

The House has passed four measures that would have kept the government open and operating, but they were all ignored by the Senate. First, we voted to keep the government open and to fund the President's health care bill, but they ignored that. Second, we voted to keep the government open and only delay the health care bill for 1 year. They ignored that. Then we voted to keep the government open and simply make the rules for the health care exchanges the same for all Americans. They ignored that. Lastly, we just asked the Senate to talk to us. They ignored that.

The Obama administration has given exceptions to their allies: big businesses and some unions. Why shouldn't the American people be given the same kind of treatment?

The Senate should come to the bargaining table today and end this shutdown today.

□ 0915

OPEN THE ENTIRE GOVERNMENT AND PASS A CLEAN CONTINUING RESOLUTION

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

Mr. PALLONE. Mr. Speaker, the reason we have the shutdown is because of the Republican leadership.

The irony today is that the Republicans keep talking about the other side of the aisle here or the other House, yet they are going to go home at around 12 today, if not sooner, and not come back until Monday after 6:30. So if you really cared about negotiating and doing something, you wouldn't send everyone home for the next 3 days. You are not serious.

The spending levels have already been agreed on. I heard our Democratic leader, Ms. PELOSI, on the floor the other day saying she agreed with the spending levels. So the money isn't the issue. And I don't even hear the health care reform being talked about much anymore on the Republican side of the aisle.

I have no idea why the Speaker of the House continues to keep the government shut down, other than maybe they think they can show that they can do it.

This is absurd and it is cruel on the people, the people that are being furloughed. The effect on the economy is just awful at this point with this continued shutdown.

You come here and say you are going to piecemeal approach and we have bills every day to open up a little part of the government. Open the entire government. Pass a clean continuing resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

EXPRESSING SENSE OF CONGRESS REGARDING NEED FOR CONTINUED AVAILABILITY OF RELIGIOUS SERVICES TO MEMBERS OF THE ARMED FORCES

Mr. WILSON of South Carolina. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 58) expressing the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse in appropriations.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 58

Whereas the Department of Defense has determined that some military chaplains and other personnel, including contract personnel, hired to perform duties of a military chaplain are not able to perform religious services on military installations during a lapse in appropriations;

Whereas this determination threatens the ability of members of the Armed Services and their families to exercise their First Amendment rights to worship and participate in religious activities; and

Whereas the Department of the Interior has permitted the performance of First Amendment activities in areas controlled by the National Park Service despite the lapse in appropriations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes that the performance of religious services and the provision of ministry are protected activities under the First Amendment of the United States Constitution;

(2) urges and intends that the Secretary of Defense permit the performance of religious services on property owned or maintained by the Department of Defense, during any lapse in appropriations, in the same manner and to the same extent as such religious services are otherwise available; and

(3) urges and intends that the Secretary of Defense permit military chaplains and other personnel, including contract personnel, hired to perform duties of a military chaplain to perform religious services and ministry, during any lapse in appropriations, in the same manner and to the same extent as such chaplains and other personnel are otherwise permitted to perform religious services and ministry.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. WILSON) and the gentleman from Washington (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina.

GENERAL LEAVE

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend

their remarks and insert extraneous material on the concurrent resolution under consideration.

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

There was no objection.

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the concurrent resolution offered by my colleague, Representative DOUG COLLINS of Georgia, a dedicated chaplain and Iraq veteran of the United States Air Force Reserve. His resolution goes to the heart of our constitutionally guaranteed ability to worship without interference. I thank him for bringing it to the floor.

The resolution expresses the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse of appropriations. As a grateful dad, with my wife, Roxanne, of four sons currently serving in the military, I know firsthand the importance of chaplains, such as Steve Shugart and Brian Bohlman.

Specifically, it addresses the issue this House became aware of yesterday—that religious services for military personnel are being curtailed, or not offered at all, because Federal civilian employees serving as chaplains, or personnel contracted to perform the duties of military chaplains, have been furloughed.

This is an extremely important issue for all of us to work together. There is no doubt that the furloughing of personnel hired or contracted to perform the duties of military chaplains is having an effect. Just in this region, church services, baptisms, weddings have been curtailed. For example, the Active Duty priest at the Navy Yard canceled mass there. He is needed at Joint Base Anacostia Bolling. It is a larger church and they don't have a priest there this weekend.

At Fort Belvoir, half of the masses have been canceled.

The impact is even more severe overseas, where options for worship are far more limited than in the United States.

What is more disturbing is that General Schedule Federal civilian and contractor chaplains are being told that if they do come to their jobs they will be trespassing. This is just not right.

