

We want what we have earned: equality.

### BRING AN END TO DEPORTATION

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

Mr. POLIS. Madam Speaker, today, unfortunately, we commemorate the 2 millionth deportation under President Obama. President Obama continues to tear families apart by deporting noncriminal immigrants to our country who want nothing more than to make our country stronger, grow our economy, and raise their American families.

But the President can bring an end to deportation. Even if this body doesn't act, the President can stop deporting noncriminal detainees. If somebody has violated our criminal laws, they should suffer the consequences of their crimes.

If their only crime was trying to make a better life for themselves in our great country, just as our own forebears did, just as my great-grandparents did, we should welcome them to help make our country stronger, create jobs for Americans, and grow our economy.

Madam Speaker, it is time for this body to act. Absent this body acting on comprehensive immigration reform, I encourage the President to stop deporting noncriminal aliens.

□ 1230

### THE RULE OF LAW

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

Mr. WENSTRUP. In 1788, over 225 years ago, James Madison wrote these words:

It will be of little avail to the people that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood. If they be repealed or revised before they are promulgated, or undergo such incessant changes, that no man who knows what the law is today, can guess what it will be tomorrow.

Oh, how relevant these remarks are today. Off-the-cuff changes and delays to the Affordable Care Act without proper legislative authority confuse and confound American individuals and businesses alike.

We are formed as a Nation of laws, laws crafted by Representatives of the people. America achieved great things by adhering to the principles of our legal framework. The fundamental genius of the American Republic came from the simple, yet absolute, affirmation that we, as a Nation, operate by the rule of law, law crafted by the many, not the one.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mrs. CAPITO) laid before the House the fol-

lowing communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 11, 2014.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 11, 2014 at 11:05 a.m.:

That the Senate passed S. 1954.

Appointments:

Washington's Farewell Address.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

### PROVIDING FOR CONSIDERATION OF H.R. 3193, CONSUMER FINANCIAL FREEDOM AND WASHINGTON ACCOUNTABILITY ACT; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM FEBRUARY 13, 2014, THROUGH FEBRUARY 24, 2014; AND FOR OTHER PURPOSES

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 475 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 475

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3193) to amend the Consumer Financial Protection Act of 2010 to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, 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 amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. 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 an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-36 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 accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question

in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to reconsider with or without instructions.

SEC. 2. On any legislative day during the period from February 13, 2014, through February 24, 2014—

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

(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.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of February 12, 2014, providing for consideration or disposition of a measure relating to the public debt limit.

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

Mr. SESSIONS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Boulder, Colorado (Mr. POLIS), my colleague and my friend, 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. SESSIONS. Madam 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 Texas?

There was no objection.

Mr. SESSIONS. Madam Speaker, House Resolution 475 provides for a structured rule for consideration of H.R. 3193. This rule makes in order every amendment that complied with House rules, giving House Members of the majority and the minority ample opportunity to participate in today's debate.

The legislation before us today takes important steps to restore transparency, accountability, and effective oversight in our Federal regulatory process. Established in 2010 under the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Consumer Financial Protection Bureau, known as CFPB, is granted the authority to regulate the financial services industry in an effort to limit bad actors and protect consumers from fraud and abuse.

Unfortunately, by design—no mistake—the CFPB has virtually zero congressional oversight, limited judicial review, and the unilateral ability to promulgate any rule or regulation it deems appropriate. In essence, it is wholly unaccountable to the American people and to the United States Congress, the men and women who, by the Constitution of the United States, have the authority and the responsibility to represent the American people through elected office.

This is not how our government was meant to operate, but this is what former Speaker NANCY PELOSI and House Democrats desperately wanted, control of the financial services industry by one person, one person who answers solely to the President of the United States.

I have heard from numerous community bankers in Texas. Madam Speaker, I am from Dallas, Texas, and am proud to say that Dallas, Texas, is home to community bankers who understand that they are on the front lines of a new regulatory regime, and that is not just community bankers, but all bankers and those covered under financial services regulations. Their accounts of the impacts stemming from the new CFPB rules are startling. Specifically, they have told me that the CFPB's new regulations regarding "qualified mortgages" will significantly increase borrowing costs and considerably reduce the number of available mortgages.

Sounds familiar, doesn't it? Sounds like something that the Democrats concocted to make sure that health care was in trouble so they could show up with the answer of the Affordable Care Act, which is nothing that is implied in its name.

They are doing exactly to financial services what the Democrats did to health care in this country, and bankers and the financial services industry understand this.

In a time when Americans are looking to the Federal Government simply to promote increased private sector investment in our economy and to allow the free enterprise system to flourish, up to and including offering more jobs, stable opportunities for meaningful capital, instead, we see one person at the head of the organization who can make all these decisions handing down new rules and regulations which, I believe, do the exact opposite of making it easier, safer, and better to grow jobs and to have Americans be competitive in the marketplace.

The bill before us today is not about deregulation. It is about appropriate balanced regulation with ideas that come from not just the Committee on Financial Services, led by our great young Chairman JEB HENSARLING, but perhaps, more importantly, ideas that coincide with other government agencies, where it is a bipartisan effort, not by a particular head of one organization.

While the American people do need protection from bad actors in the fi-

nancial services industry, they also need protection, I believe, from an activist government that unilaterally dispenses burdensome and needless regulations which negatively impact not only our economy but the industry that helps provide needed capital, jobs, and enrichment of the American financial services industry, which is a part of the free enterprise system.

Madam Speaker, I am sure you are familiar with ObamaCare's Independent Payment Advisory Board, known as IPAB. Yes, it is the one body of unelected bureaucrats which rations health care and makes decisions, once again, without judicial or congressional oversight on America's seniors.

Just as IPAB restricts choices in the health care sector, so too do unelected bureaucrats at the CFPB. They restrict choices in the financial sector. They are trying to choke off the free enterprise system as a result of rules and regulations that become burdensome, and so people quit offering their services.

