

They don't care if people struggle to get by on low wages or with no unemployment insurance, as long as corporations can keep their tax loopholes, and they don't care if the environment is raped, as long as big polluters can continue to circumvent regulations that protect our air and water.

Before we go home, we need to show the American people that Congress does care about them, and we need to pass important measures that jumpstart the middle class, so we can say we did something while we were here.

#### OBAMACARE PREMIUM HIKES ARE HURTING FAMILIES

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

Mr. WILSON of South Carolina. Mr. Speaker, the failing Affordable Care Act has proven not to be affordable for American families. Health care premiums have increased with confusing coverage destroying jobs.

When Stepheni from Monetta went to the doctor, she found her "copay for each therapy session is \$250. However, I can be an uninsured self-pay patient and get the same therapy for \$85 per visit."

Connie from Aiken says, "I was more than shocked to learn what used to be an \$89 prescription was now more than \$300."

America's devoted mothers know firsthand of the failure of ObamaCare. Small businesses are hiring more part-time workers than full-time workers because ObamaCare costs are too high. Longtime employees are having hours reduced, putting families at risk.

We must repeal and replace ObamaCare, so that people like Stepheni and Connie receive relief from unworkable mandates.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Best wishes for continued success for Chad Sydnor, Military Legislative Assistant of the Second District, for continued service with Senator JOHN BOOZMAN of Arkansas.

#### LITIGATING THE EXECUTIVE BRANCH

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, often, the American people hear the term "Congress," but I think it is important to let all of my colleagues know and remind them what the Republicans will be doing over the next 48 hours.

It is important to know that there will be a resolution—a bill—on the floor of the House, H. Res. 676, and it says that they are looking for the power to intervene in one or more civil actions to file suit against the President, to seek any appropriate relief

against the President, the head of any department or agency, or any other officer or employee.

Let me be very clear. The Republicans are looking to sue the secretary who didn't order enough paper clips and indicate that we need to sue the President for not doing his job, while veterans are suffering and need a whole reformation and a new bill, while people are still not getting their unemployment insurance, while we are not able to expand Medicaid to help those who need health care, and while we are not raising the minimum wage.

Democrats want to work for the American people, but Republicans want to sue the secretary, meaning the secretary who orders paper clips, because the President is not doing his job. Let's work for the American people.

#### LET'S UNITE TO FIX THE VA

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

Mr. YODER. Mr. Speaker, the Sunflower State has a long and proud history of Kansans answering a call of duty to serve their country. From pre-Civil War battles to keep Kansas a free State, to brothers joining arms to fight for democracy in wars around the globe, to today's battles fighting terrorism in remote and dangerous places, Kansans proudly step up to serve when asked, time and time again.

Kansas is now home to more than 220,000 veterans, courageous men and women who have honored our Nation by sacrificing and serving; yet, sadly, our Nation does not always honor them. I have been heartbroken to see how some of our veterans are treated when returning home from service.

Mr. Speaker, it is past time that Democrats and Republicans, House and Senate, unite on legislation that would fix the problems in the VA, that would give our veterans in long waiting lines options to receive quicker and better care when needed and legislation that would ensure that adequate resources are available to care for posttraumatic stress disorder and other injuries sustained in today's battles.

Mr. Speaker, our veterans have honored and fought for us. How about we, as a Congress, honor and fight for them.

#### PROVIDING FOR CONSIDERATION OF H.R. 4315, 21ST CENTURY ENDANGERED SPECIES TRANSPARENCY ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 693 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 693

*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. 4315) to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, 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 resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, 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 113-55. 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 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 recommit with or without instructions.

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

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York by way of Kentucky, Ms. SLAUGHTER, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members have 5 legislative days in which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides for a structured rule for the consideration of H.R. 4315, the Endangered Species Transparency and Reasonableness Act, and

makes in order four separate amendments for floor consideration.

In fact, this rule is generous in making all filed amendments which were germane and otherwise met the rules of the House in order. Only four were filed, and they are all made in order, so it is hard to see how anyone could vote against this resolution as not being fair.

The resolution also provides for 1 hour of general debate on the bill equally divided and controlled by the chairman and ranking minority member from the House Committee on Natural Resources.

Mr. Speaker, with that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my good friend from Utah (Mr. BISHOP) for yielding me the time. I yield myself such time as I may consume.

Mr. Speaker, the bill before us today is actually a package of four bills—H.R. 4315, H.R. 4316, H.R. 4317, and H.R. 4318—which aim to derail the Endangered Species Act.