The performance of religious services and the provision of ministry are protected activities under the First Amendment of the United States Constitution. If the Department of the Interior can permit World War II veterans in performance of First Amendment activities to visit the memorial constructed to honor their service, then certainly the Secretary of Defense can permit similar First Amendment activities.

The Secretary can and must allow military chaplains and other personnel,

including contract personnel, hired to perform duties of a military chaplain to perform religious services and ministry in the same manner and to the same extent as such chaplains and other personnel are otherwise permitted to perform religious services and ministry when there is an appropriation. It is that simple.

So, Mr. Speaker, I urge the Secretary of Defense to do the simple thing, the right thing: allow all chaplains of the Armed Forces, be they military, Federal civilian employees or contractors, to minister unhindered to the men and women of the Armed Forces of the United States.

I congratulate my colleague, Representative DOUG COLLINS of Georgia, chaplain of the U.S. Air Force Reserve, for bringing this resolution to the floor and urge all Members to support it.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

I do not oppose this resolution—it sounds sensible going forward—but I do want to raise a couple of process issues.

We found out about this—I found out about this—20 minutes ago. I think it is just emblematic of how much this body has broken down. We have to talk to each other. I don't have an objection to this. I've got staff; the Armed Services Committee has a staff. We work together. We have worked together on the Armed Services Committee better than any other committee in this Congress. I will grant you that that isn't saying much, but we have.

We just simply have to talk to each other. Why would they spring this on us at the last minute and not have a communication about it? It is not something we object to.

Getting past this individual issue, it is emblematic of the entire problem. The Republicans are complaining because the Senate isn't talking to them and the President isn't talking to them about the CR and the debt ceiling. There are reasons for that. But we have reached an epidemic of not talking to each other. On something as small as this we can't even have a communication.

Mr. WILSON of South Carolina. Will the gentleman yield?

Mr. SMITH of Washington. I will gladly yield to the gentleman from South Carolina.

Mr. WILSON of South Carolina. Mr. SMITH, I agree, on the Armed Services Committee—and I want to commend you—we work together in an extraordinary fashion. In fact, the National Defense Authorization Act has passed the House as an indication of your goodwill and good faith.

I believe the reason this has come up so quickly, of course, is because this was only learned late yesterday. The consequence of the thought of chaplains to be declared trespassing is inconceivable and it needs to be addressed.

Mr. SMITH of Washington. Right. But again, the communications level

has fallen apart. On our side of the aisle, we don't know from one minute to the next what we are going to be voting on. The schedule has been changed at a moment's notice.

I will tell you, even back in the shutdown of 1995, there was greater communication between the majority and the minority about what was going on. In fact, we had a lot of these small little bills that funded little pieces of the government.

But the one thing the majority did is they granted the full House a vote on a—and what a clean resolution means is it only pertains to spending; it doesn't pertain to other policy issues. That vote was granted. The House Republicans voted it down. That was their position. But at least we had a vote. Then we also had a discussion about what we could fund during the shutdown.

The complete and utter breakdown in communication between the majority party, the minority party, the Senate and the House, the White House and us is doing an unbelievable disservice to this country. I don't care if we get in a room and yell at each other for 4 hours. Let's at least have a communication.

I want to really paint the picture here. We all have our talking points, and I heard all of those talking points this morning. I have heard them so much—and I am sure that the American people and I are absolutely sick to death of those talking points. They are poll tested, they are wonderful, they play to the base, they are great, and here we are on day 5 going nowhere.

The basic problem here, number one, on the CR is the health care policy issue, that basically the Republicans—this is no secret—want to get rid of the health care law. The trouble is they don't have the votes to do it, and they are, therefore, willing to hold up the funding of the government in order to advance their policy agenda. That is a very important point because that plays into the larger issue.

I also want to tell you that we are—what is it—12 days now away from defaulting. We are going to default at this point, because what I hear from my Republican colleagues is, oh, no, no, no, no, no, no, we don't want to default. As long as we cut enough spending, as long as we do tax reform we will be fine, which, of course, is what we have been hearing since January of 2011.

I just want to explain briefly to the American people what the difference in the positions are here, and I am going to be as fair and honest as I can be. The Republicans believe strongly that we should severely cut spending, and cutting spending at this point means mandatory programs, entitlements, because we have already cut discretionary spending down to the BCA level, down to the level they agreed to. That is what some of my colleagues are referencing about the CR. The spending level is down there. But they don't want to do that. The deficit is high, so

they want to cut spending. The President has on more than one occasion put entitlement cuts on the table.