By regulating the types of credit cards, mortgages, or loans that Americans can get, the CFPB makes unilateral decisions regarding what types of financial tools Americans can use. The American people, I believe, deserve something better from Washington, as opposed to this which they are getting, which is a one-size-fits-all approach from Washington, D.C.

That is why I support H.R. 3193. It brings much-needed balance to the CFPB by replacing the lone director with a five-member commission to be appointed by the President and confirmed by the Senate, similar to other financial regulators, so that no one person can unilaterally determine regulations which impact millions of Americans and has little oversight by our courts or by Congress.

Additionally, as an independent agency housed in the Federal Reserve today, the CFPB is not subject to appropriation. They are a mandatory spending item as a result of what President Obama and House and Senate Democrats have done.

By restoring this important check and balance, Congress needs to make sure that we appropriate the money that they should use. It will ensure that the CFPB acts as intended and does not continue to impose economically devastating regulations on the American economy.

To have no oversight and no authority for the money that they spend I believe is a misuse of the way we would want a government agency to work. Whether you are a Republican or a Democrat, we should be for understanding they should serve at the pleasure of the American people, not the reverse therein.

Finally, this legislation takes important steps. It protects Americans' personal nonpublic information. Yesterday, up in the Rules Committee, we heard testimony from Chairman JEB HENSARLING of Dallas, Texas, that the

CFPB currently maintains over 900 million credit card records. That is right: the NSA of financial services, that is exactly what the CFPB is, and such an immense amount of private data held by the Federal Government presents ample opportunity for misuse.

Madam Speaker, I do not believe that they should have this information, and I believe they should immediately recuse themselves of gaining this information.

H.R. 3193 will ensure that Americans are protected by requiring express written consent from the CFPB before they can obtain, access, collect, use, or disclose any personal nonpublic information.

□ 1245

I think it is dangerous to have a government agency with this type of power, information, and, as we have seen from the IRS, a misuse of personal information and data that has become an abuse of power. This bill will require that the CFPB assert in writing how that information will be used and to request it.

Madam Speaker, the American people are tired of the Obama administration's blatant disregard for the laws which govern our great Nation. Just yesterday, we witnessed, once again, President Obama's willingness to do whatever he wants when he unilaterally delayed the employer mandate of the health care bill by 1 year. Instead of giving all Americans relief from the Affordable Care Act, known as ObamaCare, the administration is single-handedly picking winners and losers—by the way, on behalf of business as opposed to individuals. Just as the President has done with health care, there is nothing to prevent the CFPB from following suit and unilaterally deciding who will be subject to crushing regulation and who will not. That is why H.R. 3193 is so important.

Madam Speaker, we are on the floor today because we are talking about what literally is a Big Government action that was done several years ago by the President of the United States, by the former Speaker of the House, NANCY PELOSI, and by Senate Majority Leader HARRY REID. Republicans understand that Big Government not only is costly and expensive but that some people want them to control our lives. Freedom, in fact, Madam Speaker, is worth fighting for, and so Republicans are here today on the floor to balance that tilt in favor of freedom, opportunity, and for the right of their own person, an individual in this Nation, to know if your government is collecting your financial records.

And you have a right to know that. That is another reason why Republicans are pleased to say today we are talking about very, very important issues to every single American. It is more than freedom. It is rule of law.

I urge my colleagues to vote "yes" on the rule and "yes" on the underlying legislation.

I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I thank the gentleman from Texas for yielding me the customary 30 minutes. I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the rule and the underlying bill, H.R. 3193. This package of bills was brought under a restrictive process that prevented efforts by Members on both sides of the aisle to improve the legislation.

H.R. 3193 would gut the Consumer Financial Protection Bureau. Now, a lot has been said by the gentleman from Texas that I believe has mischaracterized what the Consumer Financial Protection Bureau actually does. It in no way restricts our freedoms, Madam Speaker. In fact, banks aren't the only entities that have freedom. American consumers have freedom, too. American consumers want to be protected from predatory practices, Madam Speaker.

How many of us have signed a credit card agreement with a font size that is too small to even read? We want to make sure that people aren't giving away their home and their livelihood when they enter into a credit card agreement, a simple loan, or other financial transactions. The American people want that certainty.

When we are talking about making sure that markets operate well, that competition exists in the consumer financial marketplace, that people have different financial options that empower themselves, there needs to be a referee on the field. This bill effectively blindfolds and handcuffs that referee, takes her off the field, and let's the banks have their day with the American people.

That is why I oppose this bill. This bill will not advance a constructive economic agenda. This bill will not address our broken immigration system. It won't secure our borders that hundreds of people enter our country illegally every day, and it won't reunite shattered families.

Earlier today, I spoke of how, under President Obama's administration, over 2 million people have now been deported from this country. This bill will not end that. Instead of moving forward, it blindfolds the referee and ensures that predatory financial institutions can take advantage of the American people without a watchdog.

This bill has serious flaws. It would add additional bureaucracy to the Consumer Financial Protection Bureau by replacing its Director with a commission. The gentleman from Texas said somehow this bill meant that there wasn't Big Government. This bill establishes more Big Government, more commissions, rather than having—guess how most private companies are run, Madam Speaker? There is usually a CEO in charge. They don't have some directorate or commission. I mean, that sounds more like the Soviet Union than the United States of America what the Republicans are proposing in this bill.

This bill would also prevent the Consumer Financial Protection Bureau from offering salaries and benefits to employees that are competitive with other financial regulators. Guess what, Madam Speaker? The financial industry pays well. The big banks pay well. That is wonderful. That is the beauty of the capitalist system. If they are creating value working for a big bank and they are earning hundreds of thousands of dollars a year in our market economy, that is wonderful. Well, guess what? If you want somebody who understands that business to be able to work on behalf of the American people as a watchdog, you need to pay a competitive salary to make sure that they are able to then use their expertise that they have developed in the private sector to protect their fellow Americans from predatory or scrupulous activities.