The four bills are a product of the House Natural Resources Committee's Endangered Species Working Group, a committee working group which had not one Democrat Member on it, so that there was no bipartisan discussion. There is always room to discuss how we can improve legislation, but the negotiations should not be limited to backroom negotiations with a select few from a single party.

It is ironic the bill is entitled "21st Century Endangered Species Transparency Act" when the process to create the bill was anything but transparent. If the Endangered Species Act needs to be improved in order to better achieve the bill's purpose, then let's have a robust bipartisan conversation in an open forum, which is what we call the committee process.

Now, the package we are considering today, however, does not have any bipartisan support because it would create additional red tape that undermines essential protections provided for the Endangered Species Act.

The Endangered Species Act was passed over 40 years ago to protect imperiled animals and plants from extinction, and it is one of the most important tools we have to ensure our Nation's wildlife is protected for future generations.

These bills today do nothing to continue that wonderful background, and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I want to introduce you to an individual in history by the name of John Gochnaur. John Gochnaur was the shortstop for the Cleveland Indians in 1902 and in 1903. In 1902, he played the entire year, and his batting average was .185, as he committed also 48 errors, but was still good enough to be the shortstop in 1903 as well, where he completed a second season, once again

hitting .185, but this time committing a still record 98 errors as shortstop, which means one out of every five times he touched the ball, he threw it away.

□ 1230

John Gochnaur probably has the record now of being the most inept major league player we have ever had in history, never hitting above the Mendoza Line and setting the standard for errors. The worst major league player—which is still quite an achievement to be a major league player—but the worst major league player we have ever had in history hit .185. The Endangered Species Act batting average would be .010 if you round it up. They have had 1,500 species listed, only 12 have actually passed the test and been recovered, for an actual batting average of .008, or .010 if you really want to round up.

The Endangered Species Act, quite frankly, is the most ineffective and inefficient piece of legislation that we have in the history of this country. It does not work. It does not meet its goals. It never has and it never will. The sad part is, though, this act does not go into significant changes to the Endangered Species Act, which would change that batting average. Instead, Chairman HASTINGS has to be commended for getting a group of people to work together that did a study, got testimony, produced a report, and came up with the most basic of reforms that have to be necessary before anything significant can go on past that.

What these reforms are is simply saying, look, if you are going to have an Endangered Species Act, for heaven's sake, make sure that the data that is used to come up with the realization of the program you have is open to the people, it is transparent and it is public knowledge. They are paying for it. You might as well make sure that they have the opportunity to see it.

The President of the United States recognized this when he said in 2008:

Democracy requires accountability; accountability requires transparency.

And then he quoted Justice Brandeis, who said that "sunlight is said to be the best of disinfectants." That is the concept that is here. The data used to make these decisions should be available to the public, and presently, it is not.

One of the witnesses in the committee, when it was a full committee markup on this bill, was a long-time biologist by the name Mr. Ramey, who said:

What are the effects of this lack of transparency on the public when data are not possible or accessible? Legitimate scientific inquiry and debate is effectively eliminated, and no independent third party can produce the results. This action puts the basis of some ESA decisions outside the realm of science.

We have the issue that if there is data making these decisions, people should know about it. It should be

transparent. All of the data that they use to make these decisions should be transparent. That is not what is happening today.

In an exchange between the director of Fish and Wildlife and the ranking member, the ranking member asked:

Okay. But again, why would a scientist wish to withhold that data? I mean, if we gave them the public funds, I guess we could require they publish the data; right? I mean, we could change. We could put that into the language.

The Fish and Wildlife official said:

Congress could do that.

The ranking member said:

Okay. That might be something we would want to do. I don't understand why we would go down the path of withholding the data.

That is what this bill does. There are two elements to it. The most significant part is the first of transparency. If there is data that is going to be used, we need to make sure that we have access to that particular data.

This is a bill that was passed almost four decades ago. This is a bill the last time it was addressed I was still wearing saddleback jeans and platform shoes and my hair had color and it was parted down the middle and it covered more than just my ears. We haven't touched it since that time. They didn't have iPods back then the last time we touched it. It is a new era that requires new information and new data, and there is no reason that should be withheld from the American people, and that is what this bill tries to do.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from Montana (Mr. DAINES), who has had to live with the realities of the Endangered Species Act.

Mr. DAINES. Mr. Speaker, I want to thank the chairman for his leadership on this important issue. I rise in support of the rule and H.R. 4315, the 21st Century Endangered Species Transparency Act.

My home State of Montana is called the Treasure State, where we found settlers. In fact, my great-great-grandmother came out and homesteaded in Montana. They found productive ag lands. They found riches of minerals to sustain our industries among the many species that are important to our fishing and hunting heritage.

