

BRADY of Texas, Mr. FRANKS of Arizona, Mr. JONES, Mr. DESJARLAIS, Mr. CRENSHAW, Mr. LIPINSKI, Mr. MARCHANT, Mr. KING of Iowa, Mr. GRIFFITH of Virginia, Mr. NEUGEBAUER, Mr. CHABOT, Mr. COLE, Mr. HALL, Mr. GARRETT, Mr. MICA, Mr. SMITH of New Jersey, Mr. FINCHER, Mr. POMPEO, Mr. WITTMAN, Mr. POE of Texas, Mr. DIAZ-BALART, Mr. GRIFFIN of Arkansas, Mr. STIVERS, Mr. CARTER, Mr. RODNEY DAVIS of Illinois, Mrs. HARTZLER, Mr. NUNNELEE, Mr. WALBERG, Mr. RIBBLE, Mr. MULVANEY, Mr. LAMBORN, Mr. BENISHEK, Mr. FLEMING, Mr. CALVERT, Mr. KELLY, Mr. PALAZZO, Mr. WENSTRUP, Mr. HULTGREN, Mr. JORDAN, Mr. PEARCE, Mr. WILSON of South Carolina, Mr. GUTHRIE, Mr. WESTMORELAND, Mr. MCCLINTOCK, Mrs. BLACKBURN, Mr. HUELSKAMP, Mr. CONAWAY, Mr. TERRY, Mr. MILLER of Florida, Mr. SHUSTER, Mr. BILIRAKIS, Mr. TIBERI, Mr. HUIZENGA of Michigan, Mr. ROGERS of Kentucky, Mr. LATTA, Mr. KING of New York, Mr. OLSON, Mr. GRAVES of Missouri, Mr. HENSARLING, Mr. RAHALL, Mr. TURNER, Mrs. BACHMANN, Mr. ALEXANDER, Mr. MURPHY of Pennsylvania, Mr. MULLIN, and Mr. SCALISE):

H.R. 732. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. RUNYAN (for himself and Mr. WALZ):

H.R. 733. A bill to amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. STIVERS (for himself and Mr. PETERS of Michigan):

H.R. 734. A bill to create jobs and promote fair trade by increasing duties on certain foreign goods imported into the United States; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi:

H.R. 735. A bill to enhance homeland security, including domestic preparedness and collective response to terrorism, by improving the Federal Protective Service, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Mr. COSTA, Mr. CICILLINE, Mr. SIRES, Ms. SCHAKOWSKY, Mrs. DAVIS of California, Mr. ELLISON, and Ms. BONAMICI):

H.R. 736. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on Financial Services.

By Ms. WILSON of Florida (for herself and Ms. BROWN of Florida):

H.R. 737. A bill to establish a national catastrophic risk consortium to ensure the availability and affordability of homeowners' insurance coverage for catastrophic events; to the Committee on Financial Services.

By Mr. WILSON of South Carolina:

H.R. 738. A bill to amend title 10, United States Code, to eliminate the requirement that certain former members of the reserve components of the Armed Forces be at least

60 years of age in order to be eligible to receive health care benefits; to the Committee on Armed Services.

By Mr. WITTMAN:

H.R. 739. A bill to require the Office of Management and Budget to prepare a cross-cut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Ms. HANABUSA, Mr. PIERLUISI, Ms. BORDALLO, and Mr. SABLON):

H.R. 740. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Natural Resources.

By Mr. NOLAN (for himself and Mr. POCAN):

H.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States providing that the rights extended by the Constitution are the rights of natural persons only; to the Committee on the Judiciary.

By Mr. PRICE of Georgia:

H.J. Res. 30. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of years Representatives and Senators may serve; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mr. CAPUANO, Mr. CICILLINE, Mr. FARR, Mr. GARAMENDI, Mr. HIMES, Ms. LEE of California, Mr. MICHAUD, Mr. MORAN, Ms. NORTON, Mr. WELCH, Mr. VAN HOLLEN, Mr. RUPPERSBERGER, Ms. MCCOLLUM, and Mr. RANGEL):

H.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns; to the Committee on the Judiciary.

By Mr. PAYNE (for himself, Ms. MCCOLLUM, Mr. MEEKS, Mr. RANGEL, Mrs. CHRISTENSEN, Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, Mr. MORAN, Mr. DENT, Mr. CUMMINGS, Mrs. BEATTY, Ms. LEE of California, Mr. CONNOLLY, Ms. BORDALLO, Ms. MOORE, Mr. GEORGE MILLER of California, Mr. HOLT, Mr. FITZPATRICK, Mr. ANDREWS, Mr. COBLE, Mrs. NAPOLITANO, Mr. PASCRELL, Mr. KING of New York, Mr. SIRES, Mr. COOPER, Mr. RUNYAN, Mrs. NEGRETE MCLEOD, Mr. PALLONE, Mr. LEVIN, Mr. LOBIONDO, Mr. LANCE, Mr. LEWIS, Mr. CARSON of Indiana, Mr. McGOVERN, Mr. BISHOP of Georgia, Mr. FARR, Mr. THOMPSON of Pennsylvania, Mr. DOYLE, Mr. GARRETT, Mr. CONYERS, Mr. RUSH, Ms. FUDGE, Mr. FREILING-HUYSEN, Mr. SMITH of New Jersey, Mr. TAKANO, Mr. JEFFRIES, Mr. DAVID SCOTT of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. BUTTERFIELD, Ms. CLARKE, Mr. AL GREEN of Texas, Mr. ELLISON, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Ms. WATERS, Ms. EDWARDS, Mr. RICHMOND, Mr. CLEAVER, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Mr. VEASEY, and Mr. HORSFORD):

H. Res. 69. A resolution supporting the designation of March 2013, as National Colorectal Cancer Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. HUELSKAMP:

H. Res. 70. A resolution recognizing the 150th anniversary of Kansas State University; to the Committee on Education and the Workforce.