This bill would impede the ability to attract and retain qualified and experienced people that have to handle very complex regulatory issues. It would also eliminate the Consumer Financial Protection Bureau's independence and parity with other regulators by subjecting it to the appropriations process.

Sadly, last night during the rules debate, one of my colleagues on the Rules Committee equated the Consumer Financial Protection Bureau with the gestapo. That is insulting to our civil servants who work for the Consumer Financial Protection Bureau, consumers that it serves, and it is extremely offensive to the true victims of Nazi Germany. It is inappropriate to even compare the intentions of the U.S. Government, whether it is led by Democrats or Republicans, to those of Adolph Hitler and Nazi Germany.

The Consumer Financial Protection Bureau has played a crucial role in helping millions of Americans become more informed and empower them to make financial choices that benefit them and their families. For instance, at a time that we know that higher education and college are more important than ever, the cost of higher education continues to skyrocket. The Consumer Financial Protection Bureau has developed a Web site that helps students understand their borrowing options before they take on substantial debt and make sure they are aware of the lowest interest rates that they can use to finance their education. Their user-friendly tools allow families to compare financial aid and college costs, choose a loan with a low interest rate, and select repayment terms that are most favorable to them. As the largest student loan lender, the Federal Government should help make sure that students have the information they need to help take control of their financial destinies.

I was honored to work with the Consumer Financial Protection Bureau on my Know Before You Owe Act, which would provide students and families with information about their eligi-

bility for Federal loans before they take out more costly, higher interest rate, private loans. While I hope that Congress would pass this bill, the Consumer Financial Protection Bureau also hopes to advance this important cause even without legislation. This bill on the floor today would hamper their ability to prevent students from paying more than they need to for their college education.

Now, Democrats are open to improving the Consumer Financial Protection Bureau through bipartisan proposals. Unfortunately, the House majority has shunned bipartisanship in favor of these bills. We can do better, Madam Speaker. The American people want to make sure there is a referee and that there is a watchdog. We want to make sure that our banking industry and financial services industry can continue to grow and flourish in this country. One of the most important factors in the success of that industry is the confidence that the American people have in the financial services industry to be fair and honest.

The establishment of the Consumer Financial Protection Bureau helps ensure that the American people are confident in the financial products that are being marketed by banks across the country and will lead to continued job growth in the financial services industry, which America is a leader in, both here and abroad.

Let's talk for a moment about what we are not discussing under this rule, Madam Speaker. We are not taking one step, 1 inch, towards fixing our broken immigration system—a huge drag on our economic growth. Many residents of our country that are living here illegally in the shadows of the underground economy simply want to work. They want to pay taxes. They want to raise their American kids here. They want to raise a family. They want to participate in the same American Dream that welcomed my great-grandparents when they came to this country.

The House Republicans' principles on immigration reform were an important step forward. I applaud them. They were promising. There was nothing in those principles that was mutually inconsistent with a Democratic desire to secure our borders, create a law enforcement environment where we know who is here, and make sure that we can have a compassionate approach to uniting families.

Nearly a year ago, the New Democrat Coalition Immigration Task Force released detailed principles, as well, on comprehensive immigration reform. I am proud to say that, last October, Democrats and Republicans joined together to introduce a bipartisan bill, H.R. 15, on comprehensive immigration reform. The bill creates jobs, reduces our deficit, secures our borders, and reflects our values as Americans. Yet, to date, the only immigration vote in this Congress that the House has had was a vote to defund the deferred action, or

DACA, program, which allows DREAMers to finally get to work and pay taxes to make our country stronger, and instead subjected DREAMers to deportation at taxpayer expense.

We can and we must do better, Madam Speaker, and this rule and this bill simply don't do it.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, at this time, I yield 7 minutes to the gentleman from Weston, Wisconsin (Mr. DUFFY), a member of the Financial Services and Budget Committees. He is not just the author of the bill; he is an awesome and outstanding new Member of Congress.

Mr. DUFFY. Mr. Chairman, thank you for yielding.

Madam Speaker, just to be clear, the bill that is before the House today is not a repeal bill of the CFPB. It is a modification, a reform package to the CFPB. So when my colleagues and friends across the aisle talk about how there will be no consumer protection, that is absolutely false. We just want to make sure the Consumer Financial Protection Bureau works better and is more responsive to the American people.

So I want to talk about a few of the things that this bill does. The first thing is it moves the Director of the CFPB over to a bipartisan commission of five. Now, I know my friends across the aisle have taken issue with this. However, when, under Dodd-Frank, the CFPB was originally envisioned by House Democrats and the former chairman Barney Frank, they didn't have a single director; they actually had a commission. When ELIZABETH WARREN, now Senator WARREN, envisioned this package, it wasn't a director; it was a commission. So now that my friends across the aisle take issue with the reform package that has a commission and not a director, it was their original idea. So let's not play partisan politics. Let's join together on points of agreement, and this is one of them.

Another concern, the Consumer Financial Protection Bureau is not responsive to Congress because it doesn't get its funding from Congress. It doesn't go through the appropriations process, which gives us great oversight here in the House. Their funding comes from the Federal Reserve. We think it is appropriate, when you have an agency that is so powerful and so unaccountable, that we give the elected Members of the American people power to say how much money they should have and how they should use it. We don't have that ability right now. And who on God's green Earth says that we should take power away from Congress and let them set their own budgets?

Going to the point of unaccountability, the Consumer Financial Protection Bureau sets their own pay. Where in the free-market system does any employee tell the employer, This is what you are going to pay me; I am setting my own pay? That is what they do at the Consumer Financial

Protection Bureau. And all we say is we, the Congress, the elected representatives of the American people, we should set the pay of the Consumer Financial Protection Bureau.

These are commonsense reforms that actually work for the American people, and, frankly, it will work for the CFPB to make them far more accountable.

□ 1300

The way this bill is set up, not the bill, the law, the way the law is set up, big banks on Wall Street, the very big banks that caused the financial crisis, they are actually able to go and have consumer financial protection rules reviewed by FSOC, and if FSOC thinks that the rule as petitioned by big banks can create systemic risk, the rule can be overturned. So big banks on Wall Street, they get a voice. They get to go: This is bad for us; overturn the rule.