When the Endangered Species Act became law, Congress committed to helping to sustain our unique ecosystems and our way of life. However, too often ESA decisions are not based on sound science and it is about political science, unfortunately, and the law results in encouraging habitual litigation. The result has been fewer jobs and deteriorating forest health. And, as Mr. BISHOP mentioned, the species aren't actually recovering with a batting average of .008. Frankly, the Endangered Species Act is like a 40-year-old ranch pickup: it once served a useful purpose but is in bad need of repair.

By increasing transparency—and this is about repairing the Endangered Species Act, bringing it forward to the 21st century so it actually delivers the outcomes we all desire, and that is recovering the species versus just listing them. H.R. 4315 begins an important process toward modernizing this well-intentioned but out-of-balance and out-of-date law. I urge the House and Senate to pass it.

Ms. SLAUGHTER. I continue to reserve the balance of my time.

Mr. BISHOP of Utah. I yield 5 minutes to the gentleman from Georgia (Mr. COLLINS) because he also is faced with the unique situation, because this is not just a Western issue. This is an issue that affects all of us.

Mr. COLLINS of Georgia. Mr. Speaker, as we come here today, one of the things that strikes me—and, of course, I support the rule and the underlying bill, H.R. 4315, because it really strikes a balance and, as part of the working group that has been meeting under Chairman HASTINGS and others, including Mr. BISHOP, dealing with this, as my friend from Utah said, it is an issue that has not been touched in many, many years. There is nothing that really, from our perspective of government, should not be looked at every once in awhile, and especially when you get things such as the Endangered Species Act, which has grown and multiplied and just really expanded to where not only does it affect Western States, but it affects States like Georgia.

To come to the floor today to take issue with a bill that simply permits the concept—and my friend from Utah said we could have actually gone after a lot more than this. We could have taken on the Endangered Species than this. We could have taken on the Endangered Species Act and said: Let's make it better for the 21st century. Instead, we went to targeted reform, targeted aspects of it. We said: Let's look at transparency. Let's look at capping attorneys' fees. Instead of paying pockets of attorneys, it is okay to still sue. We are saying it is okay if you want to sue, but we are not going to pay unlimited amounts just so you can sue for maybe dubious data or devious wins. This is an issue of transparency.

Wouldn't we want to put that money into protecting actual endangered species? Is that not what the Endangered Species Act is about? Is it actually protecting endangered species?

The problem with the Endangered Species Act, however, is that it has expanded to where now the Endangered Species is jobs. It is people. It is the people who are affected by the Endangered Species Act, and all we are saying is let's shine a little light on it. That is a song from back when the ESA was first passed. Let's shine a light. "This little light of mine, I'm gonna let it shine." Well, let's shine a little bit of light on this as we go forward.

A "no" vote on this legislation to me is simply a "no" vote, whether it is the rule or the bill. It is a "no" vote for

the status quo. If there is anything that this country is screaming, whether it is Republican or Democrat, they are tired of the status quo, and especially in something like this, because when they hear about it, they don't understand it.

I am going to tell a little story that comes from Georgia, and it involves the Indiana bat. The Indiana bat is on the endangered species list. A few years ago—oh, oh, be quiet. A few years ago, a transmitter went off. It was a little beep. Oh, oh. You might hear it on your phone. It was a beep in southern Tennessee. It only went off one time from everything that we can gather, but that transponder hit said the Indiana bat is moving south.

Well, we expanded the net and said nothing north of Atlanta. All of a sudden we have to start checking for the Indiana bat. We checked. We have looked. I have it on my phone here. I brought one to the floor today. I have a compass. I have a map. I asked this before and nobody stepped forward, but I will take my compass. I will take my map, and if you help me, come to northeast Georgia and find the Indiana bat, there is probably a prize. I will take you to the Waffle House and buy you whatever you want, because so far it hasn't been found. In fact, the last time the Indiana bat was actually seen in Georgia was in Athens in the 1940s.

Now, Athens is home to a wonderful, fine, upstanding institution called the University of Georgia. Go Dawgs. But it was probably found or seen maybe after one of the celebrations of our great victories on Saturday on the gridiron when everyone is partying, and they may have seen the Indiana bat and said, "There's the bat," but we haven't seen it since.

So I am not sure what we are looking for, but I tell you what we are doing. We are paying almost \$100,000 on every road project over and above the cost for hard-earned taxpayer dollars on the Federal and State level looking for a bat that may have existed in a fraternity party in Athens 45, 50, 60 years ago because nobody knows. But it came because, listen—those in the gallery, those watching on TV, listen—the transponder may go off, and we may just block off all kinds of areas and say "pay more" because the transponder went off.

