

the weather, which we should all do more of.

I commend Pat for his years of service to the southeast Georgia community and wish him all the best. You deserve it, Pat.

CLOSING THE TERRORIST WATCH LIST LOOPHOLE

(Ms. MATSUI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, from California to Colorado, the devastating realities of gun violence are hitting home. In the face of more senseless attacks on innocent victims, it is past time that we treat gun violence in America as a national crisis.

Preventable gun violence is inexcusable. We need to enact commonsense gun law reforms, like ensuring that no terrorist suspect is able to walk into a gun shop and buy a deadly weapon.

According to a report by the GAO, since 2004, more than 2,000 suspects on the FBI's terror watch list have successfully purchased weapons in the United States. In fact, more than 90 percent of all the suspected terrorists who attempted to purchase guns in the last 11 years walked away with the deadly weapon they wanted.

These statistics are indefensible. Let's put our political excuses aside and close the terrorist gun loophole because lives are on the line.

RECOGNIZING TOYOTA MOTOR MANUFACTURING KENTUCKY PLANT AS TOYOTA'S LARGEST PRODUCTION PLANT

(Mr. BARR asked and was given permission to address the House for 1 minute.)

Mr. BARR. Mr. Speaker, Kentucky is famous for horses, bourbon, college basketball, and hospitality. And now we can add to that list the fact that the Commonwealth is home to Toyota's largest manufacturing plant in the world.

With production of the 2016 Lexus ES fully up and running, the Toyota Motor Manufacturing Kentucky plant now ranks as the company's largest by production volume. That is right; Toyota now has its largest manufacturing plant in Georgetown, Kentucky.

The addition of the Lexus production line brought with it 750 new jobs to my district. This continued investment in Kentucky is a testament to the skill, perseverance, and dedication of the American workforce.

Mr. Speaker, we must continue to foster the manufacturing renaissance in America by enacting comprehensive tax reform; reining in burdensome regulations; fixing Dodd-Frank and other financial rules that impede access to capital; ending the EPA's destructive war on abundant, affordable energy; and promoting free trade so that American exporters are competitive around

the world. When we are able to manufacture in America, companies like Toyota can fulfill the promise of good-paying jobs and secure the American Dream.

□ 1230

GUN VIOLENCE

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

Mr. VARGAS. Mr. Speaker, I rise today to talk about the epidemic of gun violence in our country.

A number of years ago, James Huberty, heavily armed, walked into a McDonald's in my district and killed 21 people.

A few years later, shortly after delivering his valedictorian speech at Lincoln High School in my district, Willie James Jones, III, was tragically shot and killed in a drive-by shooting.

On March 5, 2001, those in the very high school from which I graduated were victims of a shooting that left two people dead and 13 injured.

It is past time for Congress to act and to save American lives. I am calling on my colleagues to work together to find comprehensive solutions to this dire problem.

I believe that Representative KING's legislation, which prevents people from flying who are deemed too dangerous, would also prevent them from purchasing assault weapons. I believe it is a step in the right direction; so let's work together and get it done.

PRESIDENT OBAMA WANTS A GOVERNMENT SHUTDOWN

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

Mr. OLSON. Mr. Speaker, this Congress and the White House agree, by December 15, the Federal Government will shut down.

No one on Capitol Hill wants a shutdown. I don't. No House Republican does. No House Democrat does. All we want are honest negotiations.

President Obama's spokesman said: "The President is not going to sign a CR that will give Members of Congress additional time to negotiate."

Clearly, President Obama wants a shutdown. Why? He thinks a shutdown is good election-year politics. Pain is never good politics. I ask the President to change course. Negotiate. Don't shut down our government.

TALLAHASSEE'S BETHEL AME CHURCH

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

Ms. GRAHAM. Mr. Speaker, I would like to congratulate Tallahassee's Bethel AME Church on their 150th anniversary.

Bethel was founded in 1865 when a group of courageous Christians walked out of their segregated church. They were led by the Reverend Robert Meacham, a former slave preacher. Since that day, church membership has grown from 116 people in 1865 to more than 1,700 worshippers today; and under the leadership of my friend and neighbor, Reverend Dr. Julius H. McAllister, Jr., the church continues to benefit our community and serve as an inspiration to everyone in north Florida.

I congratulate Bethel AME on a blessed 150 years, and I look forward to personally attending many more services as they continue to grow and thrive.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2015.

Hon. PAUL D. RYAN,
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 December 9, 2015 at 9:33 a.m.:

That the Senate passed S. 1719.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2015.

Hon. PAUL D. RYAN,
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 December 9, 2015 at 11:23 a.m.:

That the Senate agreed to the Conference Report S. 1177.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 2130, RED RIVER PRIVATE PROPERTY PROTECTION ACT, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 556 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 556

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. 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.

SEC. 2. It shall be in order at any time through the calendar day of December 13, 2015, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

POINT OF ORDER

Ms. ESTY. Mr. Speaker, I raise a point of order against House Resolution 556 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution, in waiving all points of order against consideration of the bill, waives section 425 of the Congressional Budget Act, thereby causing a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Connecticut makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Connecticut and a Member opposed each will control 10

minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Speaker, Americans, understandably, feel a sense of fear and chaos caused by the news of the senseless attacks that have been carried out against civilians in this country and around the world in the past few weeks.

We can and we should help reassure the American people that their Representatives in Congress—that we here in this Chamber—are doing everything in our power to prevent such a brutal attack from happening in any one of our communities.

If we do not act this week, how can we go home? How can we go home and look our constituents in the eyes and tell them that we are doing everything we can? that we are upholding our sworn duty to protect the American people?

But we can act. We can act, and we should act today.

We need to close the loophole that allows dangerous people from buying guns. There is no loophole more egregious, more glaring, or more shocking than the one that allows suspected terrorists in this country to walk legally into a gun shop, to go online or to go to a gun show, and purchase a weapon in order to kill American citizens.

This astounding loophole has allowed more than 2,000 individuals on the FBI's terrorist watch list to buy weapons legally in this country in the last 11 years. In that time, more than 90 percent of the individuals on the watch list who have tried to buy guns have been given a green light. They have been handed a gun. Those numbers are shocking, and they are disturbing.

As Members of Congress, it is our responsibility to protect all Americans wherever they live, and one of those areas of protection is from terror in their communities. It is to keep our citizens safe.

What is terror? There has been a lot of discussion about what terror is. In its most simple sense, terror is spreading fear and chaos, and that is exactly what the American people are feeling right now—fear and chaos here and around the world.

