want to implement? My amendment goes one step further and asks for the underlying data on which that decision was made. We want to know what those calculations were.

It's going to be a good step forward if we can get agencies to share with us their modeling, but one step further would be those calculations that went into the modeling and came out of the modeling. What about the underlying data, Mr. Chairman? How in the world can we be in a conversation with the American people as the Congress with the agencies if we don't have access to the underlying data?

This is not a trade secret. This is not private information. This is the information that the agency uses to promulgate these rules that will then govern the entire United States of America. We simply say, if the disclosure of that data won't violate any laws, if it won't violate any trade secrets, if it's not going to be in violation of any applicable Federal laws, share that with America, post that on your Web page so that anyone who is interested in understanding how it is that these decisions that often go on behind closed doors, that often go on without the oversight of the public, not just what did you decide, but how did you decide it.

It's very difficult, whether you're a Republican or whether you're a Democrat, to hold the considered experts at these agencies accountable if you can't see the underlying data that went into their calculations. It's a simple amendment that says please share that with us. We're not questioning your expertise. We simply want to be a part of that process.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Chairman and my colleagues, as I rise in opposition to this amendment, the supporters would claim that it's about transparency. What it's really about is not transparency. It's about a way to block or delay critical EPA rules. That's what this whole bill is all about. The amendment does the same thing. They use