Now, many times our friends across the aisle say we on our side, we just want business and we don't care about endangered species, we don't care about the environment. There is no other Republican, and when you come to the Ninth District of Georgia—and I know my friend from Colorado feels that his State is beautiful, and it is. It is great. But the Ninth District of Georgia is pretty nice, too. And I want clean water and I want good roads. I want the things that matter because the environment in north Georgia is great. But what I do not want is an overreaching regulation that is not addressed when we are simply asking for

transparency. We are simply asking for transparency. When you are asking for transparency, my question not only is where is the bat, but where is the problem. Where is the bat? Where is the problem?

The problem with this bill is nothing. The problem with this bill is it begins to shine light on the things that need shining light on. Disinfectant, I am not sure what we are doing here because right now there is no disinfectant. We need transparency to shine a light. "This little light of mine, I'm gonna let it shine." I am going to let it shine on something that protects taxpayer dollars, that protects transparency and does the things that it is supposed to do.

And by the way, if you happen to be coming by, the problem with this is simply transparency. It protects taxpayer dollars and protects endangered species by using the latest in science and being open to the public.

□ 1245

But let me ask all who may be watching: if you are driving through the great State of Georgia, if you are in north Georgia in the Ninth District, I have got a lot of places for you to come, but when you get there bring your binoculars, bring your compass, bring a map, and if you find the bat I will see you at the Waffle House.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and to refrain from addressing occupants of the gallery.

Without objection, the gentleman from Colorado will control the time.

There was no objection.

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

To be clear, the goal of the Endangered Species Act doesn't exist just to get species off the list, it exists to keep species on the planet, and has a tremendous track record of success—99 percent effective at preventing the extinction of species that have been listed on the endangered species list.

There is strong precedent in passing bipartisan Endangered Species Act measures. Last Congress, I was very proud to be an original cosponsor of Mr. BISHOP's Endangered Fish Recovery Programs Extension Act, which became law in January of 2013. The Endangered Fish Recovery Programs Extension Act facilitated the recovery of four endangered species native to the Upper Colorado River Basin. The bill ensures compliance with the Endangered Species Act for over 200 projects that use water from the Colorado River and provided enough water for agricultural and municipal water use as well.

I salute Representative BISHOP's efforts to pull together a bipartisan group from Utah, Colorado, New Mexico, and Wyoming to work together on that successful modification to the Endangered Species Act.

What we have before us today is not an example of that same bipartisan spirit and open process of work that

can build upon, rather than take a step back from, protecting species that are an important part of our ecosystem.

This bill in its current form would not only waste taxpayer dollars and Federal Government agency time by creating additional red tape and bureaucracy, but it is also a waste of our limited remaining time in session. Here we are, Mr. Speaker, with a border crisis, crises breaking out across the Middle East, and yet we are debating a particular change to the Endangered Species Act, which, regardless of its merits, is simply not one of the top two issues, five issues, 10 issues, even top 100 issues that I have heard from my constituents about over the last year.

People wonder why this legislative body is as unpopular as we are, with an approval rating of 12 percent. One need look no further than what we are working on. Rather than addressing the budget deficit or restoring fiscal stability to our country, rather than securing the border and passing comprehensive immigration reform, we are instead discussing a bill that weakens the Endangered Species Act. And regardless of whether Members want to strengthen it or weaken it or modify it—Americans care about jobs, the economy, fiscal responsibility, addressing our border crisis—having problems with the Endangered Species Act is simply not on the minds of most everyday American families. I think most American families think the Endangered Species Act is a fine thing, maybe they think it should move this way or that way or be better or stronger or weaker, but that is not the issue that they want us addressing with our limited time in session.

This is our last week in session in the month of July. In the month of August, this esteemed body won't even meet once. In September, we will come back for 2 or 3 weeks. I don't know—are we going to be discussing endangered species for those 2 or 3 weeks as well?

It kind of reminds me of the historical precedent of Emperor Nero fiddling while Rome burned. Here we are in record deficits, war and threatened wars are enveloping the Middle East with the Islamic state and ISIS occupying much of Syria and Iraq, with the uncertainty in eastern Ukraine and separatists engaged in battle, with the precarious recovery of the economy, with things getting harder and harder for middle class American families to get by and support themselves and their family, and here we are with only 3 days left in session before September discussing relatively minor changes that add another bureaucratic layer of red tape to the Endangered Species Act. It is simply not what the people in my district hired me to fight for them on, and I don't think it is what the people in this country want Congress to do at this point.

There are so many issues that the American people, the people who sent us here to represent them, agree on, where there is common ground.

