while it might be reasonable for the report to estimate that 43 percent of 2010 originations did not meet these new QM guidelines, it is not reasonable to infer that none of these borrowers could have received QM loans if the rule had been in place in 2010. While having a high DTI may be a difficult barrier that many borrowers cannot overcome, the disqualifying loan terms, such as negative amortization options or terms of greater than 30- years, can easily be avoided in most cases by simply

Re-structuring the loans into amortizing 30 year loans. Similarly, most borrowers who received no-doc or low-doc loans in 2010, the origination year analyzed in the report, likely could have documented their incomes. Therefore, the inference that none of the 19 percent of borrowers that had disqualifying loan products could have received QM loans is unwarranted.

Assumes the GSE exemption expires: As the report recognizes, most of the 24 percent of loans to borrowers with high DTIs are currently being made by GSEs or insured by FHA and these loans automatically qualify as QM under a temporary exemption (up to seven years). Indeed, the report acknowledges that the impact of the QM rule on loans currently being made would be'' minor''. Given the uncertainties concerning GSE reform and mortgage finance that will need to be resolved over the next seven years, it is not at all clear that the temporary exemption will in fact end in seven years.

[From the Housingwire, Oct. 28, 2013]

IT'S OKAY TO LEND OUTSIDE QM: CFPB DIRECTOR RICHARD CORDRAY

(By Kerri Ann Panchuk)

It's likely mortgage bankers attending the Mortgage Bankers Association 100th Annual Convention & Expo in Washington, D.C, eagerly awaited the arrival of Consumer Financial Protection Bureau Director Richard Cordray.

After all, the regulatory landscape stemming from the 2010 Dodd-Frank Act has left the lending industry shell-shocked by not only the CFPB's new enforcement authority, but by all the lending/servicing rules slated to take effect in January.

If bankers are worried about this new CFPB-era, Cordray told the crowd: Don't be.

In his speech, the CFPB director basically asserted that in many cases, non-qualified mortgages with the right underwriting are perfectly fine even if they fall outside the QM boundaries. This mirrors past statements in which Cordray said he doesn't anticipate an outbreak of QM-related litigation.

Where he stops short—or simply doesn't go—is in explaining how lenders know at the beginning of the origination cycle that what they've done outside QM in terms of underwriting is sufficient enough to protect them later on if someone were to perhaps raise an ability-to-repay claim.

Lawyers up for litigation love gray lines, but those wanting to prevent future ability-to-repay litigation are likely to prefer black and white rules. Cordray shows optimism around the idea that responsible lenders are still safe outside QM, but no specifics were given on how the CFPB would address non-QM lending decisions down the road if a default were to occur. Yet, he seems to be saying don't over worry as long as standards are in place.

And when it comes to the 3% points-and-fee threshold, Cordray has another strong viewpoint, saying ''though no data is available to model the precise impact of the three-percent threshold for points and fees mandated by the statute, that threshold is more than three times the average lender origination fees reported by Bankrate.com in its most recent annual survey, and our rule provides an even higher threshold for smaller loans.''

He added that the definition of a qualified mortgage already covers most of the loans made today. And even loans not covered by QM can still be generated as long as lenders use ''sound underwriting standards and routinely perform well over time,'' the director told the MBA crowd. Again, what does 'perform well over time' mean? That part is not as clear.

As an example, Cordray told the audience, he is aware of borrowers who may possess considerable other assets, but who remain stifled by high debt-to-income ratios that force them outside the QM standards. As long as lenders ensure the best underwriting standards, they should be fine, Cordray said.

''Lenders that haye long upheld such standards have little to fear from the ability-to-repay rule; the strong performance of their loans over time demonstrates the care they have taken in underwriting to ensure that borrowers have the ability to repay,'' Cordray added.

''Nothing about their traditional lending model has changed, and they should continue to offer the same kinds of mortgages to borrowers whom they evaluate as posing reasonable credit risk—whether or not they meet the criteria to be classified as qualified mortgages.''

Cordray further noted that lenders who refuse to lend outside QM will be at no greater risk, absent other factors, of facing fair lending allegations.

The CFPB director once again cited data from Mark Zandi, chief economist for Moody's Analytics, noting that 95% of the mortgages made today fall within the qualified mortgage standard.

''Some, such as CoreLogic, have put out much lower figures, but by their own admission, those figures were not intended to take account of the expanded definition of QM that will actually take effect in January but instead were offered as projections of a distant future when the temporary expansion expires,'' Cordray explained.