The difference of opinion is whether or not we should also raise taxes as part of that deal to deal with the deficit. The President, the Senate, and the Democrats in the House—which I realize is irrelevant because we don't have the votes—but unfortunately for you guys they do in the Senate, and the President has the veto. If there is going to be any entitlement cuts, they have to be accompanied by tax increases. The Republicans say, absolutely not, we are not going to do that. So that is the divide.

The problem is the Republicans won 234 seats in the House. Interestingly, they lost the overall vote in Congress by a count of 52 to 48—but redistricting plays out the way it does. They did not win the Presidency and they did not win the Senate. So they are trying to take those 234 votes in the House and jam their broader agenda down everybody's throat. The piece that they have is they are willing to not fund the government and not raise the debt ceiling in order to put us in a bad position to do that.

I will tell you, Democrats cannot vote to cut entitlements if there are not tax increases attached to them. So I hope somebody somewhere wakes up to this reality before we default and stops insisting that somehow miraculously in the next 12 days Democrats are going to magically agree to cut entitlements with no revenue, and maybe do some big complicated tax reform bill that cuts taxes even further. Because if that reality does not set in, we are in for several weeks of great calamity that is going to cause greater damage than what has been caused here.

So with that, I support the resolution.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, I want to, again, commend Mr. SMITH. He, indeed, has reached across to try to work together. By referencing the shutdown in 1995, there is a difference, and it begins at the top.

Sadly, the President of the United States 2 weeks ago last night called to announce he was not going to negotiate. In the 1995 shutdown there was communication between the President and the Speaker prior to a shutdown and during the entire shutdown.

I yield 2 minutes to the gentleman from Louisiana, Dr. JOHN FLEMING, my friend and colleague.

Mr. FLEMING. Mr. Speaker, I thank my good friend Congressman WILSON. I also thank my good friend, DOUG COLLINS, for bringing this measure up today.

Mr. Speaker, the First Amendment rights of our military do not sunset with the lack of appropriations or even a shutdown. The free exercise of religion is codified in the Constitution of the United States and celebrated by every American, including those of us who have worn, do, or will wear the uniform.

Military chaplains faithfully serve a unique role in the military, bridging the gap between faith and freedom and ensuring that people of all beliefs are able to celebrate mass or participate in a worship service according to the dictates of their faith.

Despite this protective right, the Department of Defense has decided to effectively close the doors of many churches and chapels this weekend by not allowing military chaplains to perform their religious duties on military installations because the Federal Government has not passed the relevant appropriations bill for FY 2014.

Mr. Speaker, I contend that the freedom of religion does not follow the Federal Government's fiscal policy. The freedom of religion is a 24/7 constitutional right that should garner unconditional support from this administration and our military leaders.

I stand strong with the brave men and women serving in our Nation's military and urge my colleagues to support this resolution.

Mr. SMITH of Washington. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding.

The President of the United States has spent weeks of his term negotiating with the Republican Party. What he has been confronted with each time is a demand to either shut the government down or default on the country's debt.

I want to put this in another frame of reference as I rise in support of this bill. On eight occasions when President George W. Bush was President, we had the majority on our side and we agreed to a continuing resolution, a clean continuing resolution. We had our many differences with President Bush over the Iraq war, over issues of health care, over issues of the budget, but on eight occasions President Bush came to the Democratic majority and asked to continue to run the government, and we said yes.

□ 0930

The principle at stake here is whether "negotiation" means you have to have everything you want all the time and shut the government down if you don't. That's not the way we do business. That's why three-quarters of the American people agree that shutting the government down over the health care law is the wrong thing to do.

Mr. WILSON of South Carolina. I yield 2 minutes to the Congresswoman from Tennessee, MARSHA BLACKBURN, my friend and colleague.

Mrs. BLACKBURN. Mr. Speaker, as we have all heard, we received the news yesterday that our priests and ministers could end up facing government arrest if they attempt to celebrate mass or to openly practice their faiths

on a military base during this government shutdown—a shutdown that we did not want, a shutdown that could have been avoided had the President and Senator REID agreed to negotiate with us.

This is so unfortunate. What we see is no mass, no communion, no confession, no prayer, no faith, no religion. Mr. Speaker, what we have to realize is that religious beliefs predate government. Government should not be able to tell those who are religious whether they can practice their faiths freely regardless of our government-funding situation.

What we are seeking is accountability, transparency, and reducing what the Federal Government spends. Government funding is irrelevant to the religious rights and freedoms that are enshrined in the First Amendment of our Constitution, and some don't get to throw away the Constitution just because they are unwilling to sit down and negotiate and work with us through this process. We are not going to sit here and say, Even if you volunteer to serve the faithful, we are going to deny you.