If you come from rural Wisconsin, where we only have small community banks and credit unions, and you see one of our small financial institutions going to FSOC and saying, Hey, this rule is bad for us, the small banks and credit unions, please overturn the CFPB rule, they are going to laugh them out of FSOC. They don't have a voice. Small financial institutions, credit unions, and small banks don't have a choice to go to FSOC and have a ruled overturned by the CFPB.

The way the law was written and the way it has been implemented, they have given a big, loud voice to Wall Street banks but have shut out the small community banks and credit unions that are all over America, the very banks and institutions that lend money to our families, the very institutions that our small businesses on Main Street America, they go to and ask, Will you give me a loan so I can expand my business, maybe create an extra job or two in America? Those are the ones that have been shut out in the review process by the CFPB.

That doesn't work for consumers. That doesn't hurt consumers. That actually helps consumers, and that helps small town America.

I think one of the most important portions of this reform bill—and again, it is a reform bill; it is not a repeal bill—is what we do in regard to data. America has recently learned that the NSA is collecting phone data and information on them and keeping it. Now Americans have said, Listen, I am okay with AT&T or Verizon, whoever my phone company is, that they have my records. But the American people have never given the American government permission to take their phone records, and when they heard about it, they were outraged. They were outraged.

I know my friends on the other side of the aisle are supportive of this expansive NSA, they are supportive of a big government taking information on Americans, but most Americans say, no, we don't want that kind of relationship between the American citi-

zenry and our government. Just like the NSA, the Consumer Financial Protection Bureau is collecting financial data on the American citizenry. They are collecting information on almost 1 billion credit cards. I will say that again. The Consumer Financial Protection Bureau is collecting data and information on almost 1 billion credit cards, and I would ask, Do you think they have asked permission of the American people to take their financial data? Absolutely not.

All we ask for in this reform bill is, if you want to take America's financial information and you say that you are here to protect the American citizenry, why don't you ask them? Ask if you can take it because I guarantee I know what they are going to say. They are going to say: No way. I am okay with my bank having this information, my credit union having this information, but I will be darned if I want some agency that says they are here to protect me to collect my financial information and my financial records.

The SPEAKER pro tempore (Mr. RIBBLE). The time of the gentleman has expired.

Mr. SESSIONS. Mr. Speaker, I yield an additional 4 minutes to the gentleman.

Mr. DUFFY. Mr. Speaker, collecting information from the American people and their phone records is one thing, knowing who you call and when you call them. It is something far different, Mr. Speaker, when you see how they spend, where they spend, when they spend. If you want to know about America, take their financial records.

So all we say in this reform package is give them a choice. If you are here to protect them, ask them and say, We want to take your financial data information; are you okay with that?

If you are here to protect the consumer, why wouldn't you ask them? We mandate, we require the CFPB to make that ask, and there is an important reason behind it, because, as many folks in this body understand, in politics, you can get a good representation of the whole by sampling data, taking a small, small segment of the whole and getting a representation of the whole body.

That is what the CFPB could do if they wanted good market data on how things are working because I do think they need data, they need information, but that is not what they are doing. They are not sampling; they are taking almost a billion credit cards and information from those.

Mr. Speaker, they don't keep that information for a month, they don't want to keep it for a year; they want to keep your financial data for over 10 years. They want to keep your financial data for over 10 years. This is unacceptable, and for my colleagues across the aisle to say that the Consumer Financial Protection Bureau is only protecting consumers and there is no need for reform is a misstatement. There is plenty of room for reform in a very powerful, very unaccountable agency that is

accessing financial information from Americans in a way that they would find unacceptable.

So as we debate this rule, I hope that my friends across the aisle will see the pure-hearted, spirited effort that has been made to actually make the CFPB more effective and more accountable to the consumer.

Mr. POLIS. Before I further yield, I want to clarify: the Consumer Financial Protection Bureau is already prohibited from collecting personally identifiable information in the course of its market-monitoring responsibilities to make sure that American consumers are not taken advantage of.

I yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Mr. Speaker, how quickly some forget. When Congress created the Consumer Financial Protection Bureau, we did so on behalf of every constituent unfairly defrauded during the financial crisis.

As a Cook County commissioner in 2007, I remember the financial crisis and the damage it did to Chicago's community. I remember when your credit card rate was about how well you could read fine print, not how regularly you paid your bill. I remember when auto loan financing could be based on a whim, not on your credit history, and when home buyers were pushed into loans no one could ever expect them to repay. I remember when it was open season on our veterans, when a whole industry was made out of defrauding our returning sons and daughters.

I also remember how many of my colleagues characterized the creation of the CFPB, calling it a bureaucratic behemoth that would devastate credit markets and make lending impossible. Yet here we are today, with a growing economy and a vibrant credit market. Only now, we do it with fair practices, protecting American consumers and treating them with dignity.

So I reject this attempt today to undermine the CFPB and the progress we have made. We simply cannot afford to return to the free-for-all that existed pre-crisis. H.R. 3193 is either a bad case of congressional amnesia or an attack on the most important financial reform of a generation. Either way, it is ill-sighted, and I urge my colleagues to defeat this effort.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Speaker, I thank the gentleman from Colorado for yielding me this time.

I rise today in opposition to H.R. 3193. Congress created the Consumer Financial Protection Bureau in response to a regulatory system that couldn't keep pace with the needs and the entities that it oversaw. The system was neither agile enough nor properly equipped for protecting consumers. The financial crisis exposed subprime lending practices that preyed on the most vulnerable consumers. It

uncovered obscene credit card contracts that put working families underwater. It found student loans that left our next generation more worried about their interest rates than about changing the world.

The list goes on.

The CFPB was our answer to these and prospective concerns. It is the only independent agency that is tasked with protecting consumers, our constituents. Free from the political melee, this watchdog focuses on making sure that markets are fair and players follow the rules.