□ 1630

Mr. HENSARLING. Mr. Chairman, I would just say to my friends on the other side of the aisle—and the gentlelady from Wisconsin, I would draw her attention to the Federal Reserve bulletin, November 2013, Volume 99, No. 4, page 37, that clearly shows, again, according to the Federal Reserve, that 34 percent of Blacks and 32 percent of Hispanics would not meet the new QM standard based upon the 43 percent debt-to-income requirement.

Now, this is Federal Reserve data. If the gentlelady or any other Member on the other side of the aisle wishes to refute this data from the Federal Reserve, they are certainly free to do so on their time.

But again, I am not going to go on record saying this is fair. I haven't heard anybody rebut what CoreLogic has said, that when fully implemented, half of today's mortgages would not qualify under the QM rule. This is not fair.

Mr. Chairman, somebody has to protect consumers from the CFPB. Consumers, yes, they have to be protected from Wall Street, but they have to be protected from Washington as well.

You do not protect consumers by having unelected, unaccountable bureaucrats in Washington whose average salary is over $175,000—salary and benefits—to somehow say: I am from Washington. I am smarter than you. I will decide whether or not you get a mortgage.

It is arrogant; it is unfair; it is abusive. It must stop. We should reject the gentlelady's amendment, and we should adopt the underlying legislation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

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

Ms. MOORE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Wisconsin will be postponed.

Mr. HENSARLING. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Mr. MARCHANT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 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, had come to no resolution thereon.

PROVIDING FOR CONSIDERATION OF H.R. 899, UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT OF 2013

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 492 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 492

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. 899) to provide for additional safeguards with respect to imposing Federal mandates, 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 Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered

only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

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

House Resolution 492 provides for a structured rule providing for consideration of H.R. 899, the Unfunded Mandates Information and Transparency Act.

Mr. Speaker, every year, bureaucrats in Washington impose thousands of regulatory mandates on local governments and small businesses. Those mandates can be costly, stretching city and State budgets and making it harder for American businesses to hire.

The Unfunded Mandates Information and Transparency Act, H.R. 899, will ensure that the people who write these regulations in Washington know exactly what they are asking the American people to pay and whether the costs of compliance might make it harder for family businesses to meet payroll and stay afloat.

H.R. 899 will force Washington to think more carefully about regulatory costs before it passes them on to Americans. This bill is about transparency and accountability, and it is something Democrats and Republicans can all support.

In 1995, Congress passed the Unfunded Mandates Reform Act, UMRA, legislation designed to prevent the Federal Government from imposing unfunded mandates onto State and local governments or private businesses without policymakers or the public knowing the costs of such policies.

UMRA's main objective was to force the Federal Government to estimate how much unfunded mandates would cost local governments and businesses and rein in out-of-control mandates.

UMRA ensured public awareness of the crushing financial burden of Federal mandates on employers and State and local governments. However, UMRA has not been amended since 1995, and some subtle changes are needed to preserve and improve on the act's initial purpose.

UMRA was a good bill, but over time, some shortcomings became apparent such that the Clinton and, later, Obama administrations had written executive orders to fix the loopholes within it.

As many of my colleagues can confirm, it takes a lot of creativity and hard work to pass legislation as a member of a minority party.

When Democrats gained control of Congress back in 2007, I sat down with my staff to think about legislative ideas that could gain sufficient bipartisan support to clear a Democrat Congress. This bill is the result of those efforts.

H.R. 899 has bipartisan DNA. It codifies those administrative fixes championed by Presidents Clinton and Obama and promotes good government accountability and transparency.

As a testament to this fact, the bill is cosponsored by three of my Democrat colleagues here in the House: Representatives MIKE MCINTYRE, COLLIN PETERSON, and LORETTA SANCHEZ.

I owe them a debt of gratitude for their efforts in promoting this commonsense bill.

I am especially grateful to Representative JAMES LANKFORD, a Republican cosponsor of this bill, who has worked tirelessly to promote its passage here in the House. We wouldn't be here today without his efforts.

A common refrain in this business is that nobody wants to see how the sausage is made, meaning that the process of drafting and passing legislation is so ugly that it would repulse people. In this case, I disagree.

I am extremely proud of this bill and extremely proud of the process by which it has been advanced in the House. It has been a pleasure to work with colleagues from both sides of the aisle on this measure, and I appreciate their support and counsel.

The Unfunded Mandates Reform and Transparency Act of 1995 was a model for bipartisanship, and my hope is that my bill leaves a similar legacy.

I urge all of my colleagues on both sides of the aisle to support this rule and the underlying bill, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentlewoman from North Carolina, my friend, Ms. FOXX, for yielding me the customary 30 minutes.