One example is immigration reform. Polls have shown that 87 percent of Americans support comprehensive immigration reform. Perhaps we found that last 13 percent of people who approve of Congress, maybe it is those same people who don't want to see immigration reform. The only people left who approve of these obstructionist tactics with regard to immigration reform, the tactics which are tearing families apart, hurting our economy, bloating our deficit, and preventing us from securing our border, are an ever-dwindling percentage of Americans.

Now that we are dealing with this Endangered Species Act, I hope that we can get back to addressing immigration reform. Let us have a vote on comprehensive immigration reform, a vote on raising the minimum wage, a vote on a comprehensive plan to balance the budget. Let's have a real debate and exchange real ideas to move our Nation forward.

There are a number of flaws in this modification of the Endangered Species Act which prevent it from being a true piece of bipartisan legislation with wide support from this body, like I had the opportunity to work on with Mr. BISHOP last session. But I think even more importantly, Mr. Speaker, we just need to ask ourselves why, with days left before Congress adjourns for the summer, are we considering a topic that, while surely worthy of debate, hardly raises to the level of these pressing issues, like our budget deficit, the border crisis, or the Middle East, in which I hope that this body can have a substantive debate around resolving?

While we are here debating a partisan, politically charged bill that threatens to undermine the Endangered Species Act, 32 wildfires larger than 5,000 acres are burning in seven Western States. My district had several last summer, and we are worried about this summer. These fires cover a total of 1.4 million acres and are a serious threat to homes, lives, livelihoods, and health.

If we defeat the previous question, I will offer an amendment to the rule to bring up the Wildfire Disaster Funding Act of 2014. Already 196 Members have signed a discharge petition to bring this legislation to the floor of the House.

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 Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I cannot support this rule or the underlying bill.

The Republicans are committed to partisan politics over progress for our country, and this bill is yet another example of that agenda.

In the last 3 days of legislative business before a summer recess of 1½ months, House Republicans are using

this valuable time in the people's Chamber to simply pass a bill that obstructs the Endangered Species Act rather than deals with any of the critical issues facing our country.

Congress should be considering legislation to secure the border or deal with the crisis of unaccompanied minors on our southern border, to balance our budget, to reform our broken immigration system, to deal with wildfires, to raise the minimum wage, to protect workers. But instead, here we are debating partisan changes to a piece of legislation that has, frankly, served us well and our ecosystems well over the prior decades.

We do have an emergency on our southern border with regard to unaccompanied minors from El Salvador, Honduras, and Guatemala. We need to have a comprehensive strategy to deal with that and make sure that we are not overwhelmed by people from other countries.

Before we adjourn for recess, Congress could and should address immigration reform. The American people want us to pass bipartisan immigration reform. The bill passed the Senate with over two-thirds majority. That is very rare. Democrats and Republicans came together to pass a commonsense immigration reform bill that more than 80 percent of the American people support, and more than two-thirds of the Senate support it.

If we can schedule that bill for a vote this week, I am confident it would pass right here on the floor of the House of Representatives. We have a bipartisan House bill, H.R. 15, that is ready to come to the floor and be voted on, and I believe it would pass.

I am honored to be a sponsor of H.R. 15, the bipartisan immigration reform bill. The bill would create jobs here, reduce our budget deficit, ensure America is more competitive in the global economy, unite families, and secure our borders. Just as importantly, it will make sure that our immigration system reflects our values as Americans, a Nation of laws and a Nation of immigrants.

House Republicans have refused to allow a vote on immigration reform and it failed to bring forth a single bill to help improve our broken immigration system or our dire crisis at the border. Instead, we are left with time that we could use to debate minute changes that add bureaucracy and red tape to an already encumbered Endangered Species Act.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so that we can discuss the Wildfire Disaster Funding Act of 2014. It is so important to my home State and so many others in the West and Mountain West.

I also will oppose the rule and the underlying bill and encourage my colleagues to do the same.

I yield back the balance of my time. Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to talk about the Endangered Species Act here because we need to make sure that the purpose of the Endangered Species Act is not to make sure that the government is always funding the listing and the maintenance of these species, but to make sure that they are healthy enough so that the government doesn't have to do that, in which case, I am sorry, the batting average is still .008. The Endangered Species Act is failing in that effort.

The methods don't work. But we are not discussing the methods here today. We are discussing something that is simply a commonsense solution to how we move forward with the Endangered Species Act.

The Governors understand that as well. I received a letter from the Western Governors' Association, signed by the Governor from Nevada, as well as the Governor from my friend's home State of Colorado, urging us to have transparency in this action, transparency in the Endangered Species Act. It is important that we simply know what is or is not taking place.

