

Ms. TITUS. Mr. Speaker, earlier today, the Republican members of the House Veterans' Affairs Committee, with one notable exception, voted to deny LGBT veterans the Federal VA benefits they have earned if they happen to live in a State that does not recognize marriage equality.

The Defense Department provides for LGBT soldiers and their families, regardless of where they live, but not the VA. While they are wearing a uniform, they and their families are covered, but once they take it off and become a veteran, too bad. If they live in Florida or Texas or Nevada, too bad.

It doesn't matter that they fought to defend this country, not a particular State. It doesn't matter that the VA and the VSOs support giving them benefits. It doesn't matter how brave they were, how much they sacrificed, or how long and honorably they served, too bad. They get nothing, according to the Republicans.

This is unfair and unjust, and they should be ashamed for lacking the courage to do the right thing by our Nation's heroes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 10, 2014.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 10, 2014 at 9:22 a.m.:

That the Senate passed S. 1934.

That the Senate passed S. 898.

That the Senate agreed to S. Res. 539.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 3522, EMPLOYEE HEALTH CARE PROTECTION ACT OF 2014

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 717 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 717

Resolved, That upon adoption of this resolution it shall be in order to consider in the House 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. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-56, modified by the amendment

printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit with or without instructions.

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

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), 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.

□ 1245

GENERAL LEAVE

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

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 717 provides for consideration of H.R. 3522, the Employer Health Care Protection Act. The rule provides for 1 hour of debate controlled by the Committee on Energy and Commerce, equally divided between the majority and minority. One clarifying amendment has been included to clarify that group health plans for the upcoming year can be covered under 2013 plans. The minority is afforded the customary opportunity to offer one motion to recommit, should they so choose. This is a fair rule to allow us to give some relief to Americans who want to keep their health insurance plan but are being told that, because of the Affordable Care Act, they may not.

Mr. Speaker, it seems that the President has quickly forgotten some of the promises he made to the American people about this law. In a June 2009 speech before the American Medical Association, President Obama, addressing the house of delegates, said:

We will keep this promise to the American people. If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you'll be able to keep your health care plan, period. No one will take it away, no matter what.

In March of 2010, the President said:

Your employer, it's estimated, will see premiums fall by as much as 3,000 percent, which means they could give you a raise.

It is obvious that both statements were not only nonoperational, they were completely false. Individuals and businesses have experienced or will face in the future the loss of current health insurance if it does not comply with Affordable Care Act coverage re-

quirements. The Affordable Care Act is, quite simply, a job killer. Employers are reducing hours and limiting pay increases just to keep up with the demands of the law.

Just a few weeks ago, the Federal Reserve Bank of New York reported that over half of employers are changing insurance in response to the Affordable Care Act. These changes aren't being done for the benefit of the employees. All across the country, employees have lost doctors, seen premiums rise, seen hours cut, or had their coverage dropped. This will continue as long as the Affordable Care Act continues with the benefit mandates, burdensome taxes, and unreasonable regulation. In fact, employees are paying more in out-of-pocket costs than ever before. Premiums have skyrocketed under the Affordable Care Act, but access to doctors has narrowed.

Today, H.R. 3522 offers a solution to this problem. This bill would allow employer-sponsored plans that were available at any point in 2013 to continue to be offered. This bill would also help protect both employers offering these plans and their employees enrolled in them from the Affordable Care Act's costly taxes and penalties.

The President recognizes that there are serious flaws in his signature health care law, a law that he championed and, in fact, was written at the White House. Since the law was passed, the President has signed seven bills into law that repealed parts of the Affordable Care Act, bills that passed both the House and the Senate, went to the President for his signature, and he signed them.

In addition to these statutory changes, there have been attempts to fix this broken law through a series of unilateral executive orders and regulations. Can we really expect the same administration that wrote this disastrous law to now fix it?

Last year, the President unilaterally decided to delay the employer mandate. Even the administration doesn't believe that businesses and their employees can handle the burdens imposed by the Affordable Care Act.

H.R. 3522 is offering the American people a legal solution to get out from under the crushing demands of the health care law. The law would grandfather in employer plans that existed before the law went into effect. With the passage of this bill before us today, no employee would have to lose their coverage or have their out-of-pocket costs soar because of the Affordable Care Act.