Mr. Speaker, we continue down this path of considering bills that are going nowhere. I sincerely wish my friends on the other side of the aisle would stop this Conservative merry-go-round.

The majority leader called this week ''stop government abuse week.'' Abuse? Really?

My friends on the other side of the aisle have continued to ignore the plight of middle class and working poor Americans, immigrants hoping for a better life for their families, and denying the undeniable impact of climate change, just to name a few.

This is even after shutting down the government for purely political purposes and playing a game of chicken with the debt limit; and yet, my Republican friends are calling routine government work ''abuse.'' That seems like a stretch to me.

Abuse is when underregulated industries spill unknown chemicals into the West Virginia water supply. Abuse is when coal ash pours into the waters of North Carolina, when Wall Street bankers crash our economy after taking advantage of underfunded and overworked regulators; that is exactly the kind of abuse that the government needs to stop.

You want to talk about abuse? Let's talk about today's measure.

This bill will not make the regulatory process more balanced or transparent. It will strangle it in red tape. It will not make rulemaking more fair. It will tip the scales in favor of businesses with the most resources.

Under this measure, improving access to health care and restraining the financial institutions that have unleashed havoc on our economy will become even more difficult.

It is nothing more than poorly disguised political fodder aimed at stymieing the executive branch's rulemaking power in favor of some corporate interests that run amuck on the environment and American workers.

Most egregious is the requirement for agencies to provide the private sector early consultation on major rules.

This would give well-funded industry an unfair advantage not afforded to the general public and other stakeholders like public interest, taxpayer, and environmental groups.

Clearly, the interest in amending UMRA only extends to certain privileged parties.

If my friends on the other side of the aisle want to see what happens when you allow private interests to run rampant without any government regulations, they need only look to the smog-filled skies above China.

This bill also politicizes independent agencies designed to protect the rights of hardworking Americans. The Consumer Financial Protection Bureau, Securities Exchange Commission, National Labor Relations Board, Consumer Product Safety Commission, as well as the Federal Communications Commission—I might add they kind of left out the Federal Reserve for some reason I don't understand—but all of those other agencies will all have to answer to the whims of politics.

It also forces agencies to choose the cheapest regulatory option over the

best. This is legislating the answer to the same kind of question that a homeowner has to decide when hiring a contractor: Do you want it done cheap, or do you want it done right?

Look, I get it. I understand where we are in the Congressional cycle; but I think that it is unfortunate that my friends across the aisle would rather score political points and write bumper stickers than actually legislate.

While I think it is a good thing that most of these partisan measures will never go anywhere, I can't help but point out that we should be making better use of our limited time here.

We should be raising the minimum wage in order to give millions of hard-working Americans the pay they have earned.

Nearly 5 years have passed since the last increase in the Federal minimum wage.

□ 1645

Currently, a full-time minimum wage worker makes less than $16,000 per year, which is below the poverty line for a family of two or more.

This is unacceptable. It is time for Republicans to end their relentless obstruction and to join Democrats in an effort to provide for the middle class.

I reserve the balance of my time.

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

Mr. Speaker, I really respect and appreciate my colleague from Florida, but there is nothing in this bill that would stop the development of rules and regulations by the executive branch, absolutely nothing. All we want to do is make sure that the cost of those rules and regulations is totally transparent.

Also, I appreciate my colleague's saying that we shouldn't be passing bumper sticker bills. We joked about this bill. The title for it, if you abbreviate it, is ''UMITA.'' That anagram hardly comes trippingly off the tongue, and it really wouldn't make much of a bumper sticker for us.

He also indicates that this bill is going to be dead on arrival in the Senate, so we should just give our attention to something else. I know my colleague knows this: the House of Representatives is mentioned very first in the Constitution. I believe the Founders intended for us to do our job and to do it well here. We shouldn't be thinking ''it is my way or the highway.'' This is a bill that has been cosponsored by Democrats, and I believe it will get a lot of Democrat votes. The logic from my colleague is that because this House is predominantly Republican that we should at the outset just acquiesce to the Democrat-led Senate or do nothing at all, but that is not how the legislative process works. There has to be a give and take.

I believe the House will pass this legislation tomorrow, and if the Senate wants to change it and send it back, fine—we will work it out—because that is our job, and that is the way it works, but I reject the notion that the Senate will not act on this bill. As I said, it is not a Republican bill; it is a bipartisan bill. It has Republican and Democrat cosponsors. My conversation with our Senate colleagues suggests this bill could clear the Senate and be signed into law by the President—this President.