The CFPB may not be perfect. Undoubtedly, missteps may occur. That is why the agency is subject to regular audits and why the government maintains ways of addressing flawed rules.

I am willing and eager to work with my colleagues to improve the CFPB to ensure that the American people are properly protected, but that is not what this bill does. This bill scraps the intention of the agency and re-exposes our families and our students to the same unfair and undue risks which necessitated the agency's creation in the first place.

I urge my colleagues to use this agency to help protect their constituents and to address their concerns. Remember your constituents when you vote today. I ask my colleagues to join in opposition to this measure and the underlying bill.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Speaker, I thank the gentleman from Texas for yielding to me.

I am hearing the arguments from across the aisle about how the Consumer Financial Protection Bureau is protecting consumers and protecting America from unfair practices and risks in the financial sector, but I would challenge my friends on the other side of the aisle to tell me how is that mission of protecting consumers diluted if we go from a single payer to a commission, which was originally their idea. How is this diluted if we go to a pay scale set by Congress and not by themselves? That doesn't impact their ability to work on consumer protection issues.

Why are consumer protection issues impacted if we give a similar and same voice to small community banks and credit unions, the same that they have given in this bill to big Wall Street banks? You are still protecting consumers. There is nothing in here that prohibits the CFPB's ability to do their job.

Finally, how are we hurting consumers by making sure that the CFPB asks them first before they get their information?

I guess I haven't heard those comments being made. I am hearing a lot of platitudes, a lot of comments at 30,000 feet that have nothing to do with the reform package that is here in the House today. I would enjoy hearing my

friends across the aisle talk about what is actually in the bill. It is not immigration; it is protecting consumers from the CFPB, and they are bringing up issues that aren't relevant.

One other issue I want to clarify, which is in regard to personally identifiable information. Two points: information has been very clearly made to us that, one, the CFPB is not following the directive of the statute; and, number two, the amount of information that the CFPB has, the quantity, the amount, it is easily reverse engineered, simply re-engineered to find out who the individual is. So if I have your ZIP Code plus four, your date of birth, your age, all this information, I might not have your name, but in an instant I can get your name because I have all the data I need to do just that. That is not protecting consumers.

If you want to have a debate about protecting consumers and having an agency that is accountable to Congress, I would love to have that debate, but when we bring up issues that aren't in the bill, it is pretty hard to have an honest and fair conversation about that.

Mr. POLIS. Mr. Speaker, Mr. DUFFY is correct that immigration reform is not in the bill or the rule. It should be, but it is not. We have another motion for something that should be in the bill, but is not.

Mr. Speaker, last week we provided the House two opportunities to consider flood insurance reform, a bipartisan measure that now has almost 200 cosponsors, but unfortunately, it was denied. Not only does this bill not have immigration reform, it also does not have flood insurance reform.

Today, we are offering Members another chance to put aside party politics and do something that is important for the American people. If we defeat the previous question, I will offer an amendment to the rule to bring up the bill that would delay flood insurance premium hikes and provide relief to thousands of American families.

To discuss this proposal, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Speaker, I want to thank my colleague from Colorado for yielding me the time. I rise to encourage all of our colleagues to vote "no" on the rule, "no" on the previous question, and "no" on the underlying bill.

□ 1315

It has been 2 weeks since the Senate passed a bipartisan fix to the exorbitant rise in flood insurance rates across the country, but it has been particularly dismaying that in the past 2 weeks the GOP-controlled House has not taken up the Senate-passed bill or the House version to provide some relief for hardworking families across the country. Because there has been no action, we are asking today that all Members come together to vote "no" on the previous question so we can take up the flood insurance fix bill.

Many of us have been working in a bipartisan way for much longer than 2 weeks. For many months, we have had bipartisan proposals here in the House, but for some reason the GOP leadership has been resistant to bringing up this bipartisan solution.

I have offered an amendment on every piece of legislation passing through the Rules Committee since November for a flood insurance fix, but, again, the Republicans refused to make it in order. So, without any scheduling of a bill yet, we have to resort to going to the previous question.

If you take a step back, flood insurance reform was very well-intentioned. The reform bill was passed in 2012, intended to make the flood insurance trust fund solvent. Especially after Superstorm Sandy, the flood insurance trust fund that is the backstop to economic security for many families was insolvent, so we came together and passed a reform bill. The problem is it hasn't been implemented in the right way.

FEMA has actually implemented it in an irrational way. It is not affordable, and they have problems with mapping. What this does is it creates a very troublesome path to eventual solvency of the trust fund. People are not going to be able to pay into the trust fund like they should.

So what is happening? Families are facing exorbitant, unconscionable increases, depressed home values, an inability to buy or sell a home.

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

Mr. POLIS. I yield an additional 30 seconds to the gentlewoman.

Ms. CASTOR of Florida. Here is another concern. You remember how difficult it was for the GOP House to actually provide emergency aid when Superstorm Sandy hit? 179 Republicans voted against the emergency aid. So that makes it even more important that we fix the flood insurance trust fund so that it is there for families who need it.

Last week, I pointed out that many are very skeptical that the Republicans in Congress will act in support of the middle class, in support of small businesses across America. Well, I ask my friends on the other side of the aisle to prove them wrong. Let's come together. Vote "no" on the previous question, and let's move the flood insurance fix.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise to follow up on my good friend and colleague from Florida's comments on behalf of homeowners in south Florida and around the Nation who are trying to maintain affordable flood insurance coverage, and I urge the House leadership to bring the Homeowner Flood Insurance Affordability Act to a vote today.

Through the National Flood Insurance Program, millions of homeowners benefit from the ability to purchase affordable coverage, including thousands of south Florida families.

While I understand the need to keep the national flood program financially stable, we must do so while ensuring that these families can afford the coverage on their homes or they won't have coverage. Surging premiums destabilize our recovering housing market and they cause uncertainty for homeowners. The system cannot withstand these increases, and we must act to fix it.