It is clear that H.R. 3522 offers the only feasible lifeline to millions of employees who want to keep their health care plan. It is Congress' job to protect the American people. I urge men and women on both sides of the aisle to pass this law so that Americans will have the opportunity to keep their plans and their doctors and reduce their out-of-pocket costs.

To be clear, this bill before us today, if signed into law, will not fix the Affordable Care Act. No piece of legislation, short of a full-fledged repeal, could ever achieve that. The bill we are voting on today serves to stop the hemorrhaging that is occurring as a consequence of this ill-conceived government takeover of the American health care industry. As a physician, I know that sometimes it is important to just stop the hemorrhage if you are going to save the patient. That is what the House of Representatives will do today. I hope all colleagues from both sides of the dais will support this.

I encourage everyone to vote “yes” on the rule and “yes” on the underlying bill and stand with millions of Americans who are losing their employer health care coverage and access to their doctors, despite what has been promised to them repeatedly by this disastrous law.

I reserve the balance of my time.

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

I am hearing quotes given about what people promised when and what is happening now, and yet under this very rule that we are considering, I fail to see how it is consistent with promises that our current Speaker has made.

On January 5, 2011, our current Speaker, promised:

You will always have the right to a robust debate and open process that allows you to represent your constituents, to make your case, offer alternatives, and to be heard. Furthermore, to my friends in the minority, I offer a commitment: openness.

And yet how ironic is it that this very rule is the 75th closed rule of the 113th Congress?

Now, what does a closed rule mean? A closed rule means that even if Democrats or Republicans have great ideas about how to improve or amend a bill, they are not even allowed to be discussed or voted upon on the floor of the House.

A closed rule means the only say that I or my friends get as Members of Congress is to say “yes” or “no.” We don’t get to improve upon the idea. We don’t get to make it work better for our country. We don’t get to offer changes that will reduce costs to taxpayers or improve the efficiency of the bill.

We had a commitment from this current Speaker to have an open process, and yet here we have before us the 75th closed rule. This is the diamond jubilee of closed rules that we are celebrating here on the floor of the House today with this 75th closed rule that doesn’t allow my Democratic or Republican colleagues to bring forth simple, commonsense ideas to improve the bill before us and make it work for our country.

In addition to the diamond jubilee of closed rules, we also have the 53rd attempted repeal of ObamaCare, or the Affordable Care Act. Now, we get that.

Our friends on the other side want to repeal the Affordable Care Act. We have heard that. This is the 53rd time we have heard that.

Whenever our colleagues on the other side are serious about rolling up their sleeves and working in a bipartisan way to improve the Affordable Care Act, to make it work better for our country, to increase competition, to reduce costs, we are happy to have that discussion.

I myself am the sponsor of several bills to change the Affordable Care Act, as are many of my colleagues on both sides of the aisle, but instead of having that discussion, we are having the 53rd vote to repeal the Affordable Care Act under the 75th closed rule of the current Congress. I think the American people are learning no longer to be surprised by these kinds of maneuvers. We wonder why the approval of rating Congress is at a record low of 12 percent.

There was a commitment from our Speaker to allow us to represent our constituents, to allow us to make our case, to allow us to offer alternatives. We are going to do that under the previous question. We are going to do that under the motion to recommit. But in terms of actually being able to amend this bill, the process has been closed, not only from my fellow Democrats, but from the many fine Republicans who have ideas to make this bill better and make health care more affordable.

This Congress deserves better, and I know that we can do better.

I know that under this rule, my colleague, Mr. BURGESS, managed to have his amendment included. They use a self-executed amendment in the rule. That means that by passing this rule there is a special amendment that actually becomes part of the bill. We don’t even have the opportunity to debate the merits of that amendment, whatever they are, but any other ideas from Democrats or Republicans are closed down for the 75th time. They are not even able to bring them forward.

My colleagues have a lot of ideas for improving the Affordable Care Act. I am the sponsor of a number of bills. Rather than bringing forth the 53rd repeal of the Affordable Care Act, let’s move forward. The country is ready to go. Let’s make sure that Americans that have used the health care marketplace to enroll in affordable, high-quality health care are able to continue doing so. Let’s make sure we improve the Affordable Care Act rather than end it.

Instead of rolling back protections that benefit millions of Americans, let’s get back to work on the issues that matter, like reducing costs in health care, like fixing our broken immigration, like raising the minimum wage and making sure that we can get our economy going with an infrastructure investment.