There are no easy answers for mass shootings, and there are no easy answers for combating terrorism; but the fact that the answers are not easy does not absolve us of our responsibility to step up and do what is hard. We are not elected to do what is easy. We are not elected to do what is possible. We are elected and we are sworn to do what is hard and what is necessary to protect and advance the interests of the American people.

Now is the time to act.

Yesterday, the House voted to strengthen the security screening process for those who travel to the United

States under the Visa Waiver Program, and I was proud to cosponsor that bill. We acted together in this body to protect the American people.

While reforming the Visa Waiver Program is a good thing, it is not enough. It is insufficient to the task. Keeping guns out of the hands of terrorists in this country, on American soil, is a necessary and an important step for us to take; but until we have the opportunity to vote to close this loophole, suspected terrorists in this country will continue to have and to use the opportunity to buy weapons in our country.

The simple truth for the American people to know is that we have been denied even the opportunity to vote to close this loophole, and we have a bipartisan bill right now that we could act on. It is time for us in this House to stand up for the safety of the American people and to stand up to the NRA and others who are sowing fear and misinformation about what is possible to do to protect people.

I am a proud cosponsor of the bipartisan bill that would protect the American people. The Denying Firearms and Explosives to Dangerous Terrorists Act would close this loophole by banning the sale or the distribution of firearms to anyone the Attorney General deems to be engaged in terrorist activities.

The U.S. Government already maintains a list of known and suspected terrorists. If there are problems with that list—and I have heard my colleagues raise that question—then let's fix the list. If there are problems with the law, let's fix the bill. We can't afford to remain silent. We can't afford to remain passive. We can't afford to be denied the opportunity to exercise our duty to vote as Members of Congress. That is what we do; and, right now, we are being denied that simple and straightforward right.

□ 1245

It is time. It is past time for this Congress to act. Let's keep guns out of the hands of suspected terrorists. Let's bring up the bill. If you can't fly, you shouldn't be able to buy a gun.

Tonight, I will be joining some of my colleagues at the third national vigil to end gun violence. Here on Capitol Hill in a church a few blocks away, we will be meeting with families and survivors of gun violence from across the country, from Newtown, Connecticut, in my district; from Aurora, Colorado; from Chicago; from Harlem; from across this great country. Thousands of Americans are affected every month by our inaction.

I am going to have a very hard time looking these folks in the eye today. I ask you to join me, come with me, and look them in the eye and tell them why you are unwilling to take one single vote, one single step to try to protect people in America. We have an opportunity to change that today. We have an opportunity to act together. We have an opportunity to fulfill our duty

to protect and defend the American people from the scourge of gun violence. A simple, straightforward, and important way to start is to allow us to vote on this bipartisan bill that will close an absurd loophole in the law that allows terrorists to buy guns to kill Americans.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I claim the time in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 10 minutes.

Mr. NEWHOUSE. Mr. Speaker, the question before the House is should the House now consider House Resolution 556. While the resolution waives all points of order against consideration of today's measures, the Committee on Rules is not aware of any violation of the Unfunded Mandates Reform Act. In fact, as the gentlewoman from Connecticut clearly agrees, she did not even mention the word "unfunded" once in her comments. The waiver is only necessary to ensure that the House can continue with its scheduled business. In fact, the Congressional Budget Office has stated in its analysis of this measure that there are no violations of the Unfunded Mandates Reform Act.

Mr. Speaker, this is a dilatory tactic. This straightforward bill will provide certainty to the landowners on the Red River who are unsure if the land to which they hold title and have paid taxes on will remain in their families.

In order to allow the House to continue its scheduled business for the day, I urge Members to vote "yes" on the question of consideration of the resolution.

I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman from Connecticut has 3 minutes remaining.

Ms. ESTY. Mr. Speaker, some say as my colleague just did, my friend across the aisle, that we shouldn't bring up this issue this week; that this is political and, therefore, inappropriate. Well, I have to disagree and disagree strongly.

Politics is about people coming together to solve problems. If we can't come together to help address the crying need of the American citizens to be protected a little bit more from the fear and chaos of terrorists on our soil, armed with guns legally purchased in this country because we have refused to act, I proudly say it is political and that is exactly what we should be doing. We should be coming together as the body politic of the American people.

It is precisely the time to take action, and I support the underlying legislation. I support even more us taking steps now in the wake of mass shootings, now in the wake of terrorism, now at the time when many of the

world's religions are praying for peace, hope, and light in the dark time of the year.

It is a dark time in the soul of the American people and in this country, and we have the opportunity to take action. We have the opportunity to be a beacon of light and hope and responsiveness to the needs of the people. That is our job.

I call on my colleagues to join me at the vigil and to join me in allowing us the opportunity to vote, to act, to protect and defend this country.

I yield the remaining time to the gentleman from Massachusetts (Mr. McGOVERN).

Mr. McGOVERN. Mr. Speaker, let me thank the gentlewoman from Connecticut (Ms. ESTY) for raising an important issue, for forcing us to talk about something that the Republican leadership is working overtime to prevent us from having a vote on.

Only in this Republican-controlled House of Representatives would the idea of prohibiting terror suspects from getting weapons be considered controversial. It is stunning.

Let me say to the Republican leadership, who are, again, preventing us from being able to deliberate on this issue, you take my breath away. I cannot believe that you will not allow us to have a vote on the floor on this important issue. You are on the wrong side of history. You are certainly on the wrong side of public opinion.

The vast majority of Americans—Democrats, Republicans, Independents—all think we ought to close this loophole, everybody but the leadership of this House, which is beholden to one special interest.

Terror suspects can't fly on airplanes. I fly back and forth from Boston to Washington every week. I am glad that terror suspects can't fly on airplanes. I feel more safe. The people I fly with feel more safe.

Why would it be somehow acceptable, then, to allow those same people who cannot fly to be able to go out and buy weapons, highly sophisticated weapons, weapons that are used by terrorists to kill civilians? Why would that be acceptable?

We ought to have a vote on this. Let us vote. Let us deliberate on this important issue.

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

Mr. NEWHOUSE. Mr. Speaker, I appreciate the comments from my colleagues from Connecticut and Massachusetts. I can't think of one person out of 535 Members of Congress that wants terrorists to have a firearm. Certainly not. That is not something that is even in question.

I do find it very interesting, especially from my colleague from Massachusetts—and which we sit together on the Rules Committee—to bring up a point of something that, I would say, he advocates for daily on this floor and in this body and, that is, to follow regular order to allow pieces of legislation

to go through the committee process, to allow every Member of this body to have their input, to have their say, to be able to amend, to be able to argue, to be able to debate, to allow it to go through the process that this body stands for, until today when it is their side of the aisle's idea that they have to move an issue forward.