So I ask you, Mr. Speaker: Will our priests and ministers this weekend—some of them on my post at Fort Campbell in my district—be arrested if they recite a Hail Mary? if they lead in prayer?

I think that it is time for us to pass this legislation to agree that we let our men and women in uniform pray. Let America pray. Government shouldn't arrest anyone because some want to play politics with this situation.

Mr. SMITH of Washington. I yield myself such time as I may consume.

Mr. Speaker, first of all, again, I support this resolution. Nobody is getting arrested for praying. I really wish we could keep the debate here in the realm of reality. I believe the issue is that they have been furloughed in some instances so that they are not allowed to carry on the services. I don't want that misimpression left dangling out there that somehow we are arresting people for going to church. We are most certainly not, and I wish the debate would remain a little more accurate. I want to make just one other point.

While it is true that, in 1995, President Clinton talked to Republicans, ultimately, he did not give them any of the policy items that they were asking for. All President Obama is basically saying is, Look, if you want to talk, we can talk; but we can't talk about dismantling my health care law, and we can't talk about adding policy riders to the CR or to the debt ceiling, because we need to keep the government running.

And there is one other difference which I know my Republican colleagues will not address. The Republican majority under Newt Gingrich in 1995 gave this House a vote just like the Senate has given everything you've sent over to them a vote. They voted it

down, but they had a vote. This House will not give us a vote on the CR that the Senate has passed. If you feel as strongly about it as you do, do what the Republicans did in 1995—bring it up and vote it down. That's democracy. That's in the Constitution, too, by the way. That would be helpful.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. SMITH, again, I appreciate your support of this, but it is important because, sadly, information has been provided that chaplains would be subject to trespassing charges. So this does, obviously, interfere with the ability of freedom of speech and religion and assembly.

Mr. Speaker, I now yield 2 minutes to the gentleman from Kansas, Mr. TIM HUELSKAMP, my friend and colleague.

Mr. HUELSKAMP. Mr. Speaker, is it really the policy of this administration to make church services illegal? to threaten Catholic priests with jail if they celebrate mass this weekend?

Unfortunately, this policy seems to be another tragic reflection of the complete disregard this administration has for Americans of faith. What is worse is that it's an unprecedented denial of a fundamental constitutional right of our men and women in uniform, like denying access to the World War II or Lincoln Memorials for the first time. This is the first time in 17 previous funding lapses, covering 16 Sundays, that our brave chaplains have been threatened with arrest if they perform their Godly duties.

Secretary Hagel must issue an immediate directive that chaplains should continue to perform their duties and that DOD facilities normally used for religious services should continue to be used.

Mr. Speaker, the First Amendment is not some empty words on a dusty, archaic document to be viewed somewhere in a museum. I know for men like my uncle, Father Leonard Stegman, who was an Active Duty chaplain for nearly 30 years, the First Amendment is what you do every day as a chaplain, leading men and women of all faiths. It's something real.

For the late Father Emil Kapaun, who was recently awarded the Medal of Honor by President Obama on April 11 of this year, the First Amendment was, again, not some empty words. It's what he did every day, and it's the reason he gave his life for his country. It's the reason he was honored and recognized and how he drew men and women of all faiths.

In honor of Father Kapaun and of all current and former military chaplains and of all members of the Armed Forces, let's strike a blow for religious liberty today. I urge my colleagues to join me in supporting this resolution. Let's send a clear message to this administration that the rights of those serving in the Armed Forces cannot be suspended simply to create political and personal pain.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield the remainder of my time to the gentleman from Georgia, Congressman DOUG COLLINS, who is the sponsor of this resolution and a U.S. Air Force Reserve chaplain.

Mr. COLLINS of Georgia. Mr. Speaker, I thank the gentleman from South Carolina, whose dedication to our men and women in uniform is among no peer's in this body, and I thank him for his service and for the fight of his family and others as we come along.

I'll tell you today that I rise, Mr. Speaker, really with a troubled heart and also with one that is on behalf of the men and women in the Air Force and the Armed Forces and others who are facing something today that they should not have to face. There is no doubt our Nation is facing many difficulties, and all of us and those across the aisle can understand that. The majority in this body is standing united to fight for the future of our children and grandchildren. Those are legitimate fights, and I respect my colleagues from across the aisle. These are legitimate fights that we are having here. However, today, as I stand, I came to this body also looking for practical things and looking for things that amaze me at times, and this is one that does.