Mr. Speaker, my understanding is that, last year, the President signed 76 laws—64 of those came from the House of Representatives and only 12 from the Senate, if I am accurate. If not, I will correct the RECORD. It is wrong for us to say we shouldn't be passing bills in the House because anything sponsored by a Republican will go nowhere in the Senate since the Democrats control it, because the evidence from last year, obviously, disproves that.

Mr. Speaker, since the 1995 passage of UMRA, experts across the political spectrum agree that the bill has led to the generation of important information about the potential impacts of mandates proposed in legislation and regulations. However, since its inception, there have been very few revisions to the law while various exclusions and exceptions have cropped up, creating loopholes limiting the act's coverage.

H.R. 899 builds on the success of UMRA by drawing upon executive orders enacted by the last two Democrat Presidents to close loopholes, streamline the cost-reporting process, and clarify the responsibilities of those in charge with complying with these requirements.

Independent regulatory agencies like the Consumer Financial Protection Bureau, the National Labor Relations Board, and the Federal Communications Commission are currently exempted from UMRA. H.R. 899 will require even these independent regulatory agencies to analyze the costs of their proposed mandates before they are imposed on the public.

H.R. 899 would also treat ''changes to conditions of grant aid'' as mandates, triggering an UMRA cost analysis. Legislation or regulations that force States or localities to make changes in order to qualify for Federal grant aid would no longer be exempt from scrutiny.

H.R. 899 will guarantee the public always has the opportunity to weigh in on regulations. Whereas UMRA only triggered cost analyses for regulations that were publicly announced through a ''notice of proposed rulemaking,'' this bill will require all regulations, whether a notice of proposed rulemaking was issued or not, to complete cost analyses.

H.R. 899 will also equip Congress and the American people with better tools to determine the true cost of regulations. Analyses required by H.R. 899 will have to factor in real-world consequences, such as lost business profits, costs passed on to consumers, and changed behavior costs when considering the bottom line impact of Federal mandates.

Finally, H.R. 899 will ensure government is held accountable for following these rules. If the requirements set forth by UMRA and UMITA are not met, a judicial stay may be placed upon regulations.

This legislation is purely about good government. It is about being open and honest about the cost of regulations.

I reserve the balance of my time.

Mr. HASTINGS of Florida. I would advise my good friend from North Carolina that I have no further requests for time and that I am prepared to close or to reserve as she sees fit.

Mr. Speaker, does my colleague want me to go forward and close or does she want me to reserve?

Ms. FOXX. Mr. Speaker, we are not quite ready to close.

Mr. HASTINGS of Florida. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, according to a report issued by the House Oversight and Government Reform Committee, the number of economically significant rules in the pipeline, which are those that could cost $100 million or more annually, has increased by more than 137 percent over the past decade.

Section 12 of my bill responds to such concerns by requiring Federal agencies to conduct a retrospective analysis of an existing Federal regulation at the request of a committee chairman or ranking minority member. The retrospective analysis submitted to the requesting member and to Congress is to include:

One, a copy of the Federal regulation;

Two, the continued need for the Federal regulation;

Three, the nature of comments or complaints received concerning the Federal regulation;

Four, the extent to which the mandate may duplicate another Federal regulation;

Five, the degree to which technology or economic conditions have changed in the area affecting the Federal regulation;

Six, an analysis of the retrospective costs and benefits of the Federal regulation that considers studies done outside the government; and

Seven, the history of legal challenges to the Federal regulation.

Since the duty to promote public accountability and transparency in Federal regulatory policy is endless, this provision builds on the strengths of UMRA by helping ensure ongoing compliance with legislative intent.

This kind of ongoing monitoring, identified as a priority by section 5 of Executive Order 12866, issued by President Clinton, and by section 6 of Executive Order 13563, issued by President Obama, is critical for adapting to changing circumstances that shaped initial UMRA cost estimates.

This helps ensure a fresh look at regulations to make certain they remain

consistent with their initial purpose and have not become overly burdensome, outdated, or unnecessary. This is just one of many bipartisan initiatives contained in my bill that further underscores the need for my colleagues to support this rule and the underlying legislation.

Mr. Speaker, section 3 of my bill has received praise from State and local government advocacy groups as it would allow a committee chairman or ranking member to request that the Congressional Budget Office perform an assessment comparing the authorized level of funding in a bill or resolution to the prospective costs of carrying out any changes to a condition of Federal assistance being imposed on any respective participating State, local or tribal government.

The purpose of this provision is to highlight costs the Federal Government is passing along to State and local governments that would otherwise remain hidden but borne by taxpayers regardless of which governmental entity is taxing them.