They say: Let's circumvent regular order, let's bring something that has not gone through the committee process, that has not allowed every Member of this body to weigh in on, to debate, to bring up amendments, to make their feelings known. Let's only do it when it is not their idea. That is the message I am getting.

So, Mr. Speaker, I certainly appreciate the enormity of the issue before us. We are working on many bills in this legislative body to deal with the issue of terrorism in front of us as a Nation and as a world. I hope that Members of the other side of the aisle will support those efforts to make this country safer.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 241, nays 174, not voting 18, as follows:

[Roll No. 681]

YEAS—241

Abraham	Cramer	Guinta
Aderholt	Crawford	Guthrie
Allen	Crenshaw	Hanna
Amash	Culberson	Hardy
Amodei	Curbelo (FL)	Harper
Babin	Davis, Rodney	Harris
Barletta	Denham	Hartzler
Barr	Dent	Heck (NV)
Barton	DeSantis	Hensarling
Benishek	DesJarlais	Herrera Beutler
Bilirakis	Diaz-Balart	Hice, Jody B.
Bishop (MI)	Dold	Hill
Bishop (UT)	Donovan	Holding
Black	Duffy	Hudson
Blackburn	Duncan (SC)	Huelskamp
Blum	Duncan (TN)	Huizenga (MI)
Bost	Ellmers (NC)	Hultgren
Boustany	Emmer (MN)	Hurd (TX)
Brady (TX)	Farenthold	Hurt (VA)
Brat	Fincher	Issa
Bridenstine	Fitzpatrick	Jenkins (KS)
Brooks (AL)	Fleischmann	Jenkins (WV)
Brooks (IN)	Fleming	Johnson (OH)
Buchanan	Flores	Jolly
Buck	Forbes	Jones
Bucshon	Fortenberry	Jordan
Burgess	Fox	Joyce
Byrne	Franks (AZ)	Katko
Calvert	Frelinghuysen	Kelly (MS)
Carter (GA)	Garrett	Kelly (PA)
Carter (TX)	Gibbs	King (IA)
Chabot	Gibson	King (NY)
Chaffetz	Gohmert	Kinzinger (IL)
Clawson (FL)	Goodlatte	Kline
Coffman	Gosar	Knight
Cole	Gowdy	Labrador
Collins (GA)	Granger	LaHood
Collins (NY)	Graves (GA)	LaMalfa
Comstock	Graves (LA)	Lamborn
Conaway	Graves (MO)	Lance
Cook	Griffith	Latta
Costello (PA)	Grothman	LoBiondo

Long	Peterson	Smith (NE)
Loudermilk	Pittenger	Smith (NJ)
Love	Pitts	Smith (TX)
Lucas	Poe (TX)	Stefanik
Lummis	Poliquin	Stewart
MacArthur	Pompeo	Stivers
Marchant	Posey	Stutzman
Marino	Price, Tom	Thompson (PA)
Massie	Ratcliffe	Thornberry
McCarthy	Reed	Tiberi
McCaul	Reichert	Tipton
McClintock	Renacci	Trott
McHenry	Ribble	Upton
McKinley	Rice (SC)	Valadao
McMorris	Rigell	Wagner
Rodgers	Roby	Walberg
McSally	Roe (TN)	Walden
Meadows	Rogers (AL)	Walker
Meehan	Rogers (KY)	Walorski
Messer	Rohrabacher	Walters, Mimi
Mica	Rokita	Weber (TX)
Miller (FL)	Rooney (FL)	Webster (FL)
Miller (MI)	Ros-Lehtinen	Wenstrup
Moolenaar	Roskam	Westerman
Mooney (WV)	Ross	Westmoreland
Mullin	Rouzer	Whitfield
Mulvaney	Royce	Williams
Murphy (PA)	Russell	Wilson (SC)
Neugebauer	Salmon	Wittman
Newhouse	Sanford	Womack
Noem	Scalise	Woodall
Nugent	Schweikert	Yoder
Nunes	Scott, Austin	Yoho
Olson	Sensenbrenner	Yoder
Palazzo	Sessions	Young (AK)
Palmer	Shimkus	Young (IA)
Paulsen	Shuster	Young (IN)
Pearce	Simpson	Zeldin
Perry	Smith (MO)	Zinke

NAYS—174

Adams	Eshoo	McCollum
Ashford	Esty	McDermott
Bass	Farr	McGovern
Beatty	Fattah	McNerney
Becerra	Foster	Meeks
Bera	Frankel (FL)	Meng
Beyer	Fudge	Moore
Bishop (GA)	Galleo	Moulton
Blumenauer	Garamendi	Murphy (FL)
Bonamici	Graham	Nadler
Boyle, Brendan	Grayson	Napolitano
F.	Green, Al	Neal
Brady (PA)	Green, Gene	Nolan
Brown (FL)	Grijalva	O'Rourke
Brownley (CA)	Gutiérrez	Pallone
Bustos	Hahn	Pascrell
Butterfield	Hastings	Peters
Capps	Heck (WA)	Pingree
Capuano	Higgins	Pocan
Cárdenas	Himes	Polis
Carney	Hinojosa	Price (NC)
Carson (IN)	Honda	Quigley
Cartwright	Huffman	Rangel
Castor (FL)	Israel	Rice (NY)
Castro (TX)	Jackson Lee	Richmond
Chu, Judy	Jeffries	Royal-Allard
Ciilline	Johnson (GA)	Ruiz
Clark (MA)	Johnson, E. B.	Rush
Clarke (NY)	Kaptur	Ryan (OH)
Clay	Keating	Sánchez, Linda
Cleaver	Kelly (IL)	T.
Clyburn	Kennedy	Sarbanes
Cohen	Kildee	Schakowsky
Connolly	Kilmer	Schiff
Conyers	Kind	Schrader
Cooper	Kirkpatrick	Scott (VA)
Costa	Kuster	Serrano
Courtney	Langevin	Sewell (AL)
Crowley	Larsen (WA)	Sherman
Cuellar	Larson (CT)	Sinema
Cummings	Lawrence	Sires
Davis (CA)	Lee	Slaughter
Davis, Danny	Levin	Smith (WA)
DeFazio	Lewis	Speier
DeGette	Lieu, Ted	Swalwell (CA)
Delaney	Lipinski	Takano
DeLauro	Loebach	Thompson (CA)
DelBene	Lofgren	Thompson (MS)
DeSaulnier	Lowenthal	Titus
Deutch	Lujan Grisham	Tonko
Dingell	(NM)	Torres
Doggett	Luján, Ben Ray	Van Hollen
Doyle, Michael	(NM)	Vargas
F.	Lynch	Veasey
Duckworth	Maloney,	Vela
Edwards	Carolyn	Velázquez
Ellison	Maloney, Sean	Visclosky
Engel	Matsui	Walz

Wasserman	Watson Coleman	Yarmuth
Schultz	Welch	
Waters, Maxine	Wilson (FL)	

NOT VOTING—18

Aguilar	Luetkemeyer	Ruppersberger
Gabbard	Norcross	Sanchez, Loretta
Hoyer	Payne	Scott, David
Hunter	Pelosi	Takai
Johnson, Sam	Perlmutter	Tsongas
Lowey	Rothfus	Turner

□ 1325

Messrs. CICILLINE and RICHMOND changed their vote from “yea” to “nay.”

