

resolution and on the preamble, as amended.

The question is on the resolution, as amended.

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

Mr. McKEON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 249, nays 163, not voting 19, as follows:

## [Roll No. 485]

## YEAS—249

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

Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)

Wittman  
Wolf  
Womack  
Woodall  
Yoder

Yoho  
Young (AK)  
Young (IN)

## NAYS—163

Barber	Gutiérrez	Negrete McLeod
Bass	Hahn	Nolan
Beatty	Hanabusa	Owens
Becerra	Hastings (FL)	Pallone
Bishop (GA)	Heck (WA)	Pascarell
Bishop (NY)	Higgins	Pastor (AZ)
Blumenauer	Himes	Payne
Bonamici	Hinojosa	Perlmutter
Brady (PA)	Holt	Peters (CA)
Brown (FL)	Honda	Pingree (ME)
Butterfield	Horsford	Pocan
Capps	Hoyer	Polis
Capuano	Huffman	Price (NC)
Cárdenas	Israel	Quigley
Carney	Jackson Lee	Rangel
Carson (IN)	Jeffries	Richmond
Cartwright	Johnson (GA)	Roybal-Allard
Castor (FL)	Johnson, E. B.	Ruppersberger
Castro (TX)	Kaptur	Ryan (OH)
Chu	Keating	Sánchez, Linda
Clay	Kelly (IL)	T.
Cleaver	Kennedy	Sanchez, Loretta
Clyburn	Kildee	Sarbanes
Cohen	Kilmer	Schakowsky
Connolly	Kind	Schiff
Conyers	Kirkpatrick	Schneider
Cooper	Kuster	Schwartz
Courtney	Langevin	Scott (VA)
Crowley	Larsen (WA)	Scott, David
Cummings	Larson (CT)	Serrano
Davis (CA)	Levin	Shea-Porter
Davis, Danny	Lewis	Sherman
DeFazio	Loeb sack	Sires
DeGette	Lofgren	Slaughter
Delaney	Lowenthal	Smith (WA)
DeLauro	Lowe	Speier
DelBene	Lujan Grisham	Swalwell (CA)
Deutch	(NM)	Takano
Doggett	Lujan, Ben Ray	Thompson (CA)
Doyle	(NM)	Thompson (MS)
Duckworth	Lynch	Titus
Edwards	Maffei	Tonko
Ellison	Maloney, Sean	Tsongas
Enyart	Matsui	Van Hollen
Eshoo	McCarthy (NY)	Vargas
Esty	McCollum	Veasey
Farr	McDermott	Vela
Fattah	McGovern	Visclosky
Foster	McNerney	Wasserman
Frankel (FL)	Meng	Schultz
Fudge	Miller, George	Waters
Garamendi	Moore	Waxman
Grayson	Moran	Welch
Green, Al	Nadler	Wilson (FL)
Green, Gene	Napolitano	Yarmuth
Grijalva	Neal	

## NOT VOTING—19

Cicilline	Lee (CA)	Olson
Clark (MA)	Maloney	Pelosi
Clarke (NY)	Carolyn	Rush
DesJarlais	McIntyre	Sewell (AL)
Dingell	Meeks	Tierney
Engel	Miller, Gary	Velázquez
King (IA)	Nunnelee	

## □ 1655

Mr. CARSON of Indiana changed his vote from "yea" to "nay."

Mr. FARENTHOLD changed his vote from "nay" to "yea."

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: "Resolution condemning and disapproving of the failure of the Obama administration to comply with the lawful statutory requirement to notify Congress before transferring individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and expressing concern about the national security risks over the transfer of five Taliban leaders and the repercussions of negotiating with terrorists."

A motion to reconsider was laid on the table.

Stated for:

Mr. MCINTYRE. Mr. Speaker, during rollcall vote No. 485 on September 9, 2014, I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. OLSON. Mr. Speaker, on rollcall No. 485, had I been present, I would have voted "aye."