For instance, on immigration reform alone, this body’s failure to act continues to cost taxpayers money every day. There is a bill that passed the

Senate with more than a two-thirds majority. That is not easy to do over there. If that bill were simply allowed to come to a vote in the open process that the Speaker promised and allow us to vote for our constituents, I think it would pass.

We have a bipartisan bill in the House called H.R. 15. It is a version of the Senate bill. We can bring that bill forward under a rule. Let’s do it. It will pass tomorrow and address our broken immigration system and save taxpayers over \$200 billion over 10 years, create hundreds of thousands of jobs for Americans, secure our borders, and make sure that the rule of law in our country is restored. The longer we put that off, the worse that issue becomes and the harder it will be to address.

Again, while this bill is an anniversary of sorts—the diamond jubilee of closed bills and the 53rd attempt to repeal the Affordable Care Act—it doesn’t offer anything new to the American people, and it doesn’t allow Democrats or Republicans who have thoughtful ideas for improving the Affordable Care Act to bring them forward at all to be discussed on their merits or voted on here in this body.

I reserve the balance of my time.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I rise in opposition to the rule.

Again, Mr. POLIS, I think, very powerfully stated how this majority once again is denying a free and open amendment process, or even a limited amendment process, with this totalitarian version of debate.

I also want to speak in opposition to the underlying bill. We heard a lot about skyrocketing premiums. I come from a State where a Governor actually embraced the Affordable Care Act. What we saw just a few days ago, with the new premiums that are released for 2015, was reported on by Kaiser Family Foundation, which is the gold standard for health care reporting in this country, is that the State of Connecticut is actually going to see a 4 percent reduction in the plans sold through the Affordable Care Act exchange. My friend from Colorado is one of the real lucky States. They are looking at a 15 percent reduction in terms of their silver plans that are sold through the exchange.

Again, this chart which we have prepared for today shows that, rather than skyrocketing premiums, what we are seeing in State after State after State in terms of premiums for next year is that there are either reductions or very modest increases.

The bill that we are going to be voting on later today would actually damage the progress that is being made in a lot of these States because it basically expands plans that protect discriminating against people with pre-existing conditions, which was, sadly,

what the insurance market looked like before the Affordable Care Act was passed. It, again, allows cherry-picking plans that picked healthier populations as opposed to what we are seeing with the plans that have been implemented and now are high-functioning.

□ 1300

256,000 people enrolled through the exchange in the State of Connecticut last year, far shattering all the projections that HHS had set forth, because we had a high-functioning Web site—kudos to Governor Malloy—but also because people voted with their feet; that when they actually got the facts and had a chance to look at the coverage that was being offered and the price that it was going to cost, they, again, shattered all the projections. And we are poised to move forward again next year.

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

Mr. POLIS. I am happy to yield an additional 45 seconds to the gentleman from Connecticut.

Mr. COURTNEY. In the small group market, what we are seeing is that since the enrollment ended for the individual market, the shop exchange, as the small market is called, tripled in terms of small businesses in the State of Connecticut that enrolled, with protections so that people with pre-existing conditions, who are born with diabetes, or arthritis, are not going to be shut out of the market, which these old plans that the Cassidy bill seeks to enshrine and enlarge did under the provisions of that legislation.

We, as Mr. POLIS said, need to roll up our sleeves and talk about ways that we can improve the law. This is a huge, terrible step backwards, which, for all these States which are seeing rate reductions for 2015, would be lost.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, that is an interesting recitation.

I wanted to draw my colleagues' attention to Bloomberg View and an article by Megan McArdle from September 9 of 2014, just a couple of paragraphs in the article that prices—talking about reissue rates—that prices are not being based on claims data. She points out, and I am quoting here: "Companies began setting these rates just a few months ago after open enrollment closed, and because so many people bought in the last few weeks, they had no meaningful idea of what their expenses would be, that is, the insurance companies."

And, further quoting: "The companies that are coming in are looking to gain market share, not make a profit."

Continuing to quote: "The other reason we cannot learn much from these data right now is that for the next year, insurers are operating under the expectation of large subsidies from the Obama administration via the various reinsurance provisions in ObamaCare. These provisions expire in 2016."

Continuing to quote: "Right now, it is just not very risky to write a policy that loses money because your losses are capped. Starting in 2017, all that changes. Insurers are going to need to price policies with the expectation of making money and the fear of losing it."

