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

NAYS—3

| | | |
|-------|------------|--------|
| Amash | Broun (GA) | Massie |
|-------|------------|--------|

NOT VOTING—13

| | | |
|-----------|----------------|----------------|
| Aderholt | Hall | Negrete McLeod |
| Capuano | Keating | Perlmutter |
| Cassidy | McCarthy (NY) | Schrader |
| Doyle | Miller, Gary | |
| Duckworth | Miller, George | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1617

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5771, TAX INCREASE PREVENTION ACT OF 2014, AND PROVIDING FOR CONSIDERATION OF H.R. 647, ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2014

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113-643) on the resolution (H. Res. 766) providing for consideration of the bill (H.R. 5771) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, and for other purposes, and providing for consideration of the bill (H.R. 647) to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SUPPORT ABLE ACT OF 2014

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

Mr. FITZPATRICK. Mr. Speaker, I rise to urge the House to pass the Achieving a Better Life Experience Act of 2014, also known as the ABLE Act.

The ABLE Act would help ease the strain on those with physical and mental disabilities by allowing the creation of tax-free savings accounts. These savings accounts would work a lot like the popular 529 college savings plans.

The accounts could be used to pay for life expenses such as education, housing, and transportation. In other words, this bill levels the playing field for those with disabilities who cannot make use of tax-free college savings plans by giving families an alternative tax-free account that they can use.

It is also important to note that the bill doesn't take away any other benefits that those with disabilities might be entitled to; rather, it would serve as a supplement, giving these families the flexibility to achieve a better life.

This bill has a tremendous amount of bipartisan support. The ABLE Act is an opportunity for this Congress to show that we can work together to make a real difference in the lives of American families.

Mr. Speaker, this bill is about empowering those with disabilities and their families, and I urge that the House and Senate pass the ABLE Act, so that the President can sign it into law before the end of the year.

IMPERIAL EDICT FROM THE WHITE HOUSE

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

Mr. POE of Texas. Mr. Speaker, he said, "I'm the President. I'm not king. I can't do these things by myself."

That was President Obama in 2010. That was then; this is now. The lawless administration continues to ignore Congress in order to go it alone and implement his own authoritarian agenda. The latest illegal kingly edict is that he will disregard immigration law, orally change the rules, grant legal status, and give work permits to millions of foreign undocumented nationals.

These actions show the administration is more interested in jobs for illegal foreign nationals in America than Americans in America. That is why Congresswoman BLACK and I have introduced the Separation of Powers Act.

This legislation would prohibit the use of funds for granting deferred action, green cards, work permits, or other immigration relief to people not lawfully present in the U.S.

Most importantly, it would allow Congress to exercise its check on the out-of-control White House that treats the Constitution as a mere suggestion instead of the law. The President says he is not the emperor of the United States, but his actions show otherwise. America doesn't need a king; otherwise, we would have kept King George.

And that is just the way it is.

The SPEAKER pro tempore (Mr. MESSER). Members are reminded to refrain from engaging in personalities toward the President.

WORLD AIDS DAY

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

Ms. LEE of California. Mr. Speaker, yesterday marked World AIDS Day and more than 30 years since the first discovery of AIDS in the United States.

As the cofounder of the HIV/AIDS caucus, I am proud to say that we have made great strides in combating the AIDS epidemic here in our own country and throughout the world. Contracting HIV is no longer the death sentence that it once was, but much more remains to be done.

A recent report by UNAIDS found that we have 5 years to break the epidemic for good or risk it rebounding out of control. We cannot allow the gains we have made in fighting for an AIDS-free generation to be lost, and we can eradicate AIDS if we devote proper resources to the fight both here and abroad.

We must reduce the stigma surrounding the disease by strengthening educational and outreach activities to help prevent millions of new HIV cases worldwide. We must also provide the science-based comprehensive sex education that has proven to reduce the spread of sexually transmitted diseases, and we must repeal laws that promote discrimination and hate.

Mr. Speaker, now is the time to take bold action to create a world that is free from HIV and AIDS. I urge my colleagues to join me in working to achieve an AIDS-free generation.

UNCONSTITUTIONAL ACTIONS BY PRESIDENT OBAMA

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

Mr. GOHMERT. Mr. Speaker, well, it has been quite an interesting couple of days coming back from Thanksgiving, and this morning, there was an interesting conference, what to do about a President who, for a number of years, a couple dozen of times or so, has made very clear he is not a king, he is not an emperor, he would rather not have to deal with Congress, Congress is a messy thing to deal with, but he can't just do what he wants regarding immigration without following the Constitution and that means, under the Constitution, article I, section 8, Congress has sole authority when it comes to issues like naturalization and immigration.

Prior Congresses have passed laws and made it clear what it takes to become a United States citizen. Now, those laws need fixing. There is no question about that, and despite all of the rhetoric, our friends on the other side of the aisle, when they controlled the majority in the House, majority in the Senate, with President Obama in the White House, chose to absolutely do nothing about correcting immigration problems, securing the border—not even amnesty. Why? Because they know, they see the polls, and the polls make very clear that the American public did not want any type of amnesty.