## WATERS OF THE UNITED STATES REGULATORY OVERREACH PROTECTION ACT OF 2014

The SPEAKER pro tempore. Pursuant to House Resolution 715 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. 5078.

Will the gentleman from Georgia (Mr. COLLINS) kindly take the chair.

## □ 1656

## 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. 5078) to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 3 printed in House Report 113-581 offered by the gentleman from New York (Mr. BISHOP) 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 House Report 113-581 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. BISHOP of New York.

Amendment No. 3 by Mr. BISHOP of New York.

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

## AMENDMENT NO. 2 OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes 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 163, noes 248, not voting 20, as follows:

[Roll No. 486]

## AYES—163

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

## NOES—248

Aderholt	Coffman	Gibbs
Amash	Cole	Gohmert
Amodel	Collins (GA)	Goodlatte
Bachmann	Collins (NY)	Gosar
Bachus	Conaway	Gowdy
Barletta	Cook	Granger
Barr	Costa	Graves (GA)
Barrow (GA)	Cotton	Graves (MO)
Barton	Cramer	Grayson
Benishek	Crawford	Green, Gene
Bentivolio	Crenshaw	Griffin (AR)
Bilirakis	Cuellar	Griffith (VA)
Bishop (GA)	Culberson	Grimm
Bishop (UT)	Daines	Guthrie
Black	Davis, Rodney	Hall
Blackburn	Denham	Hanna
Boustany	Dent	Harper
Brady (TX)	DeSantis	Harris
Bridenstine	Diaz-Balart	Hartzler
Brooks (AL)	Duffy	Hastings (WA)
Brooks (IN)	Duncan (SC)	Heck (NV)
Broun (GA)	Duncan (TN)	Hensarling
Buchanan	Ellmers	Herrera Beutler
Bucshon	Farenthold	Holding
Burgess	Fincher	Hudson
Byrne	Fitzpatrick	Huelskamp
Calvert	Fleischmann	Huizenga (MI)
Camp	Fleming	Hultgren
Campbell	Flores	Hunter
Capito	Forbes	Hurt
Cárdenas	Fortenberry	Issa
Carter	Fox	Jeffries
Cassidy	Franks (AZ)	Jenkins
Chabot	Frelinghuysen	Johnson (OH)
Chaffetz	Gallego	Johnson, Sam
Chu	Gardner	Jolly
Clawson (FL)	Garrett	Jones
Coble	Gerlach	Jordan

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

## NOT VOTING—20

Cicilline	Engel	McIntyre
Clark (MA)	Enyart	Meeks
Clarke (NY)	Gingrey (GA)	Nunnelee
Davis, Danny	King (IA)	Rush
DesJarlais	Lee (CA)	Sewell (AL)
Dingell	Maloney,	Tierney
Ellison	Carolyn	Velázquez

□ 1702

Mr. THOMPSON of Mississippi changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MCINTYRE. Mr. Chair, during rollcall vote No. 486 on September 9, 2014, I was unavoidably detained. Had I been present, I would have voted “yes.”

AMENDMENT NO. 3 OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes 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 170, noes 240, not voting 21, as follows:

[Roll No. 487]