The Endangered Species Act, unfortunately, has an impact on real people. It is a regulatory taking by the Federal Government. It impacts real people's ability to use their property, it impacts real people's ability to have jobs and maintain them. To say that talking about this impact on these people is not good enough, that this is not a high enough version, this is not raising to the level, we don't care enough about these people who are impacted by that act, is something we in Congress should never say. It is significant, it is important, and to make commonsense improvements to the Endangered Species Act should be the goal.

Let me explain a couple of different areas in which these reforms are going to be significant and important.

The first one is this tries to cap the amount of money we spend wasted on litigation costs that should be actually going to the enforcement of the Endangered Species Act and recovery of these species. This act tries to set a limit on what an attorney can get for engaging in a petition against the government for the Endangered Species Act. It is mind-boggling to me that in most of the agencies of the government we put caps on what can be obtained in attorney fees who sue the government, but we don't in the Endangered Species Act.

So in San Diego, the Jonas Salk Elementary School was postponed indefinitely. The firm that actually did that postponement so the kids didn't have their school charged the Federal Government six figures, and I promise you the first number in that six figures was not 1.

In the Clinton administration, they were averaging 20 petitions a year on this act. Today, we are averaging 1,200 petitions a year. So obviously, we have a problem, as no one has a total con-

cept of what the total cost of this litigation is or how many full-time employees we are using simply for this litigation, although we do know that the Fish and Wildlife Service allotted in 2013 \$21 million and 86 full-time employees just to handling the issue of litigation.

The Ag Department has told us that the litigation cost was the third-largest cost that they were running at that time. We don't have that data. We need to have that particular data, and we also need to put in caps so we are not wasting our money on litigation, we are putting the money in the program where it should be.

That is a significant commonsense element of this particular bill. But the most significant commonsense element is simply saying people should know what data is being used to reach the decisions. The bill itself says the Federal Government shall cooperate—shall cooperate—to the maximum extent practical with the States. That simply is not being done.

Let me give you a couple of examples.

First of all, the dunes sagebrush lizard—a wonderful little lizard, Mr. Speaker, in your home State of Texas—that is trying to be listed by the Federal Government, they were using data from the 1960s, determined that they were locally extinct, the lizard was locally extinct in an area where it flat-out was not extinct. Had they gone through with this listing, 47,000 jobs in this district in Texas would have been impacted by this particular listing, and the data was inaccurate.

The Governor of Idaho asked for a FOIA request dealing with the sagebrush. He got back the emails in the FOIA request, and to summarize those emails that dealt with the national technical team report, the emails basically said: This is our approach—does anyone out there have any kind of data we can use? And if there was no data, then their next step was to use the best guess of the elements of the members who were actually working in that particular department.

That is not the way you make decisions. You collect the data first, make it public, let people know about it, then you create the decisions on where you want it to go. In Colorado, Garfield County, Colorado, actually had to go to court to try to get the department to give them the data they were using for the decisions they were going to try to use on the endangered species in that county, and that simply is not an example of how you cooperate to the maximum extent possible with the States.

We have an issue with prairie dogs in southern Utah. The problem is the Federal Government only counts prairie dogs on Federal lands to determine if they are a viable species or not. Prairie dogs are very abundant on private lands and State lands, to the point that you can actually get a permit to hunt them on private lands. Notwith-

standing the fact that there is an abundance of prairie dogs, the rural electric co-op down there had to spend \$150,000 to airlift transmission lines to build a transmission line so they went over Federal habitat for prairie dogs, even though other people hunting prairie dogs happened to be on the private property.

This is silly, this is unrealistic, this should not take place if we were actually having a commonsense approach to it.

The bladderpod up in Franklin County, Washington, was threatened to be listed on the endangered species. A local university came up with its own study that proved the DNA of this bladderpod was no different than another flower that was not endangered in that area.

□ 1300

Nonetheless, the Fish and Wildlife Service rejected that particular piece of data. They ignored it. They said it wasn't peer-reviewed, but the sad part is that they ultimately refused to tell us the data that they were using to reach their own decision. Even when that data was subpoenaed, they refused to comply with that particular subpoena.

We simply have a problem here, in that decisions are being made on the Endangered Species Act without having public access to the data being used to make those decisions, and that is wrong.

That is not the way you run a government. That is not the way transparency has to be. The people of the United States are paying for all this data. They have a right to see what it is. They have a right to look at it. They have a right to question it.

All this bill does is simply make the data that is being used public—so people know exactly what you are making those decisions on—and try to limit the amount that we are spending on needless litigation, so you put some kind of caps on them. That is the first step.

Does that solve all the problems of the ESA? Of course not, but it is the first and most important step. This is a commonsense approach that is rational. It is where we need to go. If we can't get this done, no other reforms of a system that is failing can possibly take place.