CBO Director Douglas Holtz-Eakin's statement before the Committee on Government Reform on March 8, 2005, speaks further to this issue, saying:

According to UMRA, the conditions attached to most forms of Federal aid, including most grant programs, are not mandates. Yet complying with such conditions can sometimes be burdensome. In particular, States consider new conditions on existing grant programs to be duties not unlike mandates. Two often-cited examples of such conditions are the requirements for receiving Federal funding under the No Child Left Behind Act and the Individuals with Disabilities Education Act. Those laws require school districts to undertake many activities, including, respectively, designing and implementing Statewide achievement tests and preparing individualized education plans for disabled children, but only if they wish to receive certain Federal education grant funds.

In other words, these mandates escape UMRA's scrutiny because current law doesn't define this type of cost shifting as a ''mandate.'' My bill closes this loophole. The landmark Supreme Court decision, the National Federation of Independent Business v. Sebelius, hinged, in part, on this very issue.

Although the Affordable Care Act's Medicaid expansion was not technically considered a ''mandate'' under UMRA, it required States to dramatically expand the program or risk losing all funding. For this reason, the Supreme Court ultimately deemed this provision unconstitutional.

Justice Roberts wrote that this portion of the Affordable Care Act violated the Constitution because:

Congress has no authority to order the States to regulate according to its instructions. Congress may offer the States grants and require the States to comply with accompanying conditions, but the States must have a genuine choice whether to accept the offer. The States were given no such choice in this case. They must either accept a basic change in the nature of Medicaid or risk losing all Medicaid funding.

In this way, the Affordable Care Act provides a contemporary, salient case study in how important it is for legislators and the public to have access to critical information concerning the costs of Federal decrees.

My bill will put this important information in the hands of Congress and the American people. Therefore, I urge my colleagues to support this rule and the underlying bill.

With that, I would be prepared to close if the gentleman from Florida is prepared, and I reserve the balance of my time.

Mr. HASTINGS of Florida. I thank the gentlelady.

I indicated I was prepared to close, but I have been advised that we need to occupy a little time as well. So I yield myself such time as I may consume, and we will try to be slow about it.

Mr. Speaker, in this particular legislation, the minority views that were developed allow, among other things, the following:

The Unfunded Mandates Information and Transparency Act would be an assault on health, safety, and environmental protections. This legislation would erect new barriers to slow down the regulatory process, and it would give corporations an unfair advantage in the regulatory process;

Section 5 of the bill would repeal language that excludes independent regulatory agencies from the reporting requirements of the Unfunded Mandate Reform Act, with the exception of the Board of Governors of the Federal Reserve and the Federal Open Market Committee. I spoke to that earlier. I found that passage strange.

□ 1700

The Office of Management and Budget is responsible for overseeing the UMRA process. Since the independent agencies would be under the direction of OMB for purposes of UMRA compliance, this could compromise the independence of those agencies.

Section 7 of H.R. 899 would create a new point of order in the House of Representatives for legislation containing an unfunded mandate, making it more difficult to enact legislation.

Section 8 would incorporate a cost-benefit requirement from Executive Order 12866, but it would not include language from the same executive order directing agencies to perform these assessments to the extent feasible.

Section 10 would require agencies to provide impacted parties in the private sector—but not other stakeholders—with an advanced opportunity to provide input on proposed regulations. It would require agencies to conduct consultations with private sector businesses as early as possible, before the issuance of a notice of proposed rulemaking. Expanding this consultation requirement only to the private sector could allow businesses to have an advantage over other stakeholders, as I mentioned previously, such as taxpayers and environmental groups, with reference to the development of regulatory proposals.

During consideration of this bill by the committee, one of the Members offered an amendment that stated that any opportunities or rights afforded to a corporation under this section shall also be afforded to any interested individual. The amendment was rejected.

My good friend on the other side mentioned the fact that I pointed out that we continue to have one House legislation that goes nowhere in the Senate. And she pointed correctly to the fact—and I stand with her if it needs to be corrected—that there were 76 measures that reached the President's desk, and that 64 of them came out of the House of Representatives. Not knowing all of the statistical imperatives, my belief would be that of that 64 that came out of House of Representatives, a substantial number of them had companion legislation. I questioned whether or not this particular measure that we are addressing today has companion legislation in the Senate, and that is why I feel that it is not going to go anywhere.

Listen, one side is arguing that we need to start the 2014 election right now and don't do anything else that is going to allow for both bodies—it is true, as my colleague said, that the Constitution mentions the House of Representatives first, but it does not give the House of Representatives autonomy in the sense that they, and they alone, can pass legislation. So there is a requirement here that has not been being met, and that is that the Senate and House confer on matters of legislation and then offer it up to the executive branch.