Messrs. GRAVES of Missouri, JODY B. HICE of Georgia, CARTER of Georgia, WITTMAN, LATTA, FINCHER, JOLLY, WALBERG, and FITZPATRICK changed their vote from “nay” to “yea.”

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROTHFUS. Mr. Speaker, on rollcall No. 681, I was unavoidably detained. Had I been present, I would have voted “yes.”

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

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule, House Resolution 556, providing for consideration of an important piece of legislation, H.R. 2130, the Red River Private Property Protection Act.

The rule provides for consideration of H.R. 2130 under a structured rule, making every amendment submitted to the committee in order, which includes a manager's amendment and an amendment by Mr. COLE of Oklahoma.

Mr. Speaker, H.R. 2130, the Red River Private Property Protection Act, is critically important to protecting private property in the great States of Texas and Oklahoma. This bill prevents the Federal Government from seizing thousands of acres of private land that is lawfully owned by American citizens along the 116-mile stretch of the Red River between Oklahoma and Texas.

The Bureau of Land Management, or the BLM, is currently updating its Texas and Oklahoma Resources Management Plan, which covers this stretch of the Red River.

BLM initially stated that there are an estimated 90,000 acres of land along this stretch of the river that may be considered public domain and managed as Federal land. They have since reduced this estimate to 30,000.

Of these 30,000 acres, less than 6,500 acres have actually been surveyed. These revisions and drastically different estimates based upon a fraction of acreage surveyed have caused great concern among landowners and local stakeholders.

□ 1330

H.R. 2130 would commission a survey of the entire 116-mile stretch of the contested area along the Red River using the gradient boundary survey method developed and backed by the Supreme Court of the United States in 1923's decision, *Oklahoma v. Texas*, that determined the proper boundaries between private and federally owned land.

This decision set the precedent for determining the boundaries, including taking into account the doctrine of erosion, accretion, and avulsion of the Red River, which changes rapidly and materially in flood.

The underlying bill states the survey must be conducted within 2 years by licensed State land surveyors and approved by the Texas General Land Office in conjunction with the Commissioners of the Land Office in Oklahoma.

Once the survey is approved, affected landowners have the ability to appeal the survey to an administrative law judge. After the boundary between public and private land is settled, the BLM is required to sell the remaining Federal land along the Red River at no less than fair market value. Landowners will rightly be given the rights of first refusal.

H.R. 2130 also requires that a resource management plan adhere to the requirements in the bill and explicitly states that nothing in the language will affect the Red River Boundary Compact, which established the visible boundaries between the two States and solves jurisdictional and sovereignty disputes.

Land already patented under the Color-of-Title Act will not be affected nor will the sovereignty of federally recognized Indian tribes regarding land that is located to the north of the South Bank boundary line.

Mr. Speaker, the entire section of this 116-mile stretch has never even been surveyed by the BLM, and the small portions that the agency has surveyed appear to stray widely from the accepted gradient boundary survey method endorsed by the Supreme Court.

Uncertainty clouds all decisions being made with regard to this land. The BLM has never actively managed the small strip of land they actually do own, as they are unsure of exactly what land it is they own.

Meanwhile, the agency appears incapable of understanding basic natural

movements of the river. While the approved survey method makes clear that ownership boundaries between private and public land will change with the movements of the river over time, BLM surveys do not.

A major determinant of land ownership must reflect the location of the existing median line of the river while taking into account past changes in the river's movement.

While BLM fails to understand the very land they claim to be surveying, landowners along the river are left unsure if the land they have held titles to and have paid taxes on will remain their property or be subject to Federal ownership.

This uncertainty threatens the value of privately owned lands. It clouds the title and causes landowners to think twice before making improvements on their land. This insecurity is harming local landowners and local economies, stifling any potential economic development in the area.

H.R. 2130 will solve this problem and clear up the uncertainty caused by BLM's decision, after over 90 years, to suddenly decide to claim the rights to this land. In conjunction with the States and affected tribes, this legislation will make clear the true ownership of the property.

The House Natural Resources Committee, which I sit on, favorably ordered this bill in September. It is important to note that this legislation is an updated version of legislation introduced in the 113th Congress and reflects the input received from landowners, both States in subject, as well as feedback provided by the minority members on the Natural Resources Committee.

So I believe the updates reflect the bipartisan nature in which this legislation was drafted and highlights the necessity of solving this problem for the people of Texas and the people of Oklahoma.

This legislation is necessary to not only right an obvious wrong in this specific instance regarding the Oklahoma-Texas border, but is essential to ensuring that local landowners have a judicious, practical process to firmly establish title to their rightfully owned land.

Government exists to protect our natural rights. Those include property rights. H.R. 2130 will put in place the proper process to ensure government agencies assist, rather than impede, with the protection of private property.

So, Mr. Speaker, this rule allowing for consideration of H.R. 2130, the Red River Private Property Protection Act, will support the protection of private property and prevent the Federal Government from falsely claiming thousands of acres of land lawfully owned by American citizens.

I support the rule's adoption. I urge my colleagues to support both the rule and the underlying bill.

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

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

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

Mr. McGOVERN. Mr. Speaker, I want to thank the gentleman from Washington (Mr. NEWHOUSE) for yielding me the customary 30 minutes.

Mr. Speaker, what we should be talking about today is keeping the government open before funding runs out. With the horrific terrorist attack in San Bernardino taking place just 1 week ago, we should also be talking about how to keep guns out of the wrong hands.

House Democrats are united in making these our top priorities so that we can address the pressing issues the American people elected us to tackle. Instead, we are talking about H.R. 2130, the Red River Private Property Protection Act.

This is a bill that Republicans know is going nowhere, but they still insist that we take it up. Today I rise in strong opposition to the rule and the underlying legislation.