I urge adoption of this bill. I support the underlying bill. I urge the adoption of the rule that would do it.

Mr. Speaker, in closing, I want to reiterate this is a fair rule, and it is appropriate to the underlying piece of legislation.

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

AN AMENDMENT TO H. RES. 693 OFFERED BY  
MR. POLIS OF COLORADO

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. 3992) to provide for wildfire suppression operations, 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 among and controlled by the chair and ranking minority member of the Committee on the Budget, the chair and ranking minority member of the Committee on Agriculture, and the chair and ranking minority member of the Committee on Natural Resources. 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. 3992.

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 con-

trolling 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. BISHOP of Utah. 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 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 224, nays 192, not voting 16, as follows:

[Roll No. 458]

YEAS—224

Aderholt	Clawson (FL)	Foxx
Amash	Coble	Franks (AZ)
Amodei	Coffman	Frelinghuysen
Bachmann	Cole	Gardner
Bachus	Collins (GA)	Garrett
Barletta	Collins (NY)	Gerlach
Barr	Conaway	Gibbs
Barton	Cook	Gibson
Benishek	Cotton	Gingrey (GA)
Bentivolio	Cramer	Gohmert
Bilirakis	Crawford	Goodlatte
Bishop (UT)	Crenshaw	Gosar
Black	Culberson	Gowdy
Blackburn	Daines	Granger
Boustany	Davis, Rodney	Graves (GA)
Bridenstine	Denham	Griffin (AR)
Brooks (AL)	Dent	Griffith (VA)
Brooks (IN)	DeSantis	Grimm
Broun (GA)	Diaz-Balart	Guthrie
Buchanan	Duffy	Hall
Buchson	Duncan (SC)	Hanna
Burgess	Duncan (TN)	Harper
Byrne	Ellmers	Harris
Calvert	Farenthold	Hartzler
Camp	Fincher	Hastings (WA)
Campbell	Fitzpatrick	Heck (NV)
Cantor	Fleischmann	Hensarling
Capito	Fleming	Herrera Beutler
Carter	Flores	Holding
Chabot	Forbes	Hudson
Chaffetz	Fortenberry	Huelskamp

Huizenga (MI)	Mica	Schock
Hultgren	Miller (FL)	Schweikert
Hunter	Miller (MI)	Scott, Austin
Hurt	Mullin	Sensenbrenner
Jenkins	Mulvaney	Sessions
Johnson (OH)	Murphy (PA)	Shimkus
Johnson, Sam	Neugebauer	Shuster
Jolly	Noem	Simpson
Jones	Nugent	Smith (MO)
Jordan	Nunes	Smith (NE)
Joyce	Olson	Smith (NJ)
Kelly (PA)	Palazzo	Smith (TX)
King (IA)	Paulsen	Southerland
King (NY)	Pearce	Stewart
Kingston	Perry	Stivers
Kinzinger (IL)	Petri	Stockman
Kline	Pittenger	Stutzman
Labrador	Poe (TX)	Terry
LaMalfa	Posey	Thompson (PA)
Lamborn	Price (GA)	Thornberry
Lance	Reed	Tiberi
Lankford	Reichert	Tipton
Latham	Renacci	Turner
Latta	Ribble	Upton
LoBiondo	Rice (SC)	Valadao
Long	Rigell	Wagner
Lucas	Roby	Walberg
Luetkemeyer	Roe (TN)	Walden
Lummis	Rogers (AL)	Walorski
Marchant	Rogers (KY)	Weber (TX)
Marino	Rogers (MI)	Webster (FL)
Massie	Rohrabacher	Wenstrup
McAllister	Rokita	Westmoreland
McCarthy (CA)	Rooney	Whitfield
McCaul	Ros-Lehtinen	Williams
McClintock	Roskam	Wilson (SC)
McHenry	Ross	Wittman
McKeon	Rothfus	Wolf
McKinley	Royce	Womack
McMorris	Runyan	Woodall
Rodgers	Ryan (WI)	Yoder
Meadows	Salmon	Yoho
Meehan	Sanford	Young (AK)
Messer	Scalise	Young (IN)