We seem to have circumvented that process. And what we are doing, rather than pass, or at least address—I am fascinated by the fact that I don't believe my colleagues have the courage of their convictions. If we were to put a flood insurance measure on the floor not on suspension, I doubt very seriously that it would not pass. It will pass if it were to come to the floor that way.

I believe that if we offer up a reasonable minimum wage, I don't think anybody in this country can say that $16,000 for a family of two or more people is sufficient in order for them to be able to meet requisites having to do with food and rent alone, let alone educating their children or providing daycare.

I don't think anybody really is against those who paid into the employment system receiving unemployment compensation, and yet we find ourselves here repeatedly addressing a significant number of matters.

Someone wrote the other day, if they got a stain on their tie, it would be because of ObamaCare. My goodness gracious, people, we are a legislative body. We could be about the business of serious legislating. That kind of legislating would require, among other

things, not just bipartisan activity as this legislation has manifested itself as being bipartisan, but it would allow that we would really sit down and talk through the things that are needed in this country.

There is nobody around that doesn't believe that we have bridges that are in disrepair. I haven't found anyone that said that if we invested in infrastructure, that it would not create more jobs in this country. The people want us to do this, and not to do one-sided, one-way measures that are not going to go anywhere anytime soon.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I hear my colleague on the other side of the aisle. I frankly don't think there is much more serious legislation around here than this piece, as I said earlier. UMITA doesn't exactly come trippingly off the tongue, and it isn't the most scintillating legislation out there, but it has great bipartisan support, which is what my colleague said we should be doing. So I am curious about his going off talking about a lot of other things other than this.

I will say, Mr. Speaker, that multiple provisions in my bill, including sections 8 and 9, would codify general principles of good government embodied in President Clinton's Executive Order 12866 and President Obama's Executive Order 13563.

Section 8 closes a blatant, often exploited loophole inconsistent with legislative intent and the spirit of the law. Again, I think this legislation is doing exactly what the Congress should be doing, and that is sticking with legislative intent and making sure that we are looking after the fact that the laws we pass are adhered to.

Since title II of UMRA says that agencies must develop a written statement describing the effects of their regulations on State, local, and tribal governments, as well as the private sector, ''unless otherwise prohibited by law,'' some agencies have concluded that general statutory language limiting the consideration of economic costs in setting regulations ''prohibits'' them from preparing a written statement evaluating the non-cost elements.

Reasserting legislative intent, this section of my bill prevents this loophole from being exploited for purposes of ignoring UMRA requirements by clarifying that agencies must conduct UMRA analysis unless a law ''expressly'' prohibits them from doing so.

This simple wording change makes a world of difference by clarifying that agencies must conduct UMRA analyses unless a law ''expressly'' prohibits the disclosure.

Another way UMRA's cost disclosure requirements have been exploited by ambitious rulemakers is by deeming a proposal an emergency and thereby forgoing the notice of proposed rulemaking, or NPRM, process, which is the avenue through which the public weighs in on proposed regulation.

Without compromising the ability to issue mandates in emergency scenarios, section 9 of the underlining bill removes the perverse incentive for agencies to forego NPRMs by requiring them to fulfill UMRA cost disclosure requirements within 6 months of issuing the urgent decree.

Modest bipartisan provisions such as these highlight additional reasons for my colleague to support the rule and underlying bill.

With that, Mr. Speaker, I reserve the balance of my time, but I am prepared to close if the gentleman from Florida is prepared.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I will insert in the RECORD the Statement of Administration Policy, and I will only lift one paragraph, and that is the last paragraph and sentence.

''H.R. 899 would unnecessarily add to the already robust analytical and procedural requirements of the rulemaking process. In particular, H.R. 899 would create needless grounds for judicial review, unduly slowing the regulatory process. In addition, it would add layers of procedural steps that would interfere with agency priority setting and compliance with statutory mandates.''

I guess, not surprisingly to my friends on the other side, ''If H.R. 899 were presented to the President, his senior advisors would recommend that he veto the bill.''

Mr. Speaker, contrary to my friend's favorite rhetoric, the free market does not solve all problems. Markets fail. We have seen that, have we not? Government is the actor of last resort when the market does not create the necessary incentives for businesses and individuals to protect the public good.

What is more, Federal regulations are not strangling the economy or preventing growth. In fact, it is quite the opposite.

As the Office of Management and Budget has reported, major Federal regulations issued over the last 10 years resulted in annual benefits from $193 billion to $800 billion, while costs are only between $57 billion to $84 billion.

It seems to me that an $84 billion investment with an $800 million return is not a bad thing.

Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up legislation that would raise the minimum wage to $10.10 an hour and give at least 25 million Americans a well-deserved pay raise.

A business in the constituency that I serve did this on their own. Jaxson's Ice Cream Parlour in Dania Beach raised it because they said they feel the pain of the people that work with them and that they made a fair profit and wanted to share it with them.

The American people are calling for an economy that works for everyone, not just those at the top.

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

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question. Vote ''no'' on the underlying bill, and I yield back the balance of my time.

STATEMENT OF ADMINISTRATION POLICY

H.R. 899—UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT OF 2013

(Rep. Foxx, R–NC, and 4 cosponsors, February 27, 2014)

The Administration is committed to ensuring that regulations are tailored to advance statutory goals in a manner that is efficient and cost-effective, and that minimizes uncertainty. By layering on additional, burdensome judicial review and other unnecessary changes to the regulatory process, H.R. 899, the Unfunded Mandates Information and Transparency Act of 2013, would introduce needless uncertainty into agency decisionmaking and undermine the ability of agencies to provide critical public health and safety protections. Accordingly, the Administration strongly opposes House passage of H.R. 899.

When a Federal agency promulgates a regulation, the agency must adhere to the robust and well-understood procedural requirements of Federal law, including the Administrative Procedure Act, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, the Paperwork Reduction Act, and the Congressional Review Act. In addition, for decades, agency rulemaking has been guided by executive orders issued and followed by administrations of both political parties. These require regulatory agencies to promulgate regulations upon a reasoned determination that the benefits justify the costs, to consider regulatory alternatives, and to promote regulatory flexibility.

The President's regulatory approach has been consistent throughout his Administration. We don't have to choose between protecting the health, welfare, and safety of Americans and promoting economic growth, job creation, competitiveness, and innovation—we can do both. To this end, Executive Order 13563 requires careful cost-benefit analysis, increased public participation, harmonization of rulemaking across agencies, and flexible regulatory approaches. Through executive orders and other presidential directives, agencies must ensure that they take into account the consequences of rulemaking on small businesses. And, through Executive Orders 13579 and 13610, the Administration has also taken important steps to promote systematic retrospective review of regulations by all agencies, including encouraging independent agencies to conduct such a review. Collectively, these requirements promote flexible, cost-effective regulation.

H.R. 899 would unnecessarily add to the already robust analytical and procedural requirements of the rulemaking process. In particular, H.R. 899 would create needless grounds for judicial review, unduly slowing the regulatory process. In addition, it would add layers of procedural steps that would interfere with agency priority setting and compliance with statutory mandates.

If H.R. 899 were presented to the President, his senior advisors would recommend that he veto the bill.

Ms. FOXX. I thank my colleague from Florida.

Mr. Speaker, as proud as I am of this legislation, I realize that its passage on Friday will not be front-page news.

I understand that ''Bipartisan Group of Lawmakers Band Together to Close Technical Loopholes in UMRA'' isn't exactly a riveting headline, but what we are doing here is important.

In Congress, we often focus our energy and attention on those issues that are most divisive and controversial. There are real substantive disagreements between the two parties and among the American people.

But Congress must do the hard things, and every now and then we get an opportunity to do something easy. This should be easy. The reforms in this bill are ''low hanging fruit.''

These are modest reforms supported by Republicans and Democrats alike. Some of these changes merely codify executive orders issued by the last two Democrat Presidents.

□ 1715

Some of my colleagues have suggestions for improvement and have offered amendments to this bill. Great. I welcome their suggestions. Those amendments will be discussed here tomorrow in an open and transparent process.

In fact, Mr. Speaker, every Democrat amendment that was submitted has been included in this rule.

I hope that my colleagues will join me in supporting this sensible legislation that will enhance transparency, accountability, and awareness of Federal mandates. I urge my colleagues to vote for this rule and the underlying bill.

Ms. FOXX. Mr. Speaker, when the Committee on Oversight and Government Reform filed its report (H. Rept. 113–352, Part 1) to accompany H.R. 899 on February 14, 2014, it included an exchange of letters between the Chairman of the Committee on Rules and the Chairman of the Committee on Oversight and Government Reform. The letter from Chairman Sessions was inadvertently dated February 11, 2013 and was intended to be dated February 11, 2014.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 492 OFFERED BY MR. HASTINGS OF FLORIDA

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

SEC. 2. 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. 1010) to provide for an increase in the Federal minimum wage. 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 Education and the Workforce. 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. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1010.

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.