## AYES—170

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

## NOES—240

Aderholt	Coffman	Gerlach
Amash	Cole	Gibbs
Amodel	Collins (GA)	Gibson
Bachmann	Collins (NY)	Gingrey (GA)
Bachus	Conaway	Gohmert
Barletta	Cook	Goodlatte
Barr	Costa	Gosar
Barrow (GA)	Cotton	Gowdy
Barton	Cramer	Granger
Benishek	Crawford	Graves (GA)
Bentivolio	Crenshaw	Graves (MO)
Bilirakis	Cuellar	Green, Gene
Bishop (GA)	Culberson	Griffin (AR)
Bishop (UT)	Daines	Griffith (VA)
Black	Davis, Rodney	Grimm
Blackburn	Denham	Guthrie
Boustany	Dent	Hall
Brady (TX)	DeSantis	Hanna
Bridenstine	Duffy	Harper
Brooks (AL)	Duncan (SC)	Harris
Brooks (IN)	Duncan (TN)	Hartzler
Broun (GA)	Ellmers	Hastings (WA)
Buchanan	Enyart	Heck (NV)
Bucshon	Farenthold	Hensarling
Burgess	Fincher	Herrera Beutler
Byrne	Fitzpatrick	Holding
Calvert	Fleischmann	Hudson
Camp	Fleming	Huelskamp
Campbell	Flores	Huizenga (MI)
Capito	Forbes	Hultgren
Carter	Fortenberry	Hunter
Cassidy	Fox	Hurt
Chabot	Franks (AZ)	Issa
Chaffetz	Frelinghuysen	Jenkins
Clawson (FL)	Gardner	Johnson (OH)
Coble	Garrett	Johnson, Sam

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

## NOT VOTING—21

Castor (FL)	Honda	Peters (CA)
Cicilline	King (IA)	Rush
Clark (MA)	Lee (CA)	Sewell (AL)
Clarke (NY)	Maloney,	Tierney
DesJarlais	Carolyn	Tsongas
Diaz-Balart	McIntyre	Velázquez
Dingell	Meeks	
Engel	Nunnelee	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1707

Mr. GINGREY of Georgia changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MCINTYRE. Mr. Chair, during rollcall vote No. 487 on September 9, 2014, I was unavoidably detained. Had I been present, I would have voted “yes.”

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Mr. COLLINS of Georgia, 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. 5078) to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes, and, pursuant to House Resolution 715, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. HUFFMAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HUFFMAN. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Huffman moves to recommit the bill H.R. 5078 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

**SEC. \_\_\_\_ . PROTECTING THE QUALITY OF WATER FOR PUBLIC WATER SUPPLIES AND AGRICULTURAL USES AND TO MITIGATE AGAINST DROUGHT.**

Nothing in this Act affects the authority of the Secretary or Administrator to protect the quality of surface water that is available—

(1) for public water supplies, which are a significance source of drinking water for municipalities;

(2) for agricultural uses, including irrigation; or

(3) to mitigate against the harmful impact of drought.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, the underlying bill before us today will make it harder for the Army Corps of Engineers and the EPA to clarify the jurisdictional coverage of the Clean Water Act, leaving watersheds across the country in continued legal limbo.

Now, I have visited with ranchers, landowners, and folks from around my district. I understand the anxieties that have been expressed about what the Waters of the United States rule-making means, but the solution to this situation is to seek tighter definitions and clearer rules, not to prohibit agencies from further developing an important proposal.

In particular, I am concerned that H.R. 5078 could have unintended consequences for those who rely on healthy watersheds. We need clarity in the law, so that we can protect water quality for drinking water supplies and for agricultural uses.

We are suffering from a historic drought in California, and the current legal mess—the ambiguity of what qualifies as waters of the U.S. under the Clean Water Act—actually makes it harder to know which water bodies are covered by the law.

It makes it harder to protect upstream wetlands that reach our groundwater supplies. The importance of these intermittent streams and wetlands is most notable during extreme

weather events like torrential rains or droughts because wetlands and streams can absorb and then release water gradually to surrounding streams and aquifers.

This underlying bill would keep regulatory uncertainty in place, and it could leave upstream water sources subject to expensive and long-lasting litigation. That situation is not good for the communities in my district who need clean drinking water and clean water for their businesses. It is not good for my downstream ranchers who are already facing water shortages and are hurting from rising feed prices.

Now, remember, Mr. Speaker and colleagues, that the current proposal from the EPA and the Army Corps is actually very narrowly targeted.