NAYS—192

Barber	Eshoo	Luján, Ben Ray
Barrow (GA)	Esty	(NM)
Bass	Farr	Lynch
Beatty	Fattah	Maffei
Becerra	Foster	Maloney,
Bera (CA)	Frankel (FL)	Carolyn
Bishop (GA)	Fudge	Maloney, Sean
Bishop (NY)	Gabbard	Matheson
Blumenauer	Galleo	Matsui
Bonamici	Garamendi	McCarthy (NY)
Brady (PA)	Garcia	McCollum
Braley (IA)	Grayson	McDermott
Brown (FL)	Green, Al	McGovern
Brownley (CA)	Green, Gene	McIntyre
Bustos	Grijalva	McNerney
Butterfield	Gutiérrez	Meeks
Capps	Hahn	Meng
Capuano	Hastings (FL)	Michaud
Cárdenas	Heck (WA)	Miller, George
Carney	Higgins	Moore
Castor (FL)	Himes	Moran
Castro (TX)	Holt	Murphy (FL)
Chu	Honda	Nadler
Cicilline	Horsford	Napolitano
Clark (MA)	Hoyer	Neal
Clarke (NY)	Huffman	Negrete McLeod
Clay	Israel	Nolan
Clyburn	Jackson Lee	O'Rourke
Cohen	Jeffries	Owens
Connolly	Johnson (GA)	Pallone
Conyers	Johnson, E. B.	Pascarell
Cooper	Kaptur	Pastor (AZ)
Costa	Keating	Payne
Courtney	Kelly (IL)	Pelosi
Crowley	Kennedy	Peters (CA)
Cuellar	Kildee	Peters (MI)
Cummings	Kilmer	Peterson
Davis (CA)	Kind	Pingree (ME)
Davis, Danny	Kirkpatrick	Pocan
DeFazio	Kuster	Polis
DeGette	Langevin	Price (NC)
Delaney	Larsen (WA)	Quigley
DeLauro	Larson (CT)	Rahall
DelBene	Lee (CA)	Rangel
Deutch	Levin	Richmond
Dingell	Lewis	Roybal-Allard
Doggett	Lipinski	Ruiz
Doyle	Loebach	Ruppersberger
Duckworth	Lofgren	Rush
Edwards	Lowenthal	Sánchez, Linda
Ellison	Lowe	T.
Engel	Lujan Grisham	Sanchez, Loretta
Enyart	(NM)	Sarbanes

Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
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—16

Brady (TX)  
Carson (IN)  
Cartwright  
Cassidy  
Cleaver  
DesJarlais

Graves (MO)  
Hanabusa  
Hinojosa  
Issa  
Miller, Gary  
Nunnelee

Perlmutter  
Pitts  
Pompeo  
Ryan (OH)

## □ 1331

Messrs. GRIJALVA, CONYERS, and GARCIA changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 458, had I been present, I would have voted “no.”

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. POLIS. 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 225, noes 192, not voting 15, as follows:

[Roll No. 459]

## AYES—225

Aderholt  
Amash  
Amodei  
Bachmann  
Bachus  
Barletta  
Barr  
Benishek  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Boustany  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Byrne  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carter  
Chabot  
Chaffetz  
Clawson (FL)  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Costa  
Cotton  
Cramer

Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Garamendi  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
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  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jolly  
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  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Paulsen  
Pearce  
Perry  
Petri  
Pittenger  
Poe (TX)  
Posey  
Price (GA)

Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)

Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IN)

## NOES—192

Barber  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshom  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garcia

Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
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  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George

Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Kaptur  
Quigley  
Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
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—15

Barton  
Brady (TX)  
Carson (IN)  
Cartwright  
Cassidy

Cleaver  
DesJarlais  
Graves (MO)  
Hanabusa  
Issa

Miller, Gary  
Nunnelee  
Perlmutter  
Pitts  
Pompeo

## □ 1339

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.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## □ 1345

## LONGSHORE AND HARBOR WORKERS' COMPENSATION CLARIFICATION ACT OF 2014

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3896) to amend the Longshore and Harbor Workers' Compensation Act to provide a definition of recreational vessel for purposes of such Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

## H.R. 3896

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

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Longshore and Harbor Workers' Compensation Clarification Act of 2014”.

## SEC. 2. DEFINITION OF RECREATIONAL VESSEL.

(a) DEFINITION.—Section 2 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 902) is amended—

(1) by redesignating paragraph (22) as paragraph (23); and

(2) by inserting after paragraph (21) the following:

“(22)(A) The term ‘recreational vessel’ means a vessel—

“(i) being manufactured or operated primarily for pleasure; or

“(ii) leased, rented, or chartered to another for the latter's pleasure.

“(B) In applying the definition in subparagraph (A), the following rules apply:

“(i) A vessel being manufactured or built, or being repaired under warranty by its manufacturer or builder, is a recreational vessel if the vessel appears intended, based on its design and construction, to be for ultimate recreational uses. The manufacturer or builder bears the burden of establishing that a vessel is recreational under this standard.

“(ii) A vessel being repaired, dismantled for repair, or dismantled at the end of its life will be treated as recreational at the time of