Mr. Speaker, what Megan McArdle is saying is, right now you don't really know much about the renewal rates on insurance policies because there is distortion in the market because of the reinsurance provisions in the Affordable Care Act.

But I will share this with you. I bought insurance in the Texas Federal fallback exchange. I bought a bronze plan on Blue Cross/Blue Shield. It is the most expensive insurance I have ever had in my life. Trying to plan and trying to budget for next year, I can't because here we sit, September 10, and I do not know what the renewal rates are going to be. And in all likelihood I will not know until around election day, with very little time to plan.

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

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up two pieces of legislation. The first is the Stop Corporate Inversions Act of 2014, and the second is a constitutional amendment to address the issues surrounding Citizens United.

To discuss our proposal, I yield 4 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I thank my friend from Colorado for yielding.

I rise to urge the defeat of the motion on ordering the previous question on this rule.

Most Americans would be outraged to see the 113th Congress, on track to be the most unproductive Congress in this Nation's history, return from a 5-week recess, only to waste more time. Yet, that is what is happening today with the GOP's 53rd attack on the Affordable Care Act.

We could be doing so much more. We could stand up against special interests and advance the American people's priorities.

We could raise the minimum wage to prevent big corporations from paying workers starvation wages.

We could stand up to the gun lobby and pass background checks to stop criminals from buying guns online.

We could stand up to companies that use fancy corporate inversions to skirt their responsibility to pay taxes towards American infrastructure, American schools, and American research.

Yet, these priorities will just as surely go ignored this 113th Congress as they did in the 112th Congress.

Mr. Speaker, it is no coincidence that we are not dealing with the people's business today. Since the 2010 Supreme Court decision in Citizens United, Congress has become mired in dysfunction. The people's House is now paralyzed by the threat of attacks from corporations

and a handful of billionaires with their Super PACs and their secret front groups.

When Members spend more time fundraising and dodging Super PAC attack ads than working on bipartisan solutions and championing their constituents' priorities, our democracy is dysfunctional. And that dysfunction is a form of corruption. It is money from the left and the right, and it is only getting worse.

This year, the Supreme Court ruled 5-4 in McCutcheon that the wealthy have a right to hold more influence over elected officials than actual voters. This idea threatens our entire system of elected self-government, and we have an opportunity to take action today.

I urge my colleagues to do the courageous thing, to do the right thing. Join me to support the Democracy for All Amendment, H.J. Res. 119, to amend our Constitution and overturn these destructive Supreme Court rulings.

In the Senate this week, our colleagues are considering Senator UDALL's companion to my constitutional amendment. And while the Senate has this important debate about money and politics, this House is rehashing tired old attacks on ObamaCare that everyone is sick of.

The Democracy for All Amendment is simple. It says that the American people have a right to pass laws protecting the integrity of our elections by limiting money and politics.

It is time to get money out and voters in and end this "pay-to-play" democracy. I urge my colleagues to vote against the motion ordering the previous question, to allow consideration of the Democracy for All Amendment to overturn Citizens United, and allow the American people, and not the special interests, to once again set the agenda in Washington.

Mr. Speaker, our Bill of Rights guarantees free speech, but free speech is not free if only the wealthy can afford it.

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

Mr. POLIS. Mr. Speaker, the gentleman from Florida (Mr. DEUTCH) certainly convinced me. I hope he convinced you as well that, rather than repealing the Affordable Care Act for the 53rd time, let's take this body back from the special interests and return it to the people of this country. And his motion will do that if we defeat the previous question.

Mr. Speaker, to discuss the other proposal if we defeat the previous question, I am proud to yield 2½ minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, I urge we defeat the previous question for two reasons, and I want to speak to one of them.

Right now, corporations can move their tax address overseas and avoid or

lower their U.S. taxes. Middle class and other typical families cannot do that at all. They can't simply change their address and lower or eliminate their taxes.

Since the beginning of this year, more than a dozen large corporations have announced their plans for inversion. And yet, they will continue to benefit from being headquartered in our country, taking advantage of everything this country has to offer, whether it is our wealth of educated workers, government funding of basic research, tax credits like R&D, or our robust financial markets.

They will pay less in U.S. taxes, so much that the American tax base is expected to lose \$20 billion over the next 10 years if we do nothing to address the issue.

And who will make up this difference? Basically, middle class taxpayers.