I want to thank my colleagues in the Senate who, in a bipartisan way, passed this legislation, and my colleagues on both sides of the aisle who make up the 207 bipartisan cosponsors here in the House of Representatives who want to pass this bill into law. This is essential. We can't allow this to go on.

Mr. Speaker, our Nation's homeowners can't afford to wait any longer. We need to defeat the previous question and vote on this bipartisan agreement today.

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

I thank the gentlewomen from Florida who bring up this issue again. We spoke about this issue last week, how it is actually a \$24 billion problem to the taxpayer. It is also equally a very difficult lift financially on the problems that it is creating to homeowners who live in flood areas.

As was noted last week, FEMA did not complete their job. We have known about this. This is not a new issue. The numerous Members of Congress, Republicans and Democrats, are trying very diligently to work on this and have been.

I want to acknowledge the work that has been put in by both these Members and others—including the gentleman from Florida, Judge HASTINGS—who sit on the Rules Committee, including the gentlemen and gentlewoman that sit on the Rules Committee from Florida. There are a total of 4 people out of 13 on the Rules Committee that live in Florida.

This is a nationwide problem wherever those people live, predominantly along coastal areas. We are working on it. But it is a \$24 billion problem that was not addressed by the Senate—not addressed. What we are trying to do is to work with the chairman of the Financial Services Committee, Mr. HENSARLING, as well as the ranking member and the committee on getting an answer.

As I have stated to people numerous times, I do appreciate not only them keeping this issue in the forefront, but it is something that we must address in the Rules Committee. We intend to do that.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, it is my honor to yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Colorado for yielding. I thank my colleagues from Florida for being on the floor, and I rise to urge my colleagues to defeat the previous question so that instead we can call up a bipartisan bill to alleviate the anxiety of millions of homeowners in flood-prone areas that their flood insurance premiums won't become simply unaffordable.

Should we do any less? Twice already we have had the votes in this House to bring up this bill, a companion of which passed the Senate with a bipartisan vote of 68–32 on January 30. There is no reason why this bill wouldn't pass overwhelmingly.

Once again, partisan politics has wedged itself into Congress' best intentions and the potential for achieving results. It is surprising that Republican Members from flood-prone districts have twice voted to block this bill from coming to the floor and to deprive their constituents of the assistance they need and the reassurance they deserve.

Sometimes party asks too much. Sometimes party asks for votes which will hurt your constituents. Rise above party and vote for your people. We should not repeat the overwhelming delay that occurred in supplying assistance in response to Superstorm Sandy. After that storm, the Republican leadership blocked Congress from taking action on emergency disaster funding for more than 90 days.

The continued obstruction of this bipartisan flood insurance bill is an unfortunate continuation of that same trend of letting partisanship get in the way of doing what is right. I know there are many of our colleagues on the Republican side of the aisle that want to do what is right for their constituents. Do not let party regularity dissuade you from doing the right thing.

I appeal to them, Mr. Speaker, to support their constituents, not their party, by setting partisanship aside, working with us to defeat the previous question, and allowing the House to vote on the Grimm-Waters legislation, a bipartisan piece of legislation that will make sure homeowners don't find themselves under water in more ways than one.

Mr. Speaker, I am sure that the previous question, what does that mean? Our constituents, Mr. Speaker, must be watching. What is Mr. HOYER talking about the previous question? What is all this talk about the previous question?

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. HOYER. I thank the gentleman.

It is simply a vote by which it says that, if the previous question is not approved, we can offer the bipartisan legislation to give the relief that is so desperately needed now, not 90 days from now—now. So defeat this previous question.



And my Republican colleagues, if you care about your flood-ravaged and flood-risk constituents, vote “no” on the previous question.

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

I do appreciate the distinguished gentleman from Maryland coming down. Once again, I would tend to not just acknowledge what the gentleman is asking for, but I will speak to it.

The problem is that we have to worry about the solvency of the program. The program is some \$24 billion in the red right now. Not addressing its solvency just to give some new program life rather than fixing it correctly is where we politely disagree.

We believe that the ability we have in this Congress with this issue is to do it right where it is in the best interest of the people back home that I care about, that every Member of this body cares about, but also the financial integrity to the taxpayer. The national debt is a tremendous national embarrassment, and we are not going to just waive a \$24 billion that will become a \$50 billion problem. That is why we are trying to address it the way we are.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 30 seconds to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

I share my friend's view that we need to be worried about the solvency of our Nation. We haven't done such a good job at that. We are, by the way, going to have a bill on the floor pretty soon which won't do much for that either, somewhat irresponsibly, in my view.

But the solvency that I am worried about right now is the guy who lives in a \$190,000 home with his family and has got a \$25,000 premium facing him yearly, annual premium. It is going to make him move out of his home. But the problem he is going to have is nobody is going to buy his home. We need to act.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. GARCIA).

Mr. GARCIA. Mr. Speaker, I would like to thank my colleague from Colorado for yielding.

I want to recognize precisely what the gentleman from Maryland was talking about.

I would like to urge my colleagues to vote “no” on the previous question so we can get to this important issue.

I appreciate the gentleman from Texas' understanding of this. But I want to talk about the Homeowner Flood Insurance Affordability Act, which is a bipartisan bill that would delay crippling premium increases that are affecting people throughout south Florida and throughout the country, and I want to talk about specific people.

Mr. Speaker, because of rising flood insurance rates, people are literally

walking away from their homes. I recently spoke to Derek and Robin Menard. They had an increase because the property owner of where they rent put it on their bill, and so they could not afford to remain in south Florida because it just got too expensive. After 9 years of calling south Florida home, they were forced to move away. They were forced to find jobs where they had moved to in Pennsylvania. They had to pull their little daughter, Millie, out of school, and she had to change friends and neighborhood.

Mr. Speaker, this is not right. While I recognize the gentleman from Texas wants to solve this, we have a bipartisan bill that was passed out of the Senate. We can pass this out now and then get to working on this problem before we hurt more people, before we force more people to move away from their community, their friends, their loved ones, due to these exorbitant insurance rates.