Proponents of this bill claim that the Bureau of Land Management's effort to survey land along the Red River is a Federal land grab. In fact, H.R. 2130 is a land grab by the State of Texas which will harm local Native American tribes and taxpayers nationwide.

H.R. 2130 would set aside existing Federal surveys of land along the 116-mile stretch of the Red River in Texas and would require the Secretary to commission and to accept, without Federal participation, surveys of the land approved by the Texas General Land Office.

We should be helping to provide legal certainty to property owners along the Red River, but we should not use the approach of voiding or nullifying Federal surveys.

BLM's survey and public planning process is not a land grab or a government overreach, but simply a Federal agency trying to resolve a very complex situation. If Texas wants to challenge the BLM's survey methods, they should do it in the normal way, in the courts, not through Congress.

Additionally, this legislation would require the Interior Department to delegate its authority for determining Federal estate to a State agency, would be counter to near 100 years of settled law, and could reduce mineral revenue opportunities for the Kiowa, Comanche, and Apache tribes and the State of Oklahoma.

Passing this bill could potentially complicate oil and gas leases that local tribes rely on for income. The Kiowa, Apache, and Comanche tribes receive 62.5 percent of any royalty generated for oil and gas development along this section of the Red River.

If part of this land no longer belongs to the Federal Government, then this agreement would disappear and the important source of revenue relied on by these tribes could vanish into thin air.

These tribes view this bill as a threat to their livelihood and an assault on their property.

In addition to potentially losing revenues from mineral revenues, tribes have also expressed concern about access to water. Water is scarce in this arid region, and tribes rely on access to the Red River significantly. So H.R. 2130 could threaten that critical access.

If we want to do what is right by the people of Texas, the people of Oklahoma, the affected tribes, and the people of the United States, we have got to reject this bill in its current form.

We all know that it is going nowhere and will be just another waste of the House's precious time. I ask my colleagues: Shouldn't we be tackling pressing issues, like gun violence or funding for our government?

Mr. Speaker, Congress only has 1 legislative day left to avert a government shutdown. Let me remind my Republican friends about the last time that they shut down the government:

The economy lost \$24 billion and 120,000 private sector jobs. Veterans' disability claims were stalled. Head Start centers were forced to close. Small businesses were cut off from SBA loans. \$4 billion in tax refunds were delayed. Hundreds of Americans were prevented from enrolling in NIH clinical trials.

So instead of heading down that road again and damaging our recovering economy, I hope my friends on the other side of the aisle will do the right thing.

I urge the Republican leadership to drop their demands for radical policy riders that put an omnibus funding bill in jeopardy. Work with our leadership. Work in a bipartisan way to advance a bill that will keep the government open and avert yet another Republican-manufactured crisis.

There is a lot of work that needs to be done, Mr. Speaker, and it needs to be done right now.

My friend from Washington earlier made reference to regular order, saying that those of us who are trying to get a vote on a bill to basically close a loophole that allows terrorist suspects to be able to buy weapons are not adhering to regular order.

Well, I have news for my friend from Washington State. Regular order is dead in this House of Representatives. It died a long time ago. My Republican friends killed it a long time ago. There is no regular order in this House.

Whether it is on your bills to defund Planned Parenthood, the energy package, the Syrian refugee bill, the oil bill, none of that came before us in regular order. We are on this floor day after day, demanding votes on procedural motions precisely because there is no regular order in this House.

The committees of jurisdiction are not doing their job, are not even doing hearings or reporting a bill out of committee that would prevent terrorist suspects from getting access to weapons.

So we are using procedural motions to try to put some pressure on the leadership in this House—if not pressure, maybe to shame the leadership of this House to bring a bill to the floor that the overwhelming majority of the American people want.

As I said earlier, only in this Republican-controlled House of Representatives would the idea of prohibiting terrorist suspects from getting weapons be considered controversial.

These people that we are talking about are on the no-fly list. They can't fly on airplanes, and I am glad that they can't fly with me when I go back and forth from Washington to Boston every week. I think the majority of Americans, Democrats and Republicans, are glad that terrorist suspects are not on their plane flying around the country when they are on these planes.

Why, then, would it somehow be a good idea to say that these people who cannot fly on our airplanes because we suspect them of links to terrorism can somehow go out and buy a weapon of war that could potentially be used against our citizens?

There are a lot of things we need to do. This is one of them. I get it that there is a particular special interest out there that is putting a lot of pressure on the leadership and on some Members on the other side to not be able to bring this bill to the floor. But I would say that a majority of the members of the National Rifle Association actually agree with us on this issue.

By the way, this idea that we are putting forward here today is not a democratic idea. It is introduced by a Republican Member of Congress, Congressman PETER KING of New York. It is an idea that has been endorsed by a Republican President and its administration, the Bush administration prior to this one. Their Justice Department thought this was a good idea.

Former New Jersey Governor Tom Kean, who is the co-chair of the 9/11 Commission, said this is a good idea. I mean, reasonable, rational people think this is good idea.

Yet, in this House of Representatives, we can't even get it on the floor for a vote. If you don't want to vote for it, then have the courage to vote "no." Allow it to come to the floor. Let your constituents know where you stand on this issue.

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

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

I thank the gentleman from Massachusetts (Mr. McGOVERN), my colleague on the Rules Committee. I appreciate his opening comments and take great interest in some of the things that were pointed out.

Certainly, nobody in this body on this side of the aisle or on your side is interested in closing down the government and shutting the government. In fact, just yesterday Leader McCarthy

stood at this very podium and told everyone to make sure that they kept their travel plans flexible enough to be able to stay here and get their work done.

So I think there is a commitment on both sides of the aisle in order to get work done for the American people. Also, protecting Americans in this very dangerous time that we face in the world today is one of the highest priorities that we have as a Congress and is certainly a constitutional duty that all of us take very seriously.

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We are working very hard. We have committees of jurisdiction working very hard and coming up with workable ideas in order to accomplish just that. In fact, we just passed something this week that had to do with the waiver program for visas that I think will go a long way in keeping this country safe.

We can walk and chew gum at the same time. We can deal with the important issues of the American people as well as not only keeping the government open, keeping Americans safe, but also protecting property rights when a Federal agency creates a problem by trying to take private property away from citizens. In this case, it is not in my State, but tomorrow it could be, and it could be in your State tomorrow. So we can do multiple important things that the American people expect us to do on their behalf.