Under President Reagan, the Clean Water Act covered any body of water that could serve as habitat for migratory birds, a much more far-reaching standard than the one the Obama administration is considering.

The GAO determined in 2004 that the Reagan rule would have allowed the Army Corps to regulate almost any body of water or wetland. Let's remember that when we hear the characterizations of the Obama administration's proposal as some vast overreach, it is far more narrowly tailored than what existed under President Reagan.

Right now, the Federal agencies have a proposal—again, much less expansive than President Reagan's—that they are reviewing with ranchers, with water utilities, and with States. It should be, it can be, and I believe it will be a workable proposal. We should let that process play out.

Let's not make the current situation worse. Let's ensure that this bill doesn't harm drinking water or water supplies for irrigation needs. Let's ensure that we aren't making it harder to respond to an extreme drought. I ask my colleagues to support this motion to recommit.

I yield back the balance of my time.

□ 1715

Mr. SHUSTER. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Speaker, I must strongly oppose this motion to recommit because it basically aims to gut the underlying bill. The purpose of H.R. 5078 is to uphold the Federal-State partnership in regulating the Nation's waters by maintaining a balance between the States and the Federal Government in carrying out the Clean Water Act.

H.R. 5078 restricts the administration's current administrative efforts to expand Federal jurisdiction under the Clean Water Act, and requires the agencies to engage in a federalism consultation with the State and local government partners in implementing the Clean Water Act. However, this motion is designed to undermine the legislation by giving the EPA unfettered discretion in making State water quality

determinations in order to allow the administration to continue implementing its flawed rule. In effect, the amendment says that the underlying bill will not apply virtually anywhere the EPA decides that the bill should not apply. This amendment would further erode the Federal and State partnership that H.R. 5078 seeks to preserve.

I would urge all 435 Members of this body to take notice. This is another attempt by the executive branch to take Congress' constitutional authority away from us. We should all take this as a serious challenge to us. For too long, this body has allowed the executive branch to take our authority granted to us by the Constitution. I say whether it is a Republican or a Democrat administration, we have to stop that. This bill, H.R. 5078, is a step in the right direction.

H.R. 5078 is a good bill that maintains the balance of our Nation's water. We must preserve the State and Federal partnership that has existed under the Clean Water Act until this administration chose to impose an overbearing EPA on our States.

I urge a "no" vote, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

#### RECORDED VOTE

Mr. HUFFMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was 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 passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 235, not voting 19, as follows:

[Roll No. 488]

#### AYES—177

Barber	Cohen	Frankel (FL)
Bass	Connolly	Fudge
Beatty	Conyers	Gabbard
Becerra	Cooper	Garamendi
Bera (CA)	Costa	Garcia
Bishop (GA)	Courtney	Grayson
Bishop (NY)	Crowley	Green, Al
Blumenauer	Cummings	Green, Gene
Bonamici	Davis (CA)	Grijalva
Brady (PA)	Davis, Danny	Gutiérrez
Brown (FL)	DeFazio	Hahn
Brownley (CA)	DeGette	Hanabusa
Bustos	Delaney	Hastings (FL)
Butterfield	DeLauro	Heck (WA)
Capps	DelBene	Higgins
Capuano	Deutch	Himes
Cárdenas	Doggett	Hinojosa
Carney	Doyle	Holt
Carson (IN)	Duckworth	Honda
Cartwright	Edwards	Horsford
Castor (FL)	Ellison	Hoyer
Castro (TX)	Eshoo	Huffman
Chu	Esty	Israel
Clay	Farr	Jackson Lee
Cleaver	Fattah	Jeffries
Clyburn	Foster	Johnson (GA)