The Republican answer? To do nothing, leave town next week, or, some say, to wait for tax reform at some undetermined time.

Republicans are taking the President to court for use of executive authority, his executive authority. At the same time, Republicans in this House fail to use their own authority, failing to do their job.

Addressing this issue cannot wait. This is an immediate problem that requires an immediate legislative solution. Voting "no" on the previous question provides all of us an opportunity to do just that and will allow us to bring up legislation to address this problem.

If you vote to move the previous question, essentially you are saying, I rubberstamp this inversion process where corporations essentially move their address and lower or eliminate their taxes. No one should be doing that.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank my colleague for yielding.

Mr. Speaker, I urge a vote "no" on the previous question as well so we can allow consideration of the Democracy for All constitutional amendment, which would allow us to put some reasonable limits on this outside spending, these huge expenditures of funds by Super PACs and outside groups that are crowding out the voices of everyday citizens.

When I go around my district, when I talk to people, the average person feels like their voice can't be heard. When they go into the political town square to try to make their views known, there is a megaphone being held by these Super PACs and these outside groups that is drowning out the voice of everyday citizens, so that their opinions, their perspective can't be heard.

If you go to a town meeting, usually, the way they organize it is you sign up

and everybody gets a chance to talk for 5 minutes. The way the system is headed with these Super PACs, because there are no limits on the amount of speech they can buy, if you go down to the town hall meeting now, in a sense, you get there and you find out that some Super PAC has reserved 59 minutes out of the hour of time for talking on the issues, and everyday citizens only have 1 minute left.

That is why we need some reasonable limits, because the big money is taking over the microphone, and they are not letting anybody else have their opinions heard.

A constitutional amendment, the Democracy for All constitutional amendment—I want to salute my colleague, TED DEUTCH of Florida for leading the effort on this—would put reasonable limits in place so that everybody can have a voice, so that everybody can participate in a pluralistic democratic society where all voices are heard.

I urge that we vote "no" on ordering the previous question to allow consideration of this important constitutional amendment to give a voice back to everyday citizens out there in our country.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. I thank the gentleman for yielding.

Mr. Speaker, I rise to oppose the previous question and to urge support of the Democracy for All Amendment that we intend to offer if the question is defeated.

The last thing Congress needs is more special interest candidates who don't answer to the American people. The Supreme Court decisions in Citizens United and McCutcheon have opened the floodgates of unlimited spending on campaigns.

Protections against special-interest influence on our elections have steadily eroded, along with public confidence in government. The result is campaigns dominated not by ideas, thoughtful debates, or visions for the future, but by television ads, mostly negative and mostly funded by unaccountable outside groups.

In my State of Kentucky, MITCH MCCONNELL and his special interest allies have spent more than \$8 million, running nearly 26,000 TV ads in our Commonwealth. The vast majority are from outside groups attacking Mr. MCCONNELL's opponents. Many bend the truth and intentionally mislead Kentuckians, which is a lot easier to get away with if the attacker isn't accountable to voters.

Under our current political system, these groups are allowed massive influence over our campaigns, much more than any average citizen or group of citizens could ever exert.

It is system riddled with loopholes, lacking meaningful disclosure, and more awash in corporate influence than ever.

□ 1315

In Kentucky, Mr. MCCONNELL's race is expected to cost \$100 million. That would pay the annual salaries of about 2,000 public schoolteachers in our Commonwealth. While Senator MCCONNELL and other supporters of the Citizens United decision call this "freedom of speech," it is actually the freedom to deceive. To be fair, dishonest ads are coming from both sides by both parties. These are ads made possible by Citizens United, and if The Washington Post Fact Checker actually had to present real Pinocchios for all of the dishonest ads made possible by Citizens United, Geppetto would be the busiest man in America.

That is why we need to pass the Democracy for All amendment—to put a stop to this runaway special interest spending on campaigns and to return Congress to the people it was meant to serve.

Mr. BURGESS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. I thank the gentleman from Colorado for yielding.

Mr. Speaker, I rise today in support of defeating the motion on ordering the previous question.

The GOP has put forward H.R. 3522, which would undermine the Affordable Care Act by putting insurance companies back in charge of health care for everyday Americans. That is right. I mean, it is not a surprise, putting corporate special interests ahead of the interests of the American people. Instead, they are now taking the 53rd vote to undermine the Affordable Care Act.

We could be enacting a commonsense constitutional amendment, as my colleagues have said, that would better serve the people's interests. The Democracy for All constitutional amendment seeks to address the failure of our current political system, where the megaphones of moneyed interests are now drowning out the voices of ordinary Americans.

Since the Supreme Court's decision in 2010 of Citizens United, which struck down the limits on independent campaign spending by corporations, we have actually seen those with deep pockets threaten our democracy, spending unlimited, hidden amounts on our elections, and it gets worse with each passing election.

Two years ago, outside groups, including more than 1,200 so-called Super PACs, spent \$970 million on our elections. That is nearly \$1 billion in secret, dark money. It is not fair, and the American people know it. \$123 million of anonymous cash was also spent. Overall, spending totaled nearly \$7 billion.

Earlier this year, another Supreme Court decision struck down decades-old caps on the total amount that any one individual can contribute to Federal

candidates in a 2-year cycle. Now those individuals—and there are only a handful of them across the United States—can contribute unlimited amounts from their own pockets into elections. The result has only increased the role that money plays in American politics.

Recent reports show that undisclosed political spending, better known as “dark money,” will, once again, reach record levels in this November’s election.

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

Mr. POLIS. I yield an additional 1 minute to the gentlewoman from Maryland.

Ms. EDWARDS. Recently, the Center for Responsive Politics announced that dark money has already exceeded \$50 million—seven times the amount that was accrued at this time in the last midterm election.

Justice Breyer wrote in this last Supreme Court decision: “Where enough money calls the tune, the general public will not be heard.”

We are not being heard, and that is exactly the position that we find ourselves in today because, as the Republican House votes to repeal or undermine the Affordable Care Act for the 53rd time since its enactment, they have given us a choice. The Republicans want us to choose corporate insurance special interests, or we can choose the interests of the American people by passing a constitutional amendment that would restore democracy, government, and our elections back to the people of the United States.

It is time that we pass this constitutional amendment, Mr. Speaker. I urge my colleagues to defeat the previous question and to let us begin to address the interests of the American people.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

I just want to address the issue of the insurance companies.

They have never enjoyed the type of unprecedented power that they have today until the passage of the Affordable Care Act. The insurance companies—executives from the insurance companies—meet regularly down at the White House with the Secretary of Health and Human Services. We are not privy to those discussions. We have no earthly idea what goes on in those meetings, but we do know that insurance companies are enjoying unprecedented profits right now since the passage of the Affordable Care Act. Their profits have increased. Their stock prices have increased.

Why is that? It is because of the individual mandate that was included in the Affordable Care Act.

No longer do insurance companies need to be interested in the longitudinal relationships with their insureds. You have got to buy what they are selling. Don’t even get me started on their own narrow networks, which can restrict patients’ abilities to see a doctor or to go to a hospital, to see who they

want, to buy the medications that they need or to be reimbursed for the medications that they need. A lot of that has gone out the window. Talk about people with preexisting conditions. Most of us buy on price. Since we buy the lowest-cost price on the Bronze plan, we find ourselves now confined by narrow networks.

Who is really now prejudiced against a person with a preexisting condition under the current arrangement?

This bill today does not undo the Affordable Care Act, but it provides one more little measure of sanity for patients who wanted to keep their insurance policies before this regime took over.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the time.

Mr. Speaker, this is a tremendously important topic because this Congress, unfortunately, and our government are affected so much by political contributions. Because of *Baker v. Carr*, “one man, one vote” exists, but that one vote is not equal to the voice of corporations or individuals with unlimited amounts of money. The fact is those people, those corporations, have gotten more of a voice than any one person’s vote.

Most Members of Congress spend a great deal of time raising money when they should be studying issues, listening to debate, participating in debate, listening to constituents. The amount of money that is in this system and determines who comes into this body is beyond anything the Framers of the Constitution ever imagined. The amendment that we offer would allow the Congress to put limits on the amount of money that can come into the system. It promotes the idea of everybody being equal, of “one man, one vote” and our representing people equally. It simply gives Congress the power to set limits.

I don’t know why anybody in this Congress would object to giving Congress the power to set limits on corporate spending involving campaigns, which takes away the fundamental aspect of democracy that each person is considered to have a voice and one’s perspectives presented on this floor in equal opportunity with those who are the most wealthy. There is nothing that affects this House in a more adverse way than money. This amendment can help this House be more representative of the great democracy that we represent and intend to represent and make it the democracy that it is supposed to be. It simply gives Congress that power.

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

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

Mr. COHEN. I would urge this amendment to be considered and to be voted on in order to uphold the idea that

each individual and his position is sacred and equal, that money is taken out of the system in the best possible ways, and that corporations don’t continue to have the extraordinary influence they have had on this body.

Mr. BURGESS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Texas (Mr. GENE GREEN) for the purpose of a unanimous consent request.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to H.R. 3522.

Mr. Speaker, I rise today to express my opposition to H.R. 3522, the Employee Health Care Protection Act.

While the title of this legislation and those supporting it claim that it will protect employees, in fact, it will prevent millions of Americans from accessing the consumer protections and important reforms included in the Affordable Care Act (ACA).

H.R. 3522 would permit any health insurance issuer offering coverage in the group market in 2013 to continue to offer that coverage through 2018. These insurance policies would not have to comply with the consumer protections that went into effect in 2014.

This bill is different—and much worse—than the Administration’s grandfathering policy. It means that insurance companies would be able to cherry pick, offering low rates for inadequate bare-bones policies for some groups but discriminate against, charge higher prices, or offer weaker coverage for others.

The bill would put insurance companies back in the driver’s seat. If this became law, insurers will be able to continue to discriminate against small businesses if they have an older workforce, more women in their workforce, or if any of their employees or their children has pre-existing health conditions. And small businesses will face higher premiums and continue to see their premiums spike year to year if an employee has an accident, develops a chronic health condition, or has a complicated pregnancy.

Since the Affordable Care Act became law, businesses have added nearly 10 million jobs and in just the past few months, more than 10 million people who were previously uninsured have gained health insurance coverage. Premiums have risen at historically low levels, and the life of the Medicare trust fund has been extended by 13 years.

We have come far in the effort to stop the worst abuses of the insurance industry and provide Americans with true coverage that protects them from bankruptcy, annual and life-time limits, discrimination, and from being dropped from their plans when they need them the most. Rolling back critical reforms and returning to a broken system is not the answer. I urge my colleagues to oppose this bill and work together to improve the law for all Americans.

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentleman has any remaining speakers. We are prepared to close.

Mr. BURGESS. No, I have no additional speakers. I am prepared to close.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Instead of focusing on rolling back protections for the benefits of millions of Americans for the 53rd time, this House should get back to the work of focusing on real problems, like the need to overhaul our broken immigration system and replace it with one that works for our country. Instead of solving immigration problems that are facing our Nation, the House continues to vote on bills that take our country backwards.

Before we left for recess 5 weeks ago, the House voted to deny DREAMers the ability to stay here, and they subjected them to deportation proceedings. This body's continued failure to act on comprehensive immigration reform means that the President must act instead. For more than a year, I have come to the House floor to decry the fact that the House Republicans have failed to move any immigration reform bills to the floor this entire Congress—or any bills to secure our border, any bills to provide provisional work permits, any bills to require workplace authentication. Not a single one has been brought to the floor of the House.

I am deeply disappointed that the President has put off taking action on this bill until after the November elections, but the President will have no alternative if this Congress continues to fail to act. Sadly, over the next 2 months, the current administration will continue to deport tens of thousands of hardworking mothers, fathers, sisters, and brothers because of the lack of courage of this body to act and because the President continues to refuse to act with the authority that is already granted to him by the nature of his office.

I am hopeful that the President's failure to act right now means he will go big and bold tomorrow, but the truth is the President can't do it all alone. He needs Congress. If we are serious about securing the border, it will take an appropriation—it will take resources—from this body to secure the border. I am confident the President will do whatever he can with the money and resources he has to do it, but if this body is serious, we need to require the President to secure the border and make sure the President has the resources to do that. I am hopeful the President will use his powers to reform our antiquated visa program, which restricts an employer's ability to hire key talent and only provides an additional incentive for companies to move overseas so that they can hire the people they need.

These are issues that the President can and should address now, not just when it is politically convenient. Unite families, make America more competitive, and challenge Congress to get immigration reform done.

Of course, any relief the President provides would be just a temporary fix. Only this body can find a permanent solution by rewriting our immigration

laws to restore the rule of law with regard to the 11 million people who are here illegally, to reform our visa and green card systems going forward, to secure our borders, to ensure workplace enforcement, and to make sure that we can facilitate legal commerce between Mexico and the United States.

But once again, rather than addressing the issue that came up the most of any issue in my 10 town halls—immigration reform—we are faced with the 53rd repeal of the Affordable Care Act and the 75th closed rule—the diamond jubilee of closed rules—that doesn't allow Democrats or Republicans to offer a single amendment to this bill. Amendments that are germane, that improve the Affordable Care Act, that have bipartisan consensus support are not even allowed to be brought forward and are not even discussed for 10 minutes on the floor of this House of Representatives.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I strongly urge my colleagues to vote “no” and defeat the previous question. Vote “no” on the underlying bills.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

In 2006, the Democrat manifesto, “A New Direction for America,” states:

Bills should come to the floor under a procedure that allows open, full and fair debate, consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.

The fact remains that, when the Democrats took control of the House, they did precisely the opposite.

Throughout the 111th Congress, which was the final 2 years of Representative PELOSI's time as Speaker and which was the first 2 years of the Obama administration, the House never considered a single bill under an open rule. That is the definition of a closed process. Under Republican control, the House has returned to the consideration of appropriations bills under an open process with 22 open rules.

□ 1330

This year, the House has considered 404 amendments, 189 of which were offered by the Democrats. When you compare the record of the Republican majority and the most recent Democratic majority, any fair analysis will show that the Republicans are running a more open, transparent House of Representatives.

One word on the previous question: defeat of the previous question would not allow any of these proposals that we have heard about today to be considered because they would not be germane to the rule, so I do urge my col-

leagues to support the previous question.

Today's rule provides for the consideration of a critical bill to protect millions of Americans who are facing the loss of their employer-sponsored health insurance and that they were promised—a promise is a promise—they were promised they could keep.

I certainly thank my colleague from Louisiana, Dr. CASSIDY, for his thoughtful piece of legislation and his work in this effort.

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

AN AMENDMENT TO H. RES. 717 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 joint resolution (H.J. Res. 119) proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections. The first reading of the joint resolution shall be dispensed with. All points of order against consideration of the joint resolution are waived. General debate shall be confined to the joint resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the joint resolution shall be considered for amendment under the five-minute rule. All points of order against provisions in the joint resolution are waived. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the joint resolution 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 joint resolution, 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 joint resolution.

SEC. 3. Immediately upon disposition of H. J. Res. 119, 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. 4679) to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. 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. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.J. Res. 119 or H.R. 4679.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy impli-

cations. 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. BURGESS. With that, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

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

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 TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING AMERICAN FALLS RESERVOIR

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (S. 276) to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 276

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

SECTION 1. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING AMERICAN FALLS RESERVOIR.

Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12423, the Federal Energy Regulatory Commission shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence the construction of project works to the end of the 3-year period beginning on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from New York (Mr. TONKO) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. 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 Kentucky?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, at this time, I yield myself such time as I may consume.

S. 276 requires the Federal Energy Regulatory Commission to reinstate the license and extend for 3 years the deadline for commencement of a hydroelectric project involving the American Falls Reservoir. Hydropower is a critical component of our all-of-the-above energy strategy, and this bill will help facilitate the construction of an affordable and reliable source of domestic electricity.

As many people around the country understand, many Members of the House and Senate have very strong differing views with the President and his administration over the direction that we are going on energy in America, particularly the impact that regulations are having on the electric generation system in America.

It looks like it is going to be creating a lot of chaos, but when we have projects like this hydro project at American Falls Reservoir, I think there is unanimous agreement that we need to move forward expeditiously on these types of projects.

This bill has passed the U.S. Senate, and I would urge all Members of the House to support it.

At this time, I reserve the balance of my time.

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

I support the American Falls Reservoir hydropower legislation, introduced by Senators RISCH and CRAPO of Idaho. The bill would authorize the Federal Energy Regulatory Commission to reinstate the license for a hydroelectric project involving Idaho's American Falls Reservoir, and it gives the project 3 additional years by which to begin construction.

This bill allows FERC to get this project licensed expeditiously while ensuring that the appropriate environmental analyses are completed and considered.

The noncontroversial legislation before us today has passed the Senate by unanimous consent in two consecutive Congresses.

With that, I urge my colleagues to support this measure, and I yield back the balance of my time.

Mr. WHITFIELD. I also urge passage of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. AMODEI). The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, S. 276.