So, for this reason, I urge my colleagues to defeat the previous question so we can pass a bipartisan bill that makes common sense and provides a solution and much-needed relief to policyholders.

□ 1330

Mr. SESSIONS. Mr. Speaker, I don't consider common sense or the right thing to do a \$24 billion irresponsibility, which is, once again, what the Democrat Party is pushing today on the floor of the House of Representatives.

I yield 1 minute to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Speaker, I have to acknowledge that I am a little disheartened that my friends across the aisle are encouraging the defeat of a rule that would bring a vote to protect consumers from having the CFPB collect financial data on them. I know my friends want to talk about flood insurance, and we are, no doubt, going to have that day to have that conversation, and it is important; but the bottom line today—the conversation today—is that we protect consumers from having their information collected on them just like the NSA is collecting phone records on Americans.

Let's stand together. Let's protect the middle class. Let's protect small community banks and financial institutions. That is the vote today. Stand with us. Let's move the ball forward for hardworking middle class families who want to keep their information and their data to themselves, and let's move forward at a date soon to be acknowledged on flood insurance.

Mr. POLIS. Mr. Speaker, I would like to yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, this great country of ours has weathered hurricanes, tornadoes, earthquakes, and fires. Now our families in Florida and across the Nation are confronting a man-made crisis, created unintentionally by past acts of this Congress.

An economic storm is brewing. Just ask my constituents, the Woodlaws, who live in a modest home in Lauderdale-By-The-Sea. They have paid off their mortgage and pay \$2,400 a year in flood insurance. Because of Congress' past actions, they now face a \$12,000 bill for the same coverage that they cannot afford and are one flood away from financial disaster. Our constituents like the Woodlaws are facing skyrocketing jumps in flood insurance premiums unless we act now and take up the bipartisan Homeowner Flood Insurance Affordability Act.

Mr. Speaker, a storm is brewing.

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

Mr. POLIS. Mr. Speaker, I would like to yield 30 seconds to the gentleman from Florida (Mr. HASTINGS), my colleague on the Rules Committee.

Mr. HASTINGS of Florida. I thank my friend.

Mr. Speaker, I would like to first say and credit the chairman of the Rules Committee for having addressed this problem. He has spoken about it to me and to others. The same holds for my cochair of the Florida delegation, VERN BUCHANAN. All of us on the Florida delegation, minus one person, are supportive of this particular measure.

Here is an opportunity then for us to defeat the previous question and bring this matter up now. Enough already of continuing to discuss it. We have had ample time to deal with this problem. Don't forget: Florida, among other States, is a donor-state in this business.

Mr. SESSIONS. Mr. Speaker, I have no further requests for time, and I am prepared to close.

I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I would like to yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman from Colorado and the gentleman from Texas.

Mr. Speaker, what we can do is really do our work and pass comprehensive immigration reform to deal with the pain of so many in this country.

I do believe that we should defeat the previous question so that my constituents in Texas, along the coastline, can stop paying \$8,000 in flood insurance. It is absolutely absurd. A bill has passed. We are ready to go.

Finally, Mr. Speaker, I think it is important that we discuss H.R. 3193, which wants to undo the corrections that we made to save America's jobs, homes, life savings, and pensions when we reformed Wall Street. We believe in the capitalistic system. We just don't believe in the abuse of the capitalistic system. The Consumer Protection Agency that has been put in place to help consumers with credit, credit cards, and other matters dealing with their financial needs is now being imploded by this legislation.

What do we have to say to speak for the people of the United States? This bill effectively defunds the CFPB.

What we want to do is to continue the consumer protection board, continue the leverage that it has given to protect consumers. I have actually heard from consumers who have said, Thank you; we now have a board that will hear our voices and that will express our concerns with what kind of treatment we are getting from financial agencies.

Let's move on behalf of the American people now, not on behalf of special interests.

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

Mr. Speaker, I think it has been clear—and we actually have some bipartisan agreement here—about what this bill lacks. This bill does not do anything about hundreds of people sneaking across our southern border every day. It does nothing to reunite American families. It does nothing to end over 2 million deportations that have occurred during the Obama administration. It also does nothing to address the imminent hikes in flood insurance that many Americans face, including Americans in my home State of Colorado, if Congress fails to act.

So what does this bill do that has preempted Congress instead of dealing with illegal immigration? instead of dealing with flood insurance?

It creates additional Federal Government bureaucracy. It takes one person's job and turns it into a commission of five people who will endlessly debate things rather than decide things.

What if one is sick and what if there are four at work and it is deadlocked 2-2, and then the other one comes in and one is missing because the appointment is held up? Do we really need to have more government regulators in charge of this Federal agency, Mr. Speaker?

That is exactly what this bill does. One person can do the job.

How many companies in this country are run by a panel of five co-CEOs? I don't know of a single one. Why would we want to run a Federal agency like that?

The gamesmanship that we are doing in this House, while there are important issues like illegal immigration and flood insurance, is at a serious cost to the American people. The Senate passed a bipartisan immigration reform bill last June. The House hasn't dedicated a single minute of legislative floor time to an immigration reform bill.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can deal with one of these pressing issues that my

colleagues from Florida and other States have made a compelling case for here on the floor of the House today in order to address flood insurance. I also urge a "no" vote on the rule.

I yield back the balance of my time.

Mr. SESSIONS. I yield myself the balance of my time.

Mr. Speaker, I want to thank my colleagues from the Democratic Party for coming and for, once again, offering their ideas about flood insurance. That is not part of the bill. I would simply reply to them, as I have previously, that the Senate-offered compromise or the Senate-offered language spends \$900 million more but does not take care of the \$24 billion problem, which is red ink that the taxpayer would pick up, which harms the solvency of the program.

Why have a government program that runs in the red \$24 billion and then goes to \$50 billion?