Mr. Speaker, we talked a lot about regular order in my colleague's opening statements, so here we go again. As I said earlier, we are lectured on a daily basis on the importance of regular order. This bill that we are considering here is a perfect example of regular order. It went through the committee process. We have accepted two amendments in the Rules Committee that were offered to perfect this bill that the Members of this full body will get an opportunity to voice their opinions on and to vote whether they accept them or not.

Just last week, Mr. Speaker, we heard two conference reports: one on the highways bill and one on education. That is a great example of regular order being reestablished in this House of Representatives. Speaker RYAN is committed to regular order, working from the ground up, letting the committees do their jobs, and allowing every Member to have a voice in this process.

So I am very happy. I am very optimistic about the future of this body and our ability to get work done under Republican leadership. I think we have shown that we can get work done, and we are doing a great job doing it.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. THORNBERRY). He would like to speak on this issue of the Red River Valley.

Mr. THORNBERRY. Mr. Speaker, I appreciate very much the gentleman

from Washington yielding me the time and his work on this issue, as well as the chairman of the Natural Resources Committee for bringing it to the floor.

Mr. Speaker, I do not intend to spend a great deal of time debating the merits of the bill at this point on the rule. I think it is important, however, that I try to clear up some misunderstandings, apparently, that have been generated.

Let me just say that one misunderstanding that I have heard referred to on the floor is that the committees in this House are not taking action against terrorism. I can say that the committee I am privileged to chair, the Armed Services Committee, has had a briefing this very morning about how we can be more effective against ISIS and the threat of terrorism. So there is a great deal of work that is going on around this House. It may not be every bill that every Member wants to see debated, but a variety of committees and committees working together are working to take action to try to keep this country safe, and I think that is important for the American people to know.

Mr. Speaker, the Red River Private Property Protection Act is an important act not only for the landowners on both sides of the river along this 116-mile stretch in Texas and Oklahoma, but it is important for property owners across the country; because, if an agency of the Federal Government can wake up one day and say, "We own more land than we ever have thought we owned over the last 90 years," it puts in doubt the property rights of landowners everywhere because it is very difficult to fight the Federal Government.

The suggestion was made that this underlying legislation is a landgrab by Texas. Of course, my opinion, Mr. Speaker, is that reflects a fundamental understanding of the situation and certainly of what this legislation does.

Let me take just a moment to explain that, when Thomas Jefferson bought the Louisiana Purchase from France in 1803, he bought for the United States all of the land in the riverbed of the Red River down to the south bank of the river. That was affirmed in numerous treaties between the United States and Spain, the United States and Mexico, and the United States and the Republic of Texas. That is the boundary, the south bank. But in 1867, the United States made a treaty with three Indian tribes, and that reservation that was the subject of that treaty just went to the middle of the river.

I have the exact treaty which I may well enter into the RECORD at a future point.

So, Mr. Speaker, the bottom line is, any reservation which later became private property in the State of Oklahoma extended only to the middle of the river, while Texas did not go further north than the south bank of the river. That leaves a narrow strip from

the middle of the river to the south bank that is absolutely Federal territory.

That is the way it has been since, as I say, at least 1867, with nobody else making a claim that they owned it—until 2 years ago; and then the Bureau of Land Management said: We think we own a lot more land, not just the south bank, but a lot more land. And that is what has caused this controversy.

So how do you solve a controversy like that? You do a survey. You follow the Supreme Court decision from the 1920s. You get professionals out there who know what they are doing, and you conduct a survey exactly along the line the Supreme Court said we should. And that is what this bill does. It requires a survey along the whole 116-mile stretch, which has never been done. As the gentleman from Washington states, as a matter of fact, they have only surveyed 6,000 acres in a spot sort of fashion.

So this tries to answer this issue once and for all. Survey the whole thing. We know where the line is, and, therefore, people who are private property owners on both sides of the river know where the line is as well.

Now, clearly, Mr. Speaker, there is no intention of infringing upon any of the rights that the tribes or anybody else has. Let me just quote a few provisions from the underlying legislation:

Nothing in this act shall be construed to “alter the valid rights of the Kiowa, Comanche, and Apache Nations to the mineral interest trust fund created pursuant to the act of June 12, 1926.”

“Nothing in this act shall be construed to modify the interest of Texas or Oklahoma or sovereignty rights of any federally recognized Indian tribe over lands located to the north of the South Bank boundary line as established by the survey.”

“The sale of a parcel under this section shall be subject to . . . valid existing State, tribal, and local rights.”

There are more protections in here than even I can count. So the point is not to change anybody's rights. It is to prevent the Federal Government from confiscating the land that private property owners have deeds to, often for generations, and have paid taxes on for years and years. That is what this is trying to solve.

The suggestion has been made, well, all this ought to be worked out in court. Number one, private landowners sometimes don't have the pockets to work it out—especially a fight with the Federal Government—in court.

Secondly, while you are working it out in court, this cloud hangs over your title. You can't sell your land. You can't borrow money on it because nobody knows if that is really Federal land or private land.

This was not a problem until 2 years ago, when the Bureau of Land Management said: We are going to take in more land than anybody has ever alleged that the Federal Government owns.

The way to fix a BLM overreach is for this House to take action and answer the question once and for all. That is what this legislation does.

Mr. Speaker, I appreciate very much the gentleman from Washington and the chairman of the committee for giving us the opportunity to debate it.

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

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

Mr. Speaker, I include in the RECORD the Statement of Administration Policy on H.R. 2130, which says that if the President were presented with H.R. 2130, his senior advisers would recommend that he veto the bill.

STATEMENT OF ADMINISTRATION POLICY
H.R. 2130—RED RIVER PRIVATE PROPERTY
PROTECTION ACT

(Rep. Thornberry, R-TX, Dec. 8, 2015)

The Administration strongly opposes H.R. 2130, which would set aside existing Federal surveys, divest the Secretary of the Interior of responsibility as surveyor of record for the United States, and transfer lands out of Federal ownership without ensuring a fair return to the taxpayer.

H.R. 2130 would set aside existing Federal surveys of land along the Red River in Texas and would require the Secretary to commission and to accept, without Federal participation, surveys of the land approved by the Texas General Land Office. This legislation would require the Secretary to delegate her authority for determining Federal estate to a state agency, would be counter to nearly 100 years of settled law, and could reduce mineral revenue opportunities for the Kiowa, Comanche, and Apache Tribes and the State of Oklahoma.

The Administration shares the goal of providing legal certainty to property owners along the Red River, but strongly opposes the approach of voiding or nullifying Federal surveys.

If the President were presented with H.R. 2130, his senior advisers would recommend that he veto the bill.