The President knew were he and the Democrats in the House and Senate, when they had the majority during their 2 years, to have done something like an amnesty bill like the bill the President passed without going through Congress, then they would have surely lost the majority, and the President would definitely not have been reelected in 2012.

□ 1630

And they did not think it was worth risking the majority over an amnesty when the vast majority of Americans did not want it. Why? Because the vast majority of Americans have to comply with the law, and fortunately those same vast number of Americans think everybody else should as well.

Now, we still see emails saying, you know, if we could ever get Congress under Social Security, Congress living under the same laws as everybody else did, then a lot of our problems will be fixed, and that forgets the fact that actually Members of Congress have been paying into Social Security for years.

No Member of Congress has a benefit that every other Federal employee doesn't already have. One of the promises that Republicans made, that they said they would do if they got the majority in November of 1994, is to make sure that Republicans have and Demo-

crats in Congress have to live under the same laws everybody else does.

Now, I was told when I was prevented from continuing to cook ribs that my friends across the aisle, Democrats, and Republicans love—everybody that is not a vegetarian tells me they loved my ribs; and my dear friend LOUISE SLAUGHTER had told me that her late husband, before he passed, as a vegetarian had even eaten two ribs of mine she brought home. So my ribs were a big hit with everybody but the Architect of the Capitol. He told me I couldn't continue to cook because of a violation of the fire code, and that was something Republicans actually changed to make sure that we in Congress had to live under the same laws everybody else does. So we do.

We are supposed to live under the laws everybody else does, but then it comes to amnesty, and some here in the minority think it is just fine for a President to legislate since they are not able to do that while they are in the minority. Didn't do it when they were in the majority. The President didn't do it before his reelection in 2012.

So it is a bit of a conundrum when the President of the United States asserts, as an alleged former constitutional professor, apparently an instructor, all these years he cannot do anything about the immigration problem because the Constitution doesn't allow it. Then, immediately before the grand jury acted in Missouri, the President acts, knowing what was about to happen in Missouri, Ferguson, and knowing Thanksgiving was coming up and a lot of people would take their eye off of what was happening with regard to amnesty, and then the President speaks a new law into existence.

The law is very clear: if you are not legally in the United States, you can't legally hold a job. The President changed that law with a pronouncement and a stroke of his pen, but that is not a legal law.

So we have got to stand up for the Constitution. For a President to avoid taking such action before an election because he knew it would cost him a second term, it would cost his party dramatically in the Senate and House, then to wait and do it immediately after the election and right before Thanksgiving when he thinks people will lose interest, well, Americans are not losing interest. They are still concerned.

Now that the President has taken this unconstitutional action, America is looking at Republicans: You said you were against it. You ran and we elected you to the majority in the House and Senate, and you were saying you would not abide such an unconstitutional action. So what are you going to do about it?

Well, one of the things being proposed is my dear friend TED YOHO—sometimes people say “dear friend” around this body and they say it a bit tongue in cheek, but that is not true of

TED YOHO. He is a great American, and I am very, very proud he is my friend. But in H.R. 5759, titled, Preventing Executive Overreach on Immigration Act, my friend Congressman YOHO has a bill that declares that the President does not have the authority to exempt categories of persons unlawfully present in the United States from removal. Any executive action seeking to exempt these categories of person is a violation of the law and has no legal effect.

The bill goes on to make clear this is a permanent solution that will apply to executive actions that attempt to circumvent the law. Further, this does not affect any appropriation, so it does not risk any government funding or shutdown issues.

It is a constitutional separation of powers issue. So any reform or change to the law must come from congressional legislation, not executive fiat, and basically makes clear an executive fix of the law is unconstitutional, temporary, and establishes a dangerous precedent that could be abused by Presidents of both parties for any area of the law they disagree with.

So that is a great first step, but the problem is, if we do not eliminate the funding for the President's unconstitutional action, then it may be carried out anyway. There is some talk about extending funding to next March. Well, by March people will already have been provided work permits that the law says may not legally have work permits, and it is not likely anything would be done at that point to stop it. Now is the time to stop unconstitutional action.

As the President keeps saying, Congress didn't do anything. It shows that he is getting terrible advice. We had a knock-down, drag-out session the last week of July in this Chamber, and two floors below this Chamber, in the House office buildings, we were fighting it out because, as the President has said, dealing with Congress can be messy.

That is the way the Founders intended it. They wanted it to be difficult to pass laws. And Jefferson, thinking it would be a good idea—though he wasn't there at the Constitutional Convention, so he didn't get this in. It would be a good idea if laws had to be on file for a year before they could even be brought up for a vote. Things done in haste in this body or the Senate are not a good idea.

Yet we must do something to stop the unconstitutional action. The President wants a border bill. We passed one in the House. Somebody needs to advise President Obama's advisers that we passed a good bill. It was not a good bill on Thursday, but by Friday at 10 p.m. or so when we passed it, it was a good bill. Still had more to do. There is much more we can and should do. There is a lot of reforms that must be done, but until the border is secure, then we are just going to have to keep