That is not what we are going to do. We are going to come up with an answer in the House of Representatives, and I expect it to be done quickly.

Today, we are talking about the CFPB, and Americans have witnessed firsthand the negative effects of the CFPB. We have looked at how this administration and one agency cannot only gather records but literally control a marketplace. I believe that what you have heard today lends us to understand that a balance of the CFPB is what is important. We have brought five distinctly different bills to bear here, one of them saying that we should not have employees of the CFPB who are paid well outside of normal government standards, where even an intern who serves for this CFPB makes over \$51,000.

Mr. Speaker, what Republicans are trying to do is to balance the piece of legislation that passed this House with President Obama, with Speaker PELOSI, with Senator REID. We are trying to offer a balance to that on behalf of the consumer, on behalf of a legislative process where Members of Congress and the Financial Services Committee have an opportunity to work with any administration, not just with the Democrats, on what the policy of the CFPB would be. Secondly, we think it is wrong that 900 million financial records are taken without notice given to a consumer. We think that is not just an overreach; we think that is an abuse of power. When the government unilaterally has 900 million records, I would have to ask why.

So I support the rule. "Yes" on the rule. "Yes" on the underlying legislation.

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

AN AMENDMENT TO H. RES. 475 OFFERED BY  
MR. POLIS OF COLORADO

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

Sec. 5 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. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, 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 Financial Services. 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. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3370.

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

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

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

Mr. POLIS. 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.

□ 1400

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). 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.

#### EXTENSION OF DIRECT SPENDING REDUCTION FOR FISCAL YEAR 2024

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 25) to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 25

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

#### SECTION 1. EXTENSION OF DIRECT SPENDING REDUCTION FOR FISCAL YEAR 2024.

Paragraph (6)(B) of section 251A of the Balanced Budget and Emergency Deficit Control

Act of 1985 (2 U.S.C. 901a) is amended by striking "and for fiscal year 2023" and by inserting " , for fiscal year 2023, and for fiscal year 2024".

#### SEC. 2. INAPPLICABILITY OF REDUCED ANNUAL ADJUSTMENT OF RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62 UNDER THE BIPARTISAN BUDGET ACT OF 2013 WHO FIRST BECAME MEMBERS PRIOR TO JANUARY 1, 2014.

(a) IN GENERAL.—Section 1401a(b)(4) of title 10, United States Code, as added by section 403(a) of the Bipartisan Budget Act of 2013 (Public Law 113-67) and amended by section 10001 of the Department of Defense Appropriations Act, 2014 (Public Law 113-76), is amended by adding at the end the following new subparagraph:

"(G) MEMBERS COVERED.—This paragraph applies to a member or former member of an armed force who first became a member of a uniformed service on or after January 1, 2014."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on December 1, 2015, immediately after the coming into effect of section 403 of the Bipartisan Budget Act of 2013 and the amendments made by that section.

#### SEC. 3. TRANSITIONAL FUND FOR SUSTAINABLE GROWTH RATE (SGR) REFORM.

Section 1898 of the Social Security Act (42 U.S.C. 1395iii) is amended—

(1) by amending the heading to read as follows: "TRANSITIONAL FUND FOR SUSTAINABLE GROWTH RATE (SGR) REFORM";

(2) by amending subsection (a) to read as follows:

"(a) ESTABLISHMENT.—The Secretary shall establish under this title a Transitional Fund for Sustainable Growth Rate (SGR) Reform (in this section referred to as the 'Fund') which shall be available to the Secretary to provide funds to pay for physicians' services under part B to supplement the conversion factor under section 1848(d) for 2017 if the conversion factor for 2017 is less than conversion factor for 2013."

(3) in subsection (b)(1), by striking "during—" and all that follows and inserting "during or after 2017, \$2,300,000,000."; and

(4) in subsection (b)(2), by striking "from the Federal" and all that follows and inserting "from the Federal Supplementary Medical Insurance Trust Fund."

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

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. FITZPATRICK. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, President Washington once said:

The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive veterans of earlier wars were appreciated by our Nation.

There is no doubt that we appreciate the service and sacrifice of each generation of veterans, from our original veterans, patriots, to those who landed at Normandy during World War II, to present. We as Americans and as lawmakers are forever in debt to the dedication of our military men and women who bore the pain of battle, physically and emotionally.

While we stand here in this Chamber each day and pledge our allegiance to the American flag that they defend, while we are able to act as a democratic body freely elected by the people thanks to their sacrifices, sometimes simple appreciation isn't enough. We have a chance today to treat our veterans with the honor they deserve by ensuring that they are fully compensated for their service during retirement, while also addressing other concerns facing our Nation.

Today we will take up the legislation under consideration to ensure that all servicemen and -women who are enlisted prior to January 1 of this year will receive the full cost of living adjustments in retirement before and after the age of 62. Furthermore, this bill also ensures our seniors will have access to the health care services they depend on through Medicare.

For too long, the relationship between doctor and patient has been strained by the confusion and instability of a well-intentioned but unaddressed problem with the Medicare program itself, known as the sustainable growth rate or SGR. A component of this legislation works to ensure that seniors are able to receive the care they depend on from the physicians who know them, while also guaranteeing that those physicians are fairly compensated by Medicare through a fund until long-term reform of the SGR is achieved this spring. In doing so, this legislation provides much-needed stability for the medical community by ensuring that physicians have the predictability in billing they need to further their practice and to focus on their patients.

By taking up and passing this legislation in bipartisan fashion, we can address areas of critical concern, while working together to make sure we are also being fiscally responsible. This legislation provides a necessary offset that is in the same vein of the bipartisan budget agreement this Chamber passed just over a month ago.

The American people expect us to make the tough decisions that help them in their daily lives, be it a military veteran looking to secure his retirement after a lifetime of duty and commitment, to the senior making sure their next doctor's visit is free from any undue stress, or ensuring that physicians can further their passion of serving their community.

This legislation provides a path forward for our Nation and this body in addressing their concerns. I urge full bipartisan support of this legislation