Mr. MCGOVERN. Mr. Speaker, I include that in the RECORD, first of all, to make it clear to my colleagues that what we are doing here is a waste of time. This bill isn't going anywhere.

I would say to the gentleman from Washington that, if his idea of regular order is bringing bills to the floor that are going nowhere, we have a different definition of what regular order is all about. I have listed for you a series of major bills that did not go through regular order. Most of them never went through committee. This whole process, since we are 1 day away from a government shutdown, of putting an omnibus together is not regular order.

Mr. Speaker, my friends control the House, they control the Senate, and yet we are going to get this big bill no matter whether it passes or not. We are not going to know what is in this bill for weeks and months afterwards, all these riders and all these different deals on the omnibus bill and the tax extender bill. So, please, regular order is dead.

We are again pursuing these procedural motions to try to force you, to try to shame my friends on the other

side of the aisle, to bring a bill to the floor that the overwhelming majority of the American people want us to vote on.

Mr. Speaker, I am going to urge my colleagues to defeat the previous question. If the previous question is defeated, I will offer an amendment to the rule to bring up bipartisan legislation that would close a glaring loophole in our gun laws allowing suspected terrorists to legally buy firearms. Mr. Speaker, this bill would bar the sale of firearms and explosives to those on the FBI's terrorist watch list. Why that is so controversial for the Republican leadership is beyond me.

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

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

There was no objection.

Mr. MCGOVERN. To discuss our proposal, I yield 1½ minutes to the distinguished gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Speaker, I thank Mr. MCGOVERN.

Mr. Speaker, with just 2 days until the government runs out of funding, House Republicans have chosen to bring a bill to the floor to solve a dispute between two States: Texas and Oklahoma.

Mr. Speaker, we have an epidemic of gun violence in this country, and Congress is doing nothing to end the killing. Right now, a person on the FBI's terrorist watch list can go to a gun store or a gun show and purchase a firearm legally.

If a person on the terrorist watch list is too dangerous to buy a plane ticket, why are they allowed to purchase unlimited quantities of weapons and ammunition?

Mr. Speaker, Congress needs to act now to protect the American people. The Denying Firearms and Explosives to Dangerous Terrorists Act is a bipartisan bill which prohibits the sale of firearms to people on the Federal Bureau of Investigation's terrorist watch list. Congress needs to take the most basic step we can by passing this bill to keep Americans safe from those who wish to do us harm.

Mr. Speaker, I thank the gentleman from Massachusetts again for the time.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE.)

Mr. CICILLINE. I thank the gentleman for yielding.

Mr. Speaker, we have a gun violence epidemic in this country. There have been nearly 50,000 incidents of gun violence in our country this year. More than 12,400 people have lost their lives. There have been more than 350 mass shootings in the United States this year, more than there have been days

in the year. For many killers in these mass shootings, assault weapons are the weapons of choice.

Right now, Mr. Speaker, someone who is on the terrorist watch list, someone law enforcement has deemed too dangerous to board an airplane, can walk into a gun store and buy an assault rifle. This is insane. H.R. 1076 will fix this.

Mr. Speaker, I thank Congressman KING of New York for introducing this commonsense bill, and I applaud him for actually working with the Democrats. I am proud to be an original cosponsor of the bill. We need more people on his side of the aisle to stop kneeling at the altar of the NRA and actually do something about this urgent threat to public safety.

Mr. Speaker, if we don't pass this into law, then shame on us for doing nothing while thousands of Americans are dying each year from gun violence. Instead of spending time on this Texas landgrab, as Mr. MCGOVERN says, we should be focused on the urgent issues facing our country.

Mr. Speaker, I urge my colleagues to defeat the previous question so we can take up H.R. 1076 and do something to protect our constituents from gun violence in this country.

Mr. NEWHOUSE. Mr. Speaker, I have just one comment to make in response to the gentleman from Massachusetts.

If the definition of regular order is only considering those issues that the administration approves of, then what really is our function here as a Congress? Should we just put a sign out that says that we are closed until a new administration comes along? It seems to me that we have a duty to the American people to consider issues that are important from the majority's perspective.

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

Mr. MCGOVERN. Mr. Speaker, I will just respond to the gentleman by saying that my objection is that we have become a place where trivial issues get debated passionately and important ones not at all. The difference between debating a Texas landgrab bill that is going nowhere versus a bill that could protect the American people from terror suspects who now have access to buy guns, I don't think there is any comparison here. The difference between doing this Texas landgrab bill and actually passing a bill to keep the government running, I think passing a bill to keep the government running is more important.

Mr. Speaker, I yield 1½ minutes to the gentleman from California (Ms. HAHN).

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Ms. HAHN. Mr. Speaker, I thank my colleague from Massachusetts for the few moments to talk about something really important.

Colleagues, it is our responsibility to take action on behalf of the American people that we represent, and right

now they are begging us to take action to keep them safe. We should not be wasting our time debating this legislation on the floor today when so many lives are at stake.

The American people are anxious, many are afraid, and they have reason to be. Guns kill 36 people every day in our country. No other developed country comes close to that level.

Some would say it is we, in this body, who are to blame because we have failed to enact even the most reasonable policies to keep guns out of the hands of dangerous criminals.

It is unbelievable that an individual on the terrorist watch list can walk into a gun shop and buy the firearm of their choice in this country. Among all the gaps in our gun laws, this loophole is the most glaring. In fact, in the past 11 years, 2,000 suspects on our FBI's terrorist watch list have walked into a gun store and bought the weapon of their choice.

All we are asking for is the commonsense legislation that PETER KING has introduced that would close this loophole be brought to this floor for a vote. This bill, introduced by PETER KING, has bipartisan support. Of course, this bill is not a cure-all for all gun violence in this Nation, but it is a step in the right direction.

I join my colleagues in asking Speaker RYAN to bring this legislation to the floor for a vote.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Speaker, I thank the gentleman for yielding.

I had to take this opportunity to come to the floor to urge my GOP colleagues to allow a vote on closing the loophole that allows terrorists and terrorist suspects to go and purchase firearms and get a license for explosives. It is unbelievable that this loophole still exists. This is something that we can work together on to help keep our families safe all across America.

And here is the state of the law. Currently, if you are a felon, you cannot purchase a firearm. If you are a fugitive, you cannot purchase a firearm. If you are a drug addict, you cannot purchase a firearm. If you have been convicted of domestic violence, you cannot purchase a firearm.

Here is the loophole: If you are on the terrorist watch list and you cannot fly, you can still go into the gun store and purchase a firearm. This really is truly unbelievable.