As we do and as we fight for others, we must ensure that the basic rights of all Americans are protected and do not fall victim to the political theater occurring in this body. Military personnel and their families make sacrifices that many of us cannot fathom, and they do so to protect the freedom that we take far too often for granted. Because of their sacrifices, our Nation is a beacon of hope to the dark corners of the world where freedom of speech and religion exist only in fairy tales.

Yet today, military chaplains who have been contracted to come to bases face a closed door. They cannot go on these bases during a lapse of appropriations even if they wanted to volunteer to practice their faiths. Each of us in this body and across the Nation should pause for a moment to consider and think about what I just said. If a contract chaplain wants to minister to a military member stationed abroad who has no access to a church, a mosque or a synagogue, he would be in violation of the law. I am a military chaplain, and this breaks my heart.

Too often, we come to this floor and we talk in abstracts. We talk about concepts and political jargon, arguing about problems that only matter, probably, within less than 3 miles of this building, but today is different. Today, we stand with one resounding voice to tell our servicemembers and the chaplaincy that we will not stand for their First Amendment rights to be violated because the leaders in the other body want to make a point. The laws in this Nation require the Federal Govern-

ment to ensure that military personnel can express their faiths or non-faith in all corners of the world. That is why the military chaplaincy exists and, when we cannot serve the needs of those, why we contract with others who can provide that basis of one's faith.

General George Washington issued an order on July 9, 1776, providing through the Continental Congress for a chaplain for each regiment, stating:

The blessing and protection of Heaven are at all times necessary but especially so in times of public distress and danger.

The administration is apparently unsatisfied with denying veterans access to memorials and is unsatisfied with closing off unmanned scenic overlooks to motorists. Now they must go after, in the words of George Washington, the "blessing and protection of Heaven" for our military families.

The body has seen its share of political discord and policy disagreements. The government has experienced numerous lapses in appropriations over the decades, but never before in the history of this Nation have the military chaplains and those they contract with to serve our military personnel been prevented from meeting the religious and spiritual needs of our servicemembers.

As a chaplain, I lived and worked alongside men and women in Iraq. Many were religious and many were not, but my purpose was to ensure that they were able to express their First Amendment rights however they wished. Military chaplains and their contract counterparts must be allowed to provide religious service and ministry regardless of our Nation's fiscal state.

If the administration wants to play games and score points through unnecessary theatrics, so be it; but I will not stand by and let these games occur at the expense of the basic rights of our men and women in uniform.

During this lapse in funding, Active Duty chaplains are permitted to continue serving military personnel. However, there is a chronic shortage of Active Duty chaplains, particularly for Catholic and Jewish faiths. For example, roughly 25 percent of the military ascribe to the Catholic faith; yet Catholic priests make up only 8 percent of the Chaplain Corps. That means that approximately 275,000 men and women in uniform and their families are served by only 234 Active Duty priests, thus the need to have contract chaplains.

Due to the shortage of Active Duty chaplains, it is extremely common for the government to employ chaplains via contracts to ensure that the spiritual needs of all of our military members are met. With the government shutdown, contract members of the Chaplain Corps on military bases worldwide are not permitted to work—they are not even permitted to volunteer—even if they are the only chaplains on base.

As my friend from South Carolina and others have mentioned, the restrictions on basic freedoms that are being had around here—and just within this area at Langley, at the Navy Yard and at Fort Belvoir—are all areas that have already been cut back, and that is a shame. I am grateful to my colleagues who have joined me this morning and the House leadership for their commitment to ensuring that military chaplains are able to serve the men and women of our Armed Forces.

If this body does not pass this legislation, the ability of military personnel and their families to worship and participate in religious ceremonies will continue to be at great risk. I ask all of my colleagues to join me in protecting the First Amendment rights of those who give their lives to protect ours.

Before I close, I agree that many times we haven't communicated, and we don't communicate as many would want us to; but I have also heard that timing was a problem here and that we should have seen this coming. Let me just say timing should never be a hindrance to this body's protecting the First Amendment rights of any of our citizens, especially of our military personnel. In fact, it should be our highest calling and the thing we run to this floor to discuss.

Should we have seen it coming?

I'll tell you, what saddens me is I would have never believed that the administration or anyone else would deem protecting a constitutional right as nonessential.

Mr. WILSON of South Carolina. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. WILSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 58.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 0945

FEDERAL EMPLOYEE RETROACTIVE PAY FAIRNESS ACT

Mr. TURNER. Mr. Speaker, pursuant to House Resolution 371, I call up the bill (H.R. 3223) to provide for the compensation of furloughed Federal employees, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 371, the bill is considered read.

The text of the bill is as follows:

H.R. 3223

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