By Mr. LOEBSACK (for himself, Mr. JORDAN, Mr. WALZ, Mr. BRALEY of Iowa, Mr. KING of Iowa, and Mr. LATHAM):

H. Res. 71. A resolution opposing the International Olympic Committee's decision to eliminate wrestling from the Summer Olympic Games beginning in 2020; to the Committee on Foreign Affairs.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

*[Omitted from the Record of February 13, 2013]*

By Mr. LoBIONDO:

H.R. 625.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of The Constitution of the United States of America

By Mr. SMITH of Washington:

H.R. 683.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution and in pursuit of the Equal Protection Clause found in section 1 of the Fourteenth Amendment.

By Mr. WOMACK:

H.R. 684.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause of the United States Constitution, Article I, Section 8, Clause 3.

By Mr. SAM JOHNSON of Texas:

H.R. 685.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mrs. NOEM:

H.R. 686.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. GOSAR:

H.R. 687.

Congress has the power to enact this legislation pursuant to the following:

Article IV of the Constitution provides the authority of Congress over federal property as a general matter. Article IV, §3 refers to the managerial authority over property owned by the Federal Government, and provides in relevant part:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; . . .

By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States—and with this authority Congress is vested with the power accredited to all owners in fee, the power to sell, lease, dispose,

exchange, transfer, trade, mine, or simply preserve land. The appropriate acreage to be held under Federal dominance is not the subject of this bill. Turning to the power of Article IV, §3, the Supreme Court has described this enumerated grant as one “without limitation” Kleppe v. New Mexico, 426 U.S. 529, 542-543 (1976) (“And while the furthest reaches of the power granted by the Property Clause have not yet been definitively resolved, we have repeatedly observed that ‘[t]he power over the public land thus entrusted to Congress is without limitations’.” Citing United States v. San Francisco, 310 U.S. 29. The Court in Kleppe further explained that “In short, Congress exercises the powers both of a proprietor and of a legislature over the public domain.” Id. Like any “proprietor” Congress has the power to sell or exchange federal property.

It is now generally accepted that the Federal Government may own and manage property in the manner and form mandated by Congress. United States v. Gratiot, 39 U.S. 526 (1840); Camfield v. United States, 167 U.S. 518 (1897). However, the wisdom of the Federal Government owning large tracts of land, particularly in the Western States, is subject to question on policy grounds, and some contend on Constitutional grounds based on the decision in Pollard’s Lessee v. Hagan, 44 U.S. 212 (where the Court stated that “a proper examination of this subject will show that the United States never held any municipal sovereignty, jurisdiction, or right of soil in and to the territory of which Alabama or any of the new States were formed, except for temporary purposes . . .”). Historically, the early federal government transferred ownership of federal property to either private ownership or to state ownership in order to pay off the then crushing Revolutionary War debts and to assist with the development of infrastructure. These are still acceptable goals for federal property sale or transfer.

The land exchange here is one that comports with good policy and constitutional strictures since by exchanging the land set forth in this bill, a large commercial grade copper mine will be able to proceed with the attendant economic benefits with which such a proposition inures (assuming compliance with other requirements set forth in the bill), but the Federal Government also gains equally valuable land that has significance for other purposes.

Article 1, §§8, Cl. 17 addresses property ceded by a state and conveys exclusive regulatory federal jurisdiction over these federal properties and enclaves. Section 8, Cl. 17 may also provide some guidance here to the extent it grants Congress the power to “exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings.” But it is Article IV that this bill is grounded upon.

By Mr. ROYCE:

H.R. 688.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. BLUMENAUER:

H.R. 689.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution (relating to the general Welfare of the United States).

By Mr. LATHAM:

H.R. 690.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18),

which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. GEORGE MILLER of California:

H.R. 691.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 & 18 of Section 8, Article I, of the U.S. Constitution

By Mr. BARLETTA:

H.R. 692.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation, the Protecting Department of Homeland Security Personnel Act of 2013, pursuant to the following:

This bill makes changes to existing law relating to “Article 1 Section 8 of the U.S. Constitution Clause 18.”

By Mr. PITTS:

H.R. 693.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Ms. SCHAKOWSKY:

H.R. 694.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. DENHAM:

H.R. 695

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HORSFORD:

H.R. 696.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. HECK of Nevada:

H.R. 697.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mrs. CAPPS:

H.R. 698.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. VAN HOLLEN:

H.R. 699.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1; Article 1 Section 8, Clause 18; and Article 1, Section 9, Clause 7 of the U.S. Constitution.

By Mr. GEORGE MILLER of California:

H.R. 700.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. McHENRY:

H.R. 701.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight.

By Mr. BRALEY of Iowa:

H.R. 702.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARNEY:

H.R. 703.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution;

Clause 18 of Section 8 of Article I of the Constitution; and

Clause 2 of Section 3 of Article IV of the Constitution.

By Mr. CARTER:

H.R. 704.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution clause 14, which grants Congress the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. CARTER:

H.R. 705.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution clause 14, which grants Congress the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. CICILLINE:

H.R. 706

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. CRAWFORD:

H.R. 707.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the United States Constitution.

The Congress shall have the Power . . . To establish an uniform Rule of Naturalization . . .

By Mr. DOYLE:

H.R. 708.

Congress has the power to enact this legislation pursuant to the following:

Article 6—Clause 2

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

By Mr. ELLISON:

H.R. 709.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clauses 3 and 18.

By Mr. FARR:

H.R. 710.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8 [“to regulate commerce”], and Amendment IV [“to be secure . . . against unreasonable searches and seizures”], and