I ask the gentleman from Massachusetts (Mr. MCGOVERN) to tell us again the statistic, based upon the GAO report, of how many people, terrorists, suspected terrorists, have been able to purchase firearms.

Do you know?

Mr. MCGOVERN. Will the gentlewoman yield?

Ms. CASTOR of Florida. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. This astounding loophole has allowed more than 2,000 suspects on the FBI's terrorist watch list to buy guns in the United States over the last 11 years.

Ms. CASTOR of Florida. Reclaiming my time, I include in the RECORD a page that summarizes the GAO report from a few years ago, because I know folks think this is a partisan fight. And don't take it from us. Take it from the independent GAO. It states:

"Membership in a terrorist organization does not prohibit a person from possessing firearms or explosives under current Federal law."

[From GAO Highlights, May 5, 2010]

TERRORIST WATCHLIST SCREENING: FBI HAS ENHANCED ITS USE OF INFORMATION FROM FIREARM AND EXPLOSIVES BACKGROUND CHECKS TO SUPPORT COUNTERTERRORISM EFFORTS

WHY GAO DID THIS STUDY

Membership in a terrorist organization does not prohibit a person from possessing firearms or explosives under current federal law. However, for homeland security and other purposes, the FBI is notified when a firearm or explosives background check involves an individual on the terrorist watchlist. This statement addresses (1) how many checks have resulted in matches with the terrorist watchlist, (2) how the FBI uses information from these checks for counterterrorism purposes, and (3) pending legislation that would give the Attorney General authority to deny certain checks. GAO's testimony is based on products issued in January 2005 and May 2009 and selected updates in March and April 2010. For these updates, GAO reviewed policies and other documentation and interviewed officials at FBI components involved with terrorism-related background checks.

WHAT GAO RECOMMENDS

GAO is not making new recommendations, but has made prior recommendations to the Attorney General to help ensure that background checks involving individuals on the terrorist watchlist are properly handled and that allowable information from these checks is shared with counterterrorism officials, which the FBI has implemented. GAO also suggested that Congress consider adding a provision to any future legislation that would require the Attorney General to define when firearms or explosives could be denied, which has been included in a subsequent bill.

WHAT GAO FOUND

From February 2004 through February 2010, FBI data show that individuals on the terrorist watchlist were involved in firearm or explosives background checks 1,228 times; 1,119 (about 91 percent) of these transactions were allowed to proceed because no prohibiting information was found—such as felony convictions, illegal immigrant status, or other disqualifying factors—and 109 of the transactions were denied. In response to a recommendation in GAO's January 2005 report, the FBI began processing all background checks involving the terrorist watchlist in July 2005—including those generated via state operations—to ensure consistency in handling and ensure that relevant FBI components and field agents are contacted during the resolution of the checks so they can search for prohibiting information.

Based on another recommendation in GAO's 2005 report, the FBI has taken actions to collect and analyze information from these background checks for counterterrorism purposes. For example, in April 2005,

the FBI issued guidance to its field offices on the availability and use of information collected as a result of firearm and explosives background checks involving the terrorist watchlist. The guidance discusses the process for FBI field offices to work with FBI personnel who conduct the checks and the Bureau of Alcohol, Tobacco, Firearms and Explosives to obtain information about the checks, such as the purchaser's residence address and the make, model, and serial number of any firearm purchased. The guidance states that any information that FBI field offices obtain related to these background checks can be shared with other counterterrorism and law enforcement agencies. The FBI is also preparing monthly reports on these checks that are disseminated throughout the FBI to support counterterrorism efforts.

In April 2007, the Department of Justice proposed legislative language to Congress that would provide the Attorney General with discretionary authority to deny the transfer of firearms or explosives to known or suspected "dangerous terrorists." At the time of GAO's May 2009 report, neither the department's proposed legislative language nor related proposed legislation included provisions for the development of guidelines further delineating the circumstances under which the Attorney General could exercise this authority. GAO suggested that Congress consider including a provision in any relevant legislation that would require the Attorney General to establish such guidelines; and this provision was included in a subsequent legislative proposal. If Congress gives the Attorney General authority to deny firearms or explosives based on terrorist watchlist concerns, guidelines for making such denials would help to provide accountability for ensuring that the expected results of the background checks are being achieved. Guidelines would also help ensure that the watchlist is used in a manner that safeguards legal rights, including freedoms, civil liberties, and information privacy guaranteed by federal law and that its use is consistent with other screening processes. For example, criteria have been developed for determining when an individual should be denied the boarding of an aircraft.

Ms. CASTOR of Florida. Mr. Speaker, we have got to act in a bipartisan fashion to close this loophole.

I urge my GOP colleagues to stop blocking the bill from consideration. Bring it up for debate, and let's have a vote.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman for yielding.

Mr. Speaker, I ask, why are we not addressing gun violence? People who aren't allowed to fly because they are suspected of terrorism should not be allowed to purchase firearms.

I can't believe that in 2015 this is a problem that needs fixing. Democrats have tried three times over to open debate on a bill—a bill, by the way, authored by a Republican that would block people on the no-fly list from walking out of a gun shop with their firearm of choice—and three times, the Republican House majority has blocked that opportunity. Ninety-one percent of the time, suspected terrorists pass a

background check because the system we have in place does not check to see if a potential buyer is on the no-fly list. This is absolutely unacceptable.

I ask the leadership in this House to immediately bring to the floor Republican Congressman PETER KING's bill to close the loophole that allows suspected terrorists to buy guns. And if they won't, I call upon my colleagues from both sides of the aisle to sign the discharge petition, a petition currently before the House to force a vote on this bill.

We must allow the House to work the will of the people instead of those in Congress who are more concerned with losing their "A" rating with the NRA than keeping Americans safe.

Let us address gun violence. Bring the bill to the floor.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I want to thank my colleague from Massachusetts (Mr. MCGOVERN) for yielding me the time and for the tremendous work that he has done on this issue over his career in elected office and, before that, as a staff member here on Capitol Hill.

Mr. Speaker, I join my colleagues today in calling for this House to move a bipartisan piece of legislation because we have an opportunity to close a loophole that allows suspected terrorists to legally purchase firearms and explosives. I believe we have a responsibility to do so before this House takes another moment of silence, as we have done countless times already this session.

Mr. Speaker, in the last 2 years alone, 94 percent of individuals suspected of planning terrorist attacks have been able to successfully pass background checks and purchase deadly weapons. If we don't trust somebody to board a plane, why on Earth would we trust them to buy a gun?

That is why I led over 60 colleagues, along with my colleague from California, MIKE THOMPSON, to write a letter to Speaker RYAN asking him to