Ms. FOXX. 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. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 225, nays 192, not voting 13, as follows:

[Roll No. 79]

YEAS—225

Aderholt	Duncan (TN)	Kingston
Amash	Ellmers	Kinzinger (IL)
Amodei	Farenthold	Kline
Bachmann	Fincher	Labrador
Bachus	Fitzpatrick	LaMalfa
Barletta	Fleischmann	Lamborn
Barr	Fleming	Lance
Barton	Flores	Lankford
Benishek	Forbes	Latham
Bentivolio	Fortenberry	Latta
Bilirakis	Foxx	LoBiondo
Bishop (UT)	Franks (AZ)	Long
Black	Frelinghuysen	Lucas
Blackburn	Garrett	Luetkemeyer
Boustany	Gerlach	Lummis
Brady (TX)	Gibbs	Marchant
Bridenstine	Gibson	Marino
Brooks (AL)	Gingrey (GA)	Massie
Brooks (IN)	Gohmert	McAllister
Broun (GA)	Goodlatte	McCarthy (CA)
Buchanan	Gowdy	McCaul
Bucshon	Granger	McClintock
Burgess	Graves (GA)	McHenry
Byrne	Graves (MO)	McKeon
Calvert	Griffin (AR)	McKinley
Camp	Griffith (VA)	McMorris Rodgers
Campbell	Grimm	Meadows
Cantor	Guthrie	Meehan
Capito	Hall	Messer
Carter	Hanna	Mica
Cassidy	Harper	Miller (FL)
Chabot	Harris	Miller (MI)
Chaffetz	Hartzler	Miller, Gary
Coble	Hastings (WA)	Mullin
Coffman	Heck (NV)	Mulvaney
Cole	Hensarling	Murphy (PA)
Collins (GA)	Herrera Beutler	Neugebauer
Collins (NY)	Holding	Noem
Conaway	Hudson	Nugent
Cook	Huelskamp	Nunes
Cotton	Huizenga (MI)	Nunnelee
Cramer	Hultgren	Olson
Crawford	Hunter	Palazzo
Crenshaw	Hurt	Paulsen
Culberson	Issa	Pearce
Daines	Jenkins	Perry
Davis, Rodney	Johnson (OH)	Petri
Denham	Johnson, Sam	Pittenger
Dent	Jones	Pitts
DeSantis	Jordan	Poe (TX)
DesJarlais	Joyce	Pompeo
Diaz-Balart	Kelly (PA)	Posey
Duffy	King (IA)	Price (GA)
Duncan (SC)	King (NY)	

Reed
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Valadao
Wagner
Walberg
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—192

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Blumenauer
Davis, Danny
Gardner
Gosar
Hinojosa
McCarthy (NY)
Pastor (AZ)
Rice (SC)
Runyan
Rush
Schwartz
Upton
Walden

□ 1743

Ms. BONAMICI and Messrs. NADLER and YARMUTH changed their vote from ''yea'' to ''nay.''

Mr. POSEY, Mrs. LUMMIS, and Mr. ADERHOLT changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 190, not voting 13, as follows:

[Roll No. 80]

AYES—227

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Valadao
Wagner
Walberg
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—190

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Blumenauer
Davis, Danny
Gardner
Gosar
Hinojosa
McCarthy (NY)
Pastor (AZ)
Rice (SC)
Runyan
Rush
Schwartz
Upton
Walden

□ 1750

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2013

The SPEAKER pro tempore (Mr. STEWART). Pursuant to House Resolution 475 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3193.

Will the gentleman from North Carolina (Mr. HOLDING) kindly take the chair.

□ 1752

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 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, with Mr. HOLDING (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose earlier today, a request for a recorded vote on amendment No. 4 printed in part B of House Report 113–350 offered by the gentlewoman from Wisconsin (Ms. MOORE) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 113–350 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. RIGELL of Virginia.

Amendment No. 3 by Mr. DESANTIS of Florida.

Amendment No. 4 by Ms. MOORE of Wisconsin.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. RIGELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. RIGELL) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 167, not voting 13, as follows:

[Roll No. 81]

AYES—250

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Ryan (WI)
Salmon
Sanford
Scalise
Schneider
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Valadao
Wagner
Walberg
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—167

Bass
Beatty
Becerra
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Garcia
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Blumenauer
Davis, Danny
Gardner
Gosar
Hinojosa
McCarthy (NY)
Pastor (AZ)
Rice (SC)
Runyan
Rush
Schwartz
Upton
Walden

□ 1757

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Chair, on rollcall No. 79, 80, and 81, had I been present, I would have voted "no."

AMENDMENT NO. 3 OFFERED BY MR. DESANTIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DESANTIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 186, not voting 17, as follows:

[Roll No. 82]

AYES—227

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta