

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 9, as follows:

[Roll No. 493]

YEAS—422

Aderholt	Cummings	Hinojosa
Amash	Daines	Holding
Amodel	Davis (CA)	Holt
Bachmann	Davis, Danny	Honda
Bachus	Davis, Rodney	Horsford
Barber	DeFazio	Hoyer
Barletta	DeGette	Hudson
Barr	Delaney	Huelskamp
Barrow (GA)	DeLauro	Huffman
Barton	DelBene	Huizenga (MI)
Bass	Denham	Hultgren
Beatty	Dent	Hunter
Becerra	DeSantis	Hurt
Benishek	Deutch	Israel
Bentivolio	Diaz-Balart	Issa
Bera (CA)	Doggett	Jackson Lee
Bilirakis	Doyle	Jeffries
Bishop (GA)	Duckworth	Jenkins
Bishop (NY)	Duffy	Johnson (GA)
Bishop (UT)	Duncan (SC)	Johnson (OH)
Black	Duncan (TN)	Johnson, E. B.
Blackburn	Edwards	Johnson, Sam
Blumenauer	Ellison	Jolly
Bonamici	Ellmers	Jones
Boustany	Engel	Jordan
Brady (PA)	Enyart	Joyce
Brady (TX)	Eshoo	Kaptur
Braley (IA)	Esty	Keating
Bridenstine	Farenthold	Kelly (IL)
Brooks (AL)	Farr	Kelly (PA)
Brooks (IN)	Fattah	Kennedy
Broun (GA)	Fincher	Kildee
Brown (FL)	Fitzpatrick	Kilmer
Brownley (CA)	Fleischmann	Kind
Buchanan	Fleming	King (IA)
Bucshon	Flores	King (NY)
Burgess	Forbes	Kingston
Bustos	Fortenberry	Kinzinger (IL)
Butterfield	Foster	Kirkpatrick
Byrne	Foxx	Kline
Calvert	Frankel (FL)	Kuster
Camp	Franks (AZ)	Labrador
Campbell	Frelinghuysen	LaMalfa
Capito	Fudge	Lamborn
Capps	Gabbard	Lance
Capuano	Garamendi	Langevin
Cárdenas	Garcia	Lankford
Carney	Gardner	Larsen (WA)
Carson (IN)	Garrett	Larson (CT)
Carter	Gerlach	Latta
Cartwright	Gibbs	Lee (CA)
Cassidy	Gibson	Levin
Castor (FL)	Gingrey (GA)	Lewis
Castro (TX)	Gohmert	Lipinski
Chabot	Goodlatte	LoBiondo
Chaffetz	Gosar	Loebsack
Chu	Gowdy	Lofgren
Cicilline	Granger	Long
Clark (MA)	Graves (GA)	Lowenthal
Clarke (NY)	Graves (MO)	Lowey
Clawson (FL)	Grayson	Lucas
Clay	Green, Al	Luetkemeyer
Cleaver	Green, Gene	Lujan Grisham
Clyburn	Griffin (AR)	(NM)
Coble	Griffith (VA)	Lujan, Ben Ray
Coffman	Grijalva	(NM)
Cohen	Grimm	Lummis
Cole	Guthrie	Lynch
Collins (GA)	Gutiérrez	Maffei
Collins (NY)	Hahn	Maloney,
Conaway	Hall	Carolyn
Connolly	Hanabusa	Maloney, Sean
Conyers	Hanna	Marchant
Cook	Harper	Marino
Cooper	Harris	Massie
Costa	Hartzler	Matheson
Cotton	Hastings (FL)	Matsui
Courtney	Hastings (WA)	McAllister
Cramer	Heck (NV)	McCarthy (CA)
Crawford	Heck (WA)	McCarthy (NY)
Crenshaw	Hensarling	McCaul
Crowley	Herrera Beutler	McClintock
Cuellar	Higgins	McCollum
Culberson	Himes	McDermott

McGovern	Price (NC)	Smith (MO)
McHenry	Quigley	Smith (NE)
McIntyre	Rahall	Smith (NJ)
McKeon	Rangel	Smith (TX)
McKinley	Reed	Smith (WA)
McMorris	Reichert	Southerland
Rodgers	Renacci	Speier
McNerney	Ribble	Stewart
Meadows	Rice (SC)	Stivers
Meehan	Richmond	Stockman
Meeks	Rigell	Stutzman
Meng	Roby	Swalwell (CA)
Messer	Roe (TN)	Takano
Mica	Rogers (AL)	Terry
Michaud	Rogers (KY)	Thompson (CA)
Miller (FL)	Rogers (MI)	Thompson (MS)
Miller (MI)	Rohrabacher	Thompson (PA)
Miller, Gary	Rokita	Thornberry
Miller, George	Rooney	Tiberi
Moore	Ros-Lehtinen	Tipton
Moran	Roskam	Titus
Mullin	Ross	Tonko
Mulvaney	Rothfus	Tsongas
Murphy (FL)	Roybal-Allard	Turner
Murphy (PA)	Royce	Upton
Nadler	Ruiz	Valadao
Napolitano	Runyan	Van Hollen
Neal	Ruppersberger	Vargas
Negrete McLeod	Ryan (OH)	Veasey
Neugebauer	Ryan (WI)	Vela
Noem	Salmon	Velázquez
Nolan	Sánchez, Linda	Visclosky
Nugent	T.	Wagner
Nunes	Sanchez, Loretta	Walberg
O'Rourke	Sanford	Walden
Olson	Sarbanes	Walorski
Owens	Scalise	Walz
Palazzo	Schakowsky	Wasserman
Pallone	Schiff	Schultz
Pascarella	Schneider	Waters
Pastor (AZ)	Schock	Weber (TX)
Paulsen	Schrader	Webster (FL)
Payne	Schwartz	Welch
Pearce	Schweikert	Wenstrup
Pelosi	Scott (VA)	Westmoreland
Perlmutter	Scott, Austin	Whitfield
Peters (CA)	Scott, David	Williams
Peters (MI)	Sensenbrenner	Wilson (FL)
Peterson	Serrano	Wilson (SC)
Petri	Sessions	Wittman
Pingree (ME)	Sewell (AL)	Wolf
Pittenger	Shea-Porter	Womack
Pitts	Sherman	Woodall
Pocan	Shimkus	Yarmuth
Poe (TX)	Shuster	Yoder
Polis	Simpson	Yoho
Pompeo	Sinema	Young (AK)
Posey	Sires	Young (IN)
Price (GA)	Slaughter	

NOT VOTING—9

DesJarlais	Latham	Rush
Dingell	Nunnelee	Tierney
Gallego	Perry	Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1559

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GALLEGO. Mr. Speaker, on rollcall No. 493 I was temporarily off the House floor. Had I been present, I would have voted "yes."

#### EMPLOYEE HEALTH CARE PROTECTION ACT OF 2014

Mr. PITTS. Mr. Speaker, pursuant to House Resolution 717, I call up 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 cov-

erage requirement, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to House Resolution 717, the amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-56, modified by the amendment printed in House Report 113-584, is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3522

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Employee Health Care Protection Act of 2014".*

#### SEC. 2. IF YOU LIKE YOUR GROUP HEALTH INSURANCE PLAN, YOU CAN KEEP IT.

(a) IN GENERAL.—Notwithstanding any provision of the Patient Protection and Affordable Care Act (including any amendment made by such Act or by the Health Care and Education Reconciliation Act of 2010), a health insurance issuer that has in effect health insurance coverage in the group market on any date during 2013 may after such date offer such coverage for sale through December 31, 2018, in such market outside of an Exchange established under section 1311 or 1321 of such Act (42 U.S.C. 18031, 18041). A group health plan shall not be treated as not complying with the requirements of such Act (or the amendments made by such Acts) insofar as it provides health benefits through health insurance coverage that is permitted under the previous sentence.

(b) TREATMENT AS GRANDFATHERED HEALTH PLAN IN SATISFACTION OF MINIMUM ESSENTIAL COVERAGE.—Health insurance coverage described in subsection (a) shall be treated as a grandfathered health plan for purposes of the amendment made by section 1501(b) of the Patient Protection and Affordable Care Act.

(c) CONSTRUCTION.—Nothing in this section shall be construed as affecting the authority of States with respect to the regulation of health insurance coverage in the group market.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3522.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3522, the Employee Health Care Protection Act of 2014, sponsored by my good friend and colleague and important member of the Health Subcommittee, Dr. BILL CASSIDY of Louisiana.

This bill is a necessary tool for America's workers that will allow for health insurance coverage in the small group market during the 2013 calendar

year to be continued to be offered through calendar year 2018. In other words, if you like your group health insurance plan, you can keep it.

It has been over 4 years since the Affordable Care Act was enacted, and we are still hearing from constituents, small business owners, and employees who are continuing to struggle with the adverse effects of this law.

Here is what Roger from Columbia, Pennsylvania, wrote to me last year:

I am the third generation family owner of a business. We have 32 employees and have been providing health insurance for our employees and their families for over 25 years. This week, we received a renewal notice from our current provider, which is a 40 to 50 percent higher premium than our current contract, with less overall benefit coverage. If we choose to renew early, before the ACA takes effect, our premiums will increase 11.4 percent. Our President told us that the ACA would decrease health insurance costs.

My constituents—businesses, as well as individuals—have bitterly conveyed to me the myriad of concerns they face.

Eastern Lancaster County School District announced it would “outsource” about 100 of its support staff workers to private companies to avoid possible penalties under ObamaCare.

In Allegheny County, Pennsylvania, the community college decided to cut hours for 400 adjunct faculty and other employees, so it wouldn't have to pay \$6 million in ObamaCare-related fees.

From Auntie Anne's franchises, I have been told they have put their growth plans on hold, hiring has been pushed off, and they may no longer be able to afford to provide employee insurance coverage. In 2012, they experienced a 19 percent increase in insurance premiums and a 30 percent increase in 2013.

Here is what Tom and Rosemarie had to say from Lititz, Pennsylvania:

I have been crunching numbers to prepare for ObamaCare, and this is what I face: close my doors December 31, 2014 . . . or . . . pay \$40,000 a year to insure my employees or “pay” a fine of \$2,000 per employee per year over the first 30, at the price of \$166 per month per employee over the first 30. So now, the 10 that have insurance, as well as my husband and I, will no longer be insured because the penalty is more affordable than to cover . . . this is ridiculous. I am outraged.

Mr. Speaker, we can do better than this. We can enact patient-centered free market reforms, where private insurers engage in robust competition and create the same kind of market-based inducements to reduce prices and improve services that occurs in most other parts of the American economy.

We can start by enacting H.R. 3522. I urge my colleagues to support this important legislation. American workers who like their health care plan should be able to keep it, just like President Obama and the supporters of the Affordable Care Act promised.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, September 10, 2014.  
Hon. FRED UPTON, Chairman, Committee on  
Energy and Commerce,  
Washington, DC.

DEAR CHAIRMAN UPTON: I am writing concerning H.R. 3522, the “Employee Health Care Protection Act,” which is scheduled for floor consideration today.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code of 1986, Section 5000A of the Internal Revenue Code requires individuals to maintain minimum essential coverage or pay a penalty. Section 2(b) of H.R. 3522, both as reported out of your Committee and Rules Committee Print 113-56, modifies which health care plans would meet the requirement of minimum essential coverage. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 3522, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON ENERGY AND COM-  
MERCE,  
Washington, DC, September 10, 2014.  
Hon. DAVE CAMP, Chairman, Committee on  
Ways and Means,  
Washington, DC.

DEAR CHAIRMAN CAMP: Thank you for your letter regarding H.R. 3522, the “Employee Health Care Protection Act of 2013.” As you noted, there are provisions of the bill that fall within the Committee on Ways and Means' Rule X jurisdiction.

I appreciate your willingness to forgo action on H.R. 3522, and I agree that your decision does not in any way prejudice the Committee on Ways and Means with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 3522 on the House floor.

Sincerely,

FRED UPTON,  
Chairman.

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

Mr. Speaker, this bill is nothing more than another political attack on the Affordable Care Act. In fact, I think this bill serves as House Republicans' 53rd vote to repeal or undermine the health care law.

If enacted, this bill would allow insurance companies 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 have pre-existing health conditions. The impact is taking away from millions of workers key protections and puts insurance companies back in charge of their health care.

Even worse, I believe, it gives insurance companies the best of both

worlds: millions of new customers through the ACA, but the ability to continue to cherry-pick employers with young, healthy workforces.

In fact, according to the Center on Budget and Policy Priorities, the bill would have serious adverse effects on premiums, causing them to rise substantially for many small firms, and the CBO agrees. This bill causes serious harm.

Republicans are claiming that this is just another effort to help people keep the coverage they have, but let's be clear, if your insurance starts covering your child to the age of 26, you are not losing your old coverage, your coverage is simply getting better.

If your insurance starts covering preventive services like annual physicals and vaccinations and cancer screenings for free, that is not losing your old coverage, that is your coverage getting better. There is no evidence employers are dropping coverage en masse.

So Republicans are left to claim people are losing their coverage when their coverage is actually getting better. This is again the Republicans misleading the public.

Mr. Speaker, when the ACA passed, employers and health insurers had the option to grandfather their coverage. They could keep that coverage the same, and it would not have to comply with the new ACA reforms. They could even raise premiums and cost-sharing and still stay grandfathered.

For plans that did not grandfather, a host of important new consumer protections went into place before 2014. For example, plans had to limit their profits and overhead to 20 percent of the premiums they collect. If they failed to meet this standard, they must pay rebates to their customers. As a result, small businesses have saved a total of \$2.5 billion on their premiums since 2011.

Mr. Speaker, in November 2013, the President announced that individuals and small businesses who are not yet ready to transition into the new, more fair, secure health coverage guaranteed by the ACA could remain in their existing plans for another year.

In March of this year, the President extended that policy, so that individuals and small businesses could keep their plans into 2016, but this bill goes much further and allows these plans to be sold to new customers.

So we are not talking about people keeping their plans. We are talking about selling old lousy plans, discriminatory plans, to new customers.

Since the ACA was passed, we have added key new benefits and protections to employer coverage, but at the same time, we have added 10 million jobs, we have helped 10 million people get health coverage, we have seen premiums rise at historically low levels, and we have extended the life of the Medicare trust fund by 13 years.

This is amazing progress, and we should not turn back. That is what the Republicans would have us do with this

other repeal of the Affordable Care Act: turn us back to the old days where the insurance companies reigned, where discriminatory practices reigned, and where preexisting conditions were a basis for not getting coverage.

I urge Members to vote “no.” This should not be.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), the vice chair of the Energy and Commerce Committee.

Mrs. BLACKBURN. Mr. Speaker, I thank Chairman PITTS for his diligence on this effort and on behalf of the American people to allow them the choice and the options that they are seeking in their health care.

My colleague is concerned that we are looking at repeals and that we are looking at replacements and we are looking at allowing choice and options for Americans. We are going to continue to do that because what we have found, Mr. Speaker, what we have found is that premiums are rising.

□ 1615

In my State, they are going to go up another 18 to 20 percent this year. We have an insurance product in the marketplace that many of our constituents tell us is too expensive to afford. We are seeing narrowed networks. People have an insurance card, but guess what. They don't have access to the queue. They can't see the doctor. We are hearing from our hospitals that they are seeing their emergency rooms crowded.

So yes, indeed, I rise in strong support of H.R. 3522, the Employee Health Care Protection Act. It is the right thing to do. If you like your health care plan, under this bill you would be able to keep your health care plan. We would be helping the President to fulfill a promise that he broke. Let's get back on track and let's fulfill that promise.

This is what the American people want right now, by the administration's own admission. These aren't my numbers. It is the administration's number. Up to 80 percent of the small business health plans would not make the ObamaCare cut because they are not government-compliant. The operative word here is they are not government-compliant. The government is forcing people into a plan that they don't want, don't like, and can't afford. This is the administration admitting this. They are taking away options and choice in the marketplace.

We have heard from small business owners all across our district who are struggling to find ways to provide health insurance to their employees and still manage to stay in business. What they are looking for is a way to provide jobs and increase wages. ObamaCare is making it more and more difficult.

We have heard from our constituents about how their insurance premiums

and their copayments are escalating and the complaints they have from employees because they don't like the ObamaCare plans. We have heard that they do not understand why they are forced into purchasing government-compliant insurance which does not meet their needs.

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

Mr. PITTS. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Mrs. BLACKBURN. Mr. Speaker, H.R. 3522, the Employee Health Care Protection Act, will provide some relief to the small business community by allowing them to maintain their current health insurance plans. If you like the health insurance plan that you have, you would be able to keep it. It is fulfilling a promise. It is what small business employers want. It is what the American people want.

I urge passage of this legislation.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. McDERMOTT), the ranking member of the Ways and Means Health Subcommittee.

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

Mr. McDERMOTT. Mr. Speaker, I rise today to ask a very simple question: When will the Republicans accept their share of responsibility in guaranteeing the health security of all Americans?

The bill under consideration today, H.R. 3522, is really nothing more than a senseless, heartless, 53rd vote by the Republicans to eviscerate the Affordable Care Act.

Where the ACA is a historic leap forward in health security for millions of Americans, this bill is a shameful stumble backward to the days when insurance companies could exploit the American people with impunity.

Where the ACA promotes women's health and security, this bill allows health companies to charge more to women for their coverage than they do for men.

Where the ACA ends the reprehensible practice of price-gouging Americans with preexisting conditions, this legislation allows insurers selling small business health plans to charge more for coverage for those with preexisting conditions.

This legislation would also allow insurers to impose annual limits on coverage, meaning that health security will run out for many Americans when they get sick—a tragic state of affairs that often results in folks going bankrupt in the face of a pile of unpaid medical bills.

This legislation sends us back to a dark day when too many American families had to choose between a roof over their head and food on the table or paying their health care bills.

The ACA was passed into law to protect hardworking Americans, in part, by making bad, exploitative health insurance plans a thing of the past. The

fact that they are wanting to add more people to it is really reprehensible. This legislation allows insurers to sell the same bad business plans that they had before to more people until 2018.

The Republicans have been in charge here and haven't proposed any alternative whatsoever. This legislation jeopardizes the health security of American families by rolling back vital insurance protections made law by the ACA.

Mr. Speaker, I ask again: When will the Republicans act on behalf of the health security of the American people? When will they stop having these PR campaign events just before we are going home so they can send out press releases and say they have done something, when they have done absolutely nothing except try to remove the ACA? When will they care about the people?

Sadly, not today.

This bill is an embarrassment and demands a “no” vote.

Mr. PITTS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Louisiana, Dr. BILL CASSIDY, a valued member of the Health Subcommittee and prime sponsor of the legislation.

Mr. CASSIDY. Mr. Speaker, this legislation is about keeping a promise and doing right by the American people. The Employee Health Care Protection Act is a bipartisan bill that allows American workers, if they choose, to keep their employer-sponsored health care plan that they depend upon for health care security.

I am amused my colleagues across the aisle seem to think the American worker doesn't know what is best for herself, her family, or her business. It just amazes me they have so little regard for the average American. They feel like they must tell the average American what is best for them. They cannot make their own decisions.

Frankly, I am disappointed that this legislation is even necessary. President Obama and congressional supporters of ObamaCare made unequivocal promises dozens of times that Americans can keep their plan if they wished. Yet, last year, millions of Americans found their health care canceled because it did not comply with “Washington knows best, you don't” rules set forth in ObamaCare.

Ninety-three thousand Louisianans lost their health care in the individual market, and thousands more in the group market are in danger of losing their plans unless we pass this bill.

The President apologized to Americans who lost their coverage, saying that he is “sorry that they are finding themselves in this situation based on assurances they got from me.” If the President were truly sorry, he would call Senator REID and tell him to pass this bill and provide relief from ObamaCare to the millions of Americans who relied on a false promise. He would then work with this body to repeal and replace ObamaCare with market-based solutions that give the power

to the patient, not the Washington bureaucrat.

I urge all my colleagues on both sides of the aisle to vote for this bill. The Employer Health Care Protection Act allows American families to save money on health care, increases access to affordable health care choices, and will raise wages for workers. On top of that, it will decrease the deficit by \$1.25 billion over the next 10 years. It is a commonsense bill that provides relief to millions of Americans.

Mr. Speaker, let's keep the promise to middle class workers and ensure that, if they like their health care plan, they can keep it.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, H.R. 3522 marks the 53rd vote to repeal or undermine ObamaCare. But worse, it means taking away guaranteed benefits for the consumers that you seem to be so concerned about.

Does anyone really believe that Americans want insurance companies to be able to deny them coverage or charge them more due to a preexisting condition? Do they want insurance companies to be able to refuse to pay for their lifesaving treatments because they have hit an annual limit? Do they want insurance companies to be able to not cover maternity services for pregnant women, as so many plans did?

I believe we can all agree the answer is "no." That is why we have to reject H.R. 3522 and all other efforts to repeal or undermine the consumer protections of ObamaCare. Americans simply can't afford it. They can't afford to have insurance companies back in charge of their health care.

This isn't about consumer choice. This is about turning over decisions to insurance companies that want to cut the benefits.

I want to end my remarks by just mentioning one story of why the Affordable Care Act is so important to constituents. This is from John. He says:

I wanted to share with you the good news that by accessing health insurance coverage through the Affordable Care Act, my little business, a law firm, was able to avoid a substantial premium increase and, in fact, obtain the same full coverage at reduced deductibles and copayments and add dental care for thousands a month less than our old premiums costs, which we had just been advised was to be raised approximately 14 percent. I have been practicing law for over 37 years and have always felt a responsibility to provide full health care benefits for all my employees, including clerks and staff, paying the total premium for all participants. My firm expanded at one point to include my then-partner, seven associate lawyers, and multiple staff, though we are now downsized to three lawyers and two office staff that we now are able to provide insurance for. Thanks for your efforts. Thanks for the Affordable Care Act.

Mr. PITTS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia, Dr. GINGREY, another valued member of the Health Subcommittee.

Mr. GINGREY of Georgia. Mr. Speaker, I rise in strong support of H.R. 3522, the Employee Health Care Protection Act.

I would like to begin with the words President Obama first said to the American Medical Association in June of 2009 before any committee in Congress held a markup of what later became the Affordable Care Act. He said to that group of physicians, and repeated on many occasions after that:

If you like your health care plan, you will be able to keep your health care plan, period. No one will take it away from you, no matter what.

Unfortunately, Mr. Speaker, like many assurances that were delivered to the American people about the President's health care law, this has been nothing more than an empty promise. Since the enactment of the Affordable Care Act, or ObamaCare, millions have been notified their insurance plans have been canceled.

I commend Chairman PITTS of the Health Subcommittee of Energy and Commerce for holding numerous hearings to examine this very issue. That is precisely why we need to pass H.R. 3522. Mr. Speaker, this commonsense legislation would simply allow health insurance companies to continue to offer group coverage that was in effect in 2013.

I commend our physician colleague from Louisiana, Dr. CASSIDY, for his leadership on this legislation.

If the President will not keep his promise to the American people that "if you like your health care plan, you will be able to keep your health care plan," then we need to do it for him. H.R. 3522 accomplishes that goal.

Mr. Speaker, I ask all of my colleagues to support this important legislation.

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

Mr. Speaker, this is frustrating to me because, again, we have just another effort to repeal or undermine the Affordable Care Act when we should all be working to implement the Affordable Care Act. Just to show what a waste of time, if you will, that this debate is today, I wanted to read a statement of President Obama's policy that was issued today with regard to this legislation. It says:

The administration strongly opposes House passage of H.R. 3522 because it threatens the health care security of hardworking middle class families. The Nation is experiencing the lowest rate of health care price inflation in nearly 50 years, and exceptionally slow growth in other measures of health costs, which have combined to dramatically slow the growth of small business premiums.

□ 1630

With health care costs rising at low rates and choices for small businesses improving through the Health Insurance Marketplace, this bill would be a major step backwards.

H.R. 3522 would roll back the progress made because of the Affordable Care Act and would allow insurers to deploy practices such as charging businesses more when a worker has a preexisting condition, or when

it has more workers who are women than men. The bill would allow insurers to go back to capping the amount of care that enrollees receive, or to excluding coverage of proven preventative care. The administration supports policies that allow people to keep the health plans that they have. Its transition policies allow States and issuers to do just that. But policies that reverse the progress made to extend quality, affordable coverage to millions of uninsured, hardworking middle class families are not the solution. Rather than refighting old political battles to sabotage the health care law, the Congress should work with the administration to improve the law and move forward.

If the President were presented with this bill, he would veto it.

So, again, this is just a waste of time. We have so many other things that we need to work on in this House before we adjourn, particularly jobs and the economy. Instead, we are trying to repeal, again, the same legislation that actually has created more jobs and kept health care costs low, and it is just, again, a complete waste of time.

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

Mr. PITTS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS) another member of the Health Subcommittee.

Mr. BILIRAKIS. Mr. Speaker, I thank the chairman for his leadership on this piece of legislation, also the sponsor, Dr. CASSIDY, for his leadership on this particular piece of legislation.

I rise today in support of the Employee Health Care Protection Act.

When the President said, "If you like your plan, you can keep it," that was deemed PolitiFact's Lie of the Year.

Then, millions of Americans across the country in the individual market received cancellation notices. They felt the impacts of the broken promises of the President's health care law.

Now the specter of cancellations looms again. Up to 50 million people who get health care through their employers could have their plans canceled or disrupted because of rules and regulations in the President's health care law. That is 1 in 6 Americans, Mr. Speaker.

If one of my constituents wants to keep their plan, they should be able to. Support this bill, and make the President keep his promise to the American people.

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the President of the United States.

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

Mr. PITTS. Mr. Speaker, at this time I am pleased to yield 2 minutes to the gentlewoman from North Carolina (Mrs. ELLMERS), another member of the Health Subcommittee.

Mrs. ELLMERS. Mr. Speaker, I thank Chairman PITTS for his leadership, and my colleague, BILL CASSIDY, for this wonderful bill, H.R. 3522.

This bill is very simple. It will allow people to keep the health insurance

they had before ObamaCare took it away, their choice.

Eighty percent of those people in this country are women who have made those choices in health care, and this would put it back in place.

President Obama infamously stated, as my colleague before me stated, "If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you will be able to keep your health care plan, period."

However, many plans offered prior to the ACA were not compliant with the numerous requirements this law required. As a result, millions of Americans were no longer able to purchase their old plans.

One of many of the business owners who provide health care coverage for their employees right there in my district, Mr. Steve Lozinsky, who runs Sparkle and Shine Cleaning Service in Apex, North Carolina, called me just the other day concerned about this issue.

Steve has about 240 employees, and he will be forced to lay off 31 of them because of the ObamaCare mandate.

Mr. Speaker, it is because of employers like Steve Lozinsky, who take care of their employees, who consider them family and want to do the right thing, it is because of them, and every American and every family in this country, that we need to pass H.R. 3522.

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

Mr. Speaker, this bill represents a direct assault on the health security of American families. The bill would allow insurance companies in their small business health plans to charge more for women's coverage, meaning workers in small businesses with more women than men have to pay more.

It would charge more for coverage for those with preexisting conditions, meaning workers in small businesses that have more people with preexisting conditions have to pay more. And these small businesses would face higher premiums and would continue to see their premiums spike year to year if an employee had an accident or got diagnosed with cancer.

Under the legislation, insurers group plans' could also impose annual limits on coverage, meaning that insurers could cease to provide any coverage after an individual's care reached a certain overall cost and impose extensive waiting periods before an employer could enroll in coverage.

Now, if the Republicans were serious about helping America's small businesses, they would be bringing up, instead, a bill to expand access to the ACA's small business health care tax credit, as actually proposed by the Obama administration.

The President has proposed allowing small businesses with up to 50 workers, rather than the current 25, to qualify for the credit, and adopting a more generous phaseout schedule.

Furthermore, instead of strengthening the small business tax credit, Re-

publicans have actually voted to repeal the tax credit three times.

Republicans are completely misrepresenting what this bill does, calling the bill's section 2 "If you like your group health insurance plan, you can keep it."

Well, first of all, the bill does not require that insurers keep selling these group policies. Insurers discontinue policies every year, and there is nothing in this bill that prevents them from doing so.

But more important, the bill goes well beyond the issue of people keeping plans they have now. Instead, it allows insurers to sell group plans that do not include ACA consumer protection to new customers through 2018.

Once again, the Republicans are misrepresenting what this bill does, and they are simply trying to repeal or undermine the ACA, which has been so successful in expanding insurance coverage, keeping down costs, and eliminating discriminatory practices.

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

Mr. PITTS. Mr. Speaker, may I inquire on the time remaining for both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 13½ minutes remaining. The gentleman from New Jersey has 16 minutes remaining.

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

Mr. Speaker, congressional Democrats constantly say that the ACA is not a perfect bill, and that they want to make changes. If they are sincere about that statement, they should join us in supporting H.R. 3522, a bill that received bipartisan support at Energy and Commerce to protect American workers who will lose their plan under the Affordable Care Act.

Thirty-nine Democrats joined us last year and voted for a similar bill to let Americans keep their plan in the individual market. We should work together to provide that very same protection to the tens of millions of American workers who depend on employer-sponsored health coverage.

Last fall, millions of Americans all across the country had their health plans canceled, despite repeated promises from the President and his allies in Congress that if you liked your health care plan, you would be able to keep it. And so, in the fall of 2013, health plan cancellations were concentrated in the individual market.

Sadly, millions of Americans with employer-sponsored coverage, group plans, will also face plan cancellations because of the Affordable Care Act. And some experts have testified before the Energy and Commerce Committee that approximately 50 million young American workers with fully insured coverage face plan cancellations or disruptions because of ACA requirements and regulations.

Forbes warned last year, and I will quote: "Starting in October 2014, many

employees of small businesses will start getting the same notices that are now being mailed to individuals, informing that their existing health plans are also being canceled."

Well, Mr. Speaker, Americans rightly feel misled by the President, by congressional Democrats. Their false assurance that Americans could keep their health care plan was recognized as the 2013 "Lie of the Year."

So, we have this legislation before us this year to apply to the group plans. As long as they were in existence in 2013, they could be available today. And I urge Members to support the legislation.

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

Mr. PALLONE. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. WAXMAN), the ranking member of the Energy and Commerce Committee.

Mr. WAXMAN. Mr. Speaker, I rise in opposition to this bill. It is bad for consumers. It is bad for small businesses. The only beneficiaries of this bill are the health insurance companies that want to sell bad policies, charge higher premiums for women, for children with preexisting conditions, and who want to put limits on health care coverage when people need it the most.

I want to take a minute to go back to the time before the Affordable Care Act and remind my colleagues why we passed that health care reform in the first place.

Before the ACA, consumers were seeing health insurance premiums rise by double-digits each year. Not anymore.

This morning, the Kaiser Family Foundation released a new report on small employer premiums. The report found that since the passage of the Affordable Care Act, premium increases for small business coverage have slowed considerably. This past year, premiums barely budged.

Before the ACA, there was no requirement for how much of your premium dollars go to an insurance company, how much of that had to actually go for your health care. Your premiums could be used to pay for exorbitant executive salaries, lavish conferences, and other expenditures that had nothing to do with the health coverage for the insured.

Now, consumers are saving billions of dollars from this new requirement that insurers actually spend premium dollars to provide health care.

Before the ACA, parents could find that they had no coverage at all for a child's preexisting conditions, even something as common as asthma. Today, all parents are guaranteed the peace of mind that their insurance will cover their children's medical needs.

Before the ACA, an individual struggling with cancer could find that the insurance plan would impose annual coverage limits and simply stop paying for care. Today, this is no longer the case.

Before the ACA, small businesses had few choices and no leverage with insurance companies. The ACA put consumers and small businesses back in charge, and it did so in a way that is cutting health cost growth and providing coverage to millions of previously uninsured Americans.

So what do we have on the other side of the aisle from the Republicans? Sour grapes.

We took a Republican idea, implemented by their very own Presidential candidate in Massachusetts, and we took that idea and made it work for the whole country, made it work for families, made it work better than even the most optimistic supporters had expected.

And Republicans are mad. So rather than work to implement the law, they have been working to thwart it. Sour grapes.

This bill is just another example of that mentality. It would not help small businesses. To the contrary. Small businesses that wish to grandfather and keep their old coverage already have that opportunity.

This bill would let insurance companies sell non-ACA-compliant policies to any business, policies that do not protect against benefit limits, rate hikes, discrimination against women or against children with preexisting conditions.

□ 1645

The bill would allow insurance companies to cherry-pick, offering low rates for inadequate, bare bones policies for some groups and then discriminate against, charging higher prices or offering weaker coverage for others.

Mr. Speaker, the Center on Budget and Policy Priorities yesterday released a new analysis of the bill and what it would mean. The analysis concluded that it would "likely cause premiums to rise substantially for many small businesses and undercut health reform's small group market reforms and consumer protections."

So I am opposed to this bill. It is not about helping businesses. It is not about helping families. This bill puts insurance companies back in charge, and it returns the insurance market to the days when they could discriminate with impunity. I am not for that, and I hope my colleagues are not for that. I urge a "no" vote.

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

The President not only made a promise that, if you liked your doctor you could keep your doctor, he said, if you liked your health care plan, you could keep your health care plan no matter what—period. He also promised reductions in premiums of \$2,500 per family.

Americans are not seeing the \$2,500 reduction in premiums that the President promised under the ACA. Instead, Americans are seeing higher premiums and deductibles under the President's health care law. Some of the premium increases are outrageous, and the

deductibles—I don't know how a family could save the \$10,000 to \$15,000 for their deductibles that some of them are telling us they are going to have. In fact, the administration's own actuaries have confirmed that premiums are going up under the ACA. Earlier this year, actuaries from CMS estimated that 65 percent of small businesses will see premium increases under the Affordable Care Act. Middle class Americans working for these 11 million small businesses will see higher premiums, meaning less take-home pay for working Americans.

The American people want real health care reform, but the ACA is making things worse. The President's health care law has led to canceled health care plans, fewer choices, higher premiums, and higher deductibles for middle class families. Ultimately, the law needs to be replaced with better solutions that lower costs and provide better health care choices.

However, let's be clear about what H.R. 3522 actually does. The bill does not repeal the ACA. We have heard the mantra of how many 50-some votes there have been to repeal. Instead, this bill simply lets American workers keep their health care plans, and it expands coverage options.

Congressional Democrats constantly say that they want to change the parts of the ACA that don't work. If they are sincere about that pledge, they should join us in supporting H.R. 3522. This is a bipartisan bill to protect American workers who will lose their plans under the health care law. As I said last year when we had a similar bill for the individual market cancellations, 39 Democrats joined us and voted for that bill to let Americans keep their plans in the individual market.

Congress should work together to provide the same protection to the millions of American workers with group coverage, and that is what the Employee Health Care Protection Act does. Families, not Washington, should decide if they want to keep their health care plans.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my friend from New Jersey for yielding to me.

Mr. Speaker, I rise in strong opposition to this bill.

My friend on the other side of the aisle said that this doesn't repeal the Affordable Care Act, but in reality, it does. This is the 53rd time. When I was a little boy, I went to PS 53 in the Bronx. I feel we have now reached that level of 53, with no end in sight, and I really wish that both sides of the aisle could put their heads together and keep what we like and fix what we don't like.

All of the major bills that have ever been put into effect, be it Medicare, be it Medicaid, be it the civil rights bills of the 1960s, had to be tweaked because, when you have an omnibus bill, you

really don't know what its effect is going to be until you roll it out and you see, and then you make changes. I mean, that happens with every major bill. The problem is that most of our friends on the other side of the aisle hated the law and never really wanted it to succeed. So, if you don't want it to succeed and if you throw roadblocks in its path and if you have a situation in which Republican Governors are refusing to expand it, you will have failure because, if you don't want to work with something and if you don't want to make it better, it won't get better. In my home State, where we embrace it, it has worked. It hasn't worked in every single instance but in a vast majority of instances. Again, we should change what doesn't work and keep what works.

In New York, this year's insurance rates, on average, were—and here is another 53—53 percent lower than the rates in 2013 for comparable coverage. Our exchange, New York State of Health, has already announced next year's rates, which will continue to be more than 50 percent lower than they were before our insurance exchange was established.

According to the Kaiser Family Foundation and Health Research & Educational Trust's annual Employer Health Benefits Survey, individuals obtaining health insurance from their employers are generally facing "similar premium contributions and cost-sharing requirements in 2014 as they did in 2013." Furthermore, we know that these individuals are often benefiting from more quality, comprehensive coverage.

Mr. Speaker, I don't want to return to the bad old days when insurance companies where permitted to discriminate against small businesses that employed large numbers of women, older individuals, or those with preexisting conditions. I don't want to return to the bad old days when you couldn't keep your child on your premium until that child was 26 years old, as you can under the Affordable Care Act.

I urge all of my colleagues to vote against this legislation, and I urge my friends on the other side of the aisle to really sit down with us. Let's put our heads together, and let's once and for all help fix this bill. There are a lot of good features in it. We should expand on those. The things that we think need to change we should change, but, please, let's not ever vote to repeal again. We don't need to have a 54th time. Enough is enough.

Mr. PITTS. Mr. Speaker, I am prepared to close, so I continue to reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume in order to close the debate.

The frustrating thing for me and for so many of us on the Democratic side of the aisle is that we know how successful the Affordable Care Act has been, and yet the Republicans continue



to negate the positive aspects of the ACA and seek to undermine it with the repeal or with legislation like this that would seriously undermine the goals and the success of the Affordable Care Act. I just want to point out that, since the Affordable Care Act was enacted in March of 2010, 9.9 million private sector jobs have been created.

According to the latest estimates from the CBO, the overall number of Americans receiving employer-based coverage is expected to grow from 156 million in 2014 to 166 million in 2023, and the number of uninsured is expected to fall by 26 million Americans. Also, since Massachusetts enacted health care reforms that were almost identical to those in the ACA, the percentage of employers offering coverage has increased from 72 percent in 2007 to 77 percent in 2010. Since the ACA was enacted, the Nation has seen 4 years of the slowest health care spending growth since recordkeeping began in 1960. Slower growth in health care costs translates into slower growth of employers' health benefit costs, helping businesses and workers save money. Indeed, employers' hourly health benefit costs rose just 1 percent after adjusting for inflation over the year ending in June 2014, near the bottom of the historical range.

In addition to slowing down the rate of growth of health care spending, which is benefiting employers, the Affordable Care Act is also producing premium savings for America's small businesses due to its 80-20 rule. That rule requires that insurers spend at least 80 percent of premiums on medical care rather than on CEO pay, profits, and administrative costs. If an insurer fails to meet this standard, it must pay rebates to its customers. As a result of this rule, according to a recently released report, America's small businesses have saved a total of \$2.5 billion on their premiums since 2011.

The bottom line, Mr. Speaker and my colleagues, is that the Affordable Care Act is delivering on the promise of affordable, quality, and dependable health coverage for millions of Americans, but that doesn't stop the Republicans. We can't shake their obsession with undermining the law, and that is what they are doing again with this bill. The vote on this bill will be the 53rd GOP vote to repeal or to undermine the ACA, so I urge my colleagues to vote "no."

I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, at this time, I am pleased to yield such time as he may consume to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, I rise in strong support of the Employee Health Care Protection Act, a bipartisan bill authored by our committee, particularly by Dr. BILL CASSIDY as the prime sponsor, to protect the health care choices for literally millions of American workers.

Last fall, we learned the harsh reality that the President's oft-repeated promise that if you liked your health care plan you could keep it—you have heard that here today—was simply not true. Many were shocked to learn that their individual policies were being canceled because of the President's health care law. They didn't like that at all.

Sadly, the wave of canceled plans under the President's broken promise has not ended. The very backbone of America's health care system, employer-sponsored coverage, provides health care security to about 170 million American workers and family members. The President's health care law now threatens the health care plans of many of America's middle class workers who rely on employer-sponsored coverage. Many with employer-sponsored coverage will face the same plan cancellations that millions of Americans received with their individual policies last fall.

This legislation provides a thoughtful solution and relief from the President's broken promises. The bill before us simply allows America's small businesses and workers to choose from health care plans that were in effect in 2013. The bill would also allow other small businesses and workers to choose from more affordable group health care plans available before the President's health care law.

America's workers and families know their health care needs better than do Members of Congress or officials at the Department of HHS. This bill empowers Americans with more choices, the same choices that they were promised. If Americans like their health care plans, they should be able to keep them—period, end of story.

I am also pleased that, this week, the nonpartisan CBO confirmed that this bill would lower the deficit by more than \$1 billion, provide more health plan options with lower premiums, and, yes, raise wages for American workers.

We have all heard firsthand of the struggles facing middle class American families because of the health care law. Tom Harmon, from my district, and the trusted workers at American Waste—in a little town called Union, Michigan—are seeing their health care premiums more than double. Sadly, their deductibles are much higher to boot, forcing them to deal with higher health care costs. Rather than make life easier, Washington, through this President's health care law, has, in fact, made life more expensive for Tom and the working families of American Waste in southwest Michigan.

In conclusion, I am proud to say that this bill, H.R. 3522, is a bill dedicated to helping workers across the country who are struggling with the costs and consequences of the President's health care law. I would urge my colleagues on both sides of the aisle to support Dr. CASSIDY's bill. America's workers deserve the chance to pick the health care plans that best suit their needs, not lose them.

Mr. PITTS. Mr. Speaker, I urge all of my colleagues on both sides of the aisle to support H.R. 3522.

I yield back the balance of my time.

Mr. TERRY. Mr. Speaker, I speak today in support of Mr. CASSIDY's bill—the Employee Health Care Protection Act H.R. 3522,

This bill is very important to ensure employers and their employees can keep their plan—a broken promise from President Obama.

Just last week I was contacted by the Cornerstone Staffing Inc. based in Omaha who is currently facing hard decisions in order to be in compliance with this disastrous law.

Cornerstone Staffing is a woman-owned nine-year-old local business that will now suffer due to a law that no one read.

Cornerstone Staffing Inc. has 15 full time employees with a range of 150 to 450 temporary employees at any given time.

Previously they didn't offer insurance to all temporary workers but had the flexibility to secure coverage for those workers who needed it.

Now, Cornerstone Staffing Inc. is forced to provide coverage to all of their employees—whether they need it or not—which means they can't afford to place as many individuals in needed jobs.

Not only will H.R. 3522 bring some relief to companies and their employees but it will also increase government revenue by \$400 million. This is common sense.

I urge my colleagues to support this bill and give some relief to families across the nation. I am submitting a letter Cornerstone Staffing Inc. sent to me regarding their problems with the President's health care law.

HELLO CONGRESSMAN TERRY, We have met briefly in the past, actually my company was previously located on the second floor of your office building on Burt Street. I work for Cornerstone Staffing Inc, we are a nine year old, local, woman-owned staffing firm servicing the Omaha metro area.

I'm very late in the game sending this message but we recently met with representatives from Silverstone Group regarding ACA and how it will affect our company in 2015. I have to be honest, I don't fully understand the requirements or implications but we currently have 15 full-time, internal employees. We also employ temporary/contract employees and depending on the season we could have 150 to 450 contractors working for us at a time. Some might work one week, some might work twelve months and some might work for us 3 times in a year at a variety of our clients with months off between assignments.

It is my understanding that "PEO" (employee leasing services) are exempt from Obamacare. We W-2 all of our contractors (versus 1099) as many are required to be by Nebraska state law. Therefore we have the same obligations to offer a temporary/contract employee healthcare as if they are hired to work in a long-term permanent position.

We are not against offering benefits to our contract employees, especially if they work more than 90 days on a project. Our concern is that much of our temp/contract workforce is paid \$10-\$13/hour. If the individuals out of pocket healthcare costs can not exceed 9.5% of their income, we will be forced to pay the majority of their healthcare monthly. In our business, we may only make \$2-\$3/hour on each of these employees so they might have to work weeks before we make a profit especially after we pay taxes, background checks and payroll expenses. This has the potential to be a huge blow to our company profits and

it could have an adverse effect if we are forced to decide if it is even “worth” employing someone who is willing to work because the risk is too great on our end.

ACA is going to put a major strain on our industry. Omaha is home to many staffing firms including several large nationally focused firms. Is there anything more we can be doing to amend or exempt recruiting/staffing agencies from the standard requirements of ACA?

Thank you for your consideration and any suggestions,

BRAD JONES,  
Vice President of Operations,  
Cornerstone Staffing Inc.

The SPEAKER pro tempore (Mr. PITTS). All time for debate has expired.

Pursuant to House Resolution 717, the previous question is ordered on the bill, as amended.

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.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3522 is postponed.

□ 1700

#### HOUR OF MEETING ON TOMORROW

Mr. PITTS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

#### THE PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I am here on behalf of the Progressive Caucus. And I will be joined by some other members of the Progressive Caucus to talk about issues that are important to this country and issues that are important to have a debate about in public.

This is our first week back. After 5 weeks of being in our home districts, we have a lot to get done in this Congress. And so far this week, we have not exactly risen to the occasion. We have important things to do regarding the continuing resolution. We have important things to do regarding situations overseas. We have important legislation that this Congress simply has not gotten done. And, instead, another week has gone by without addressing some of the most important issues of the day.

One of those issues that, I think, is front and center in people's minds is what is going on overseas, what is going on with ISIL in Iraq, perhaps in Syria, and what does that mean for the American people.

And I am here today asking many of the questions that I get from people in

the district. The President is going to address the Nation this evening, and he is going to give us his vision for where he thinks this country should go. And I am asking the President to please come to Congress before military action is taken against ISIL because it is so important that we are a part of this debate. We are the closest to the people in this country, and Congress needs to be involved. And I have some questions that I would like to see Members of Congress debate and the President help us address as we decide this extremely important issue.

I want to give props to Rachel Maddow who, last night, I thought did an excellent job on her program in looking at some of the questions that we should be debating in this body to make sure that we are doing the right thing by getting involved and that we have got the thought ahead of time going into it, unlike I think what we have done previously when we have gone into Iraq, as a country.

So these are some of the questions that we would like to have answered and we would like to have assistance with. One, why should the President seek congressional authorization and debate for military action against ISIL? Well, for one, it is in the Constitution. The Constitution, article I, section 8: “The Congress shall have power to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water; to raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years.”

Directly in our United States Constitution is the power that this body, Congress, has to be involved if we are going to get involved in what would essentially be seen as war. And I think the debate that we have to have is, what are we looking at as we look at the situation in Iraq and perhaps in Syria.

John Nichols from The Nation magazine wrote: “It is a healthy respect for the complex geopolitics of the region, combined with a regard for the wisdom of the system of checks and balances and the principles of advice and consent outlined in the US Constitution” that we have a say. Those are the words of John Nichols.

This Congress, in July, before we left to go back to our districts, voted 370–40 for H. Con. Res. 105. We don't get many 370–40 votes in this House. It was a bipartisan resolution. It had overwhelming support and said: “The President shall not deploy or maintain United States Armed Forces in a sustained combat role in Iraq without specific statutory authorization.”

That is the resolution that was passed overwhelmingly in a bipartisan way by this body just weeks ago. We are facing these questions today. And the President is going to present to the Nation this evening exactly what he would like to see us do and hopefully will let the Congress have a say in it because, clearly, the situation has escalated. It needs a debate.

The beheadings have certainly caught the attention of the country, but we want to make sure that attention is on our behalf, not the attention of someone who did that to try to provoke a reaction, and that we don't fall into the hands of doing the reaction that some people would hope that we would do to engage in a region that could be very complex.

And after this country has had so many unfortunate failures in Iraq—twice in my adult lifetime we have gone into this region, with very limited success, and we have gone into Afghanistan—we owe it to the American people, to our veterans, our servicemen and -women and their families, those who have gone in and put their lives at risk following 9/11, to have this rigorous debate in this very body before us.

This is a complex situation. But given the failures that we have had previously in going into Iraq—whether it be the lack of debate, the lack of buy-in from other nations and other partners specifically in the region and, quite honestly, the faulty intelligence that we had or that were told at the time—it has put us in a bad situation in the past in this region.

In fact, one of the reasons we have to have this debate is there are a number of Members who are right now writing authorizations for us to go in. In fact, there is one from the gentleman from Virginia, Representative FRANK WOLF, that would essentially be an Authorization for Use of Military Force that could authorize force virtually anywhere, with no expiration date and no specific targets.

And I can tell you, when I talk to people across Wisconsin, when I talk to my colleagues in this room and they talk to their constituents, I think people want better answers than that. I know a year ago, when we had the debate about whether or not we would get involved in Syria, within 2 weeks in my district, I received 2,200 responses, 97 percent to 3 percent who were leery of us getting involved in Syria. And while the situation is different from a year ago and is even a situation different from a month ago, I think the public still has questions, certainly questions that we need to debate in this body. So we need to have that debate in Congress.

What do we want from the President in a new authorization? Well, I think there are three things that should be in that. One is that Congress has a say. Again, we have the ability to have a vote. We are elected and accountable to our districts, and these decisions are not just made behind closed doors without the advice and consent of Congress. We will have a stronger effort if we have that public debate. So that is one. Two, that we have a narrow scope. We simply can't bomb our way into success.

And let me just go over a little bit of the timeline just in the very few months since ISIL has been out there.