Johnson, E. B.	Michaud	Schakowsky
Kaptur	Miller, George	Schiff
Keating	Moore	Schneider
Kelly (IL)	Moran	Schwartz
Kennedy	Murphy (FL)	Scott (VA)
Kildee	Nadler	Serrano
Kilmer	Napolitano	Shea-Porter
Kind	Neal	Sherman
Kirkpatrick	Negrete McLeod	Sinema
Kuster	Nolan	Sires
Langevin	O'Rourke	Slaughter
Larsen (WA)	Owens	Smith (WA)
Larson (CT)	Pallone	Speier
Levin	Pascrell	Swalwell (CA)
Lewis	Pastor (AZ)	Takano
Lipinski	Payne	Thompson (CA)
Loeback	Pelosi	Thompson (MS)
Lofgren	Perlmutter	Titus
Lowenthal	Peters (CA)	Tonko
Lowe	Peters (MI)	Tsongas
Lujan Grisham	Pingree (ME)	Van Hollen
(NM)	Polis	Vargas
Lujan, Ben Ray	Price (NC)	Veasey
(NM)	Quigley	Vela
Lynch	Rangel	Visclosky
Maffei	Richmond	Walz
Maloney, Sean	Roybal-Allard	Wasserman
Matsui	Ruiz	Schultz
McCarthy (NY)	Ruppersberger	Waters
McCollum	Ryan (OH)	Waxman
McDermott	Sanchez, Linda	Welch
McGovern	T.	Wilson (FL)
McIntyre	Sanchez, Loretta	Yarmuth
McNerney	Sarbanes	
Meng		

#### NOES—235

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

Runyan	Smith (TX)	Walorski
Ryan (WI)	Southerland	Weber (TX)
Salmon	Stewart	Webster (FL)
Sanford	Stivers	Wenstrup
Scalise	Stockman	Westmoreland
Schock	Stutzman	Whitfield
Schrader	Terry	Williams
Schweikert	Thompson (PA)	Wilson (SC)
Scott, Austin	Thornberry	Wittman
Sensenbrenner	Tiberi	Wolf
Sessions	Tipton	Womack
Shimkus	Turner	Woodall
Shuster	Upton	Yoder
Simpson	Valadao	Yoho
Smith (MO)	Wagner	Young (AK)
Smith (NE)	Walberg	Young (IN)
Smith (NJ)	Walden	

#### NOT VOTING—19

Braley (IA)	Duffy	Nunnelee
Cicilline	Engel	Rush
Clark (MA)	King (IA)	Scott, David
Clarke (NY)	Lee (CA)	Sewell (AL)
Davis, Rodney	Maloney,	Tierney
DesJarlais	Carolyn	Velázquez
Dingell	Meeks	

□ 1724

Mr. GALLEGO changed his vote from "aye" to "no."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRALEY of Iowa. Mr. Speaker, on roll-call No. 488, had I been present, I would have voted "yes."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 262, nays 152, not voting 17, as follows:

[Roll No. 489]

#### YEAS—262

Aderholt	Clyburn	Gallego
Amash	Coble	Garamendi
Amodei	Coffman	Garcia
Bachmann	Cole	Gardner
Bachus	Collins (GA)	Garrett
Barber	Collins (NY)	Gerlach
Barletta	Conaway	Gibbs
Barr	Cook	Gibson
Barrow (GA)	Costa	Gingrey (GA)
Barton	Cotton	Gohmert
Benishek	Cramer	Goodlatte
Bentivolio	Crawford	Gosar
Bilirakis	Crenshaw	Gowdy
Bishop (GA)	Cuellar	Granger
Bishop (UT)	Culberson	Graves (GA)
Black	Daines	Graves (MO)
Blackburn	Denham	Green, Gene
Boustany	Dent	Griffin (AR)
Brady (TX)	DeSantis	Griffith (VA)
Bridenstine	Diaz-Balart	Grimm
Brooks (AL)	Duffy	Guthrie
Brooks (IN)	Duncan (SC)	Hall
Broun (GA)	Duncan (TN)	Hanna
Buchanan	Ellmers	Harper
Bucshon	Enyart	Harris
Burgess	Farenthold	Hartzler
Bustos	Farr	Hastings (FL)
Byrne	Fincher	Hastings (WA)
Calvert	Fitzpatrick	Heck (NV)
Camp	Fleischmann	Hensarling
Campbell	Fleming	Herrera Beutler
Capito	Flores	Holding
Carter	Forbes	Horsford
Cassidy	Fortenberry	Hudson
Chabot	Fox	Huelskamp
Chaffetz	Franks (AZ)	Huizenga (MI)
Clawson (FL)	Frelinghuysen	Hultgren
Cleaver	Fudge	Hunter

Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Kelly (IL)  
Kelly (PA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Loeb sack  
Long  
Lucas  
Luetkemeyer  
Lummis  
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

## NAYS—152

Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castro (TX)  
Chu  
Clay  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Deutch  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Eshoo  
Esty  
Fattah  
Foster  
Frankel (FL)  
Gabbard

Mullin  
Mulvaney  
Murphy (PA)  
Negrete McLeod  
Neugebauer  
Noem  
Nugent  
Nunes  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce  
Perry  
Peterson  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Ruiz  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock

Schrader  
Schweikert  
Scott, Austin  
Scott, David  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Veasey  
Vela  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IN)

Takano  
Thompson (CA)  
Titus  
Tonko  
Tsongas

Van Hollen  
Vargas  
Visclosky  
Wasserman  
Schultz

Waters  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—17

Castor (FL)  
Cicilline  
Clark (MA)  
Clarke (NY)  
Davis, Rodney  
DesJarlais

Dingell  
Engel  
King (IA)  
Lee (CA)  
Maloney,  
Carolyn

Meeks  
Nunnelee  
Rush  
Sewell (AL)  
Tierney  
Velázquez

□ 1731

Ms. WATERS changed her vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Started for:

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on rollcall No. 489, I placed voting card in machine and it did not register. Had I been present, I would have voted “yes.”

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3522, EMPLOYEE HEALTH CARE PROTECTION ACT OF 2013

Mr. BURGESS from the Committee on Rules, submitted a privileged report (Rept. No. 113-584) on the resolution (H. Res. 717) providing for consideration of the bill (H.R. 3522) to authorize health insurance issuers to continue to offer for sale current group health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### 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.

#### EXTENSION OF ENFORCEMENT INSTRUCTION FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2014

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4067) to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4067

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

#### SECTION 1. EXTENSION OF ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2014.

The Secretary of Health and Human Services shall continue to apply through calendar year 2014 the enforcement instruction described in the notice of the Centers for Medicare & Medicaid Services entitled “Enforcement Instruction on Supervision Requirements for Outpatient Therapeutic Services in Critical Access and Small Rural Hospitals for CY 2013”, dated November 1, 2012 (providing for an exception to the restatement and clarification under the final rulemaking changes to the Medicare hospital outpatient prospective payment system and calendar year 2009 payment rates (published in the Federal Register on November 18, 2008, 73 Fed. Reg. 68702 through 68704) with respect to requirements for direct supervision by physicians for therapeutic hospital outpatient services).

The SPEAKER pro tempore (Mr. WENSTRUP). Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4067, which provides for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014. This was a bill introduced by Congresswoman JENKINS of Kansas.

Mr. Speaker, this is a commonsense solution to a problem that has the potential to limit or delay access to health care for America's seniors in rural communities.

The bill would delay until the end of the year enforcement of supervision requirements for outpatient therapeutic services in critical access hospitals. This delay would give the Centers for Medicaid and Medicare Services and provider groups time to identify which services will eventually fall under the requirement.

I ask my colleagues to support this important piece of legislation and reserve the balance of my time.

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

Mr. Speaker, H.R. 4067 would suspend current enforcement of Medicare rules relating to physician supervision of staff in rural and critical access hospitals for certain outpatient therapeutic services. Enforcement of these rules was delayed from 2009 through 2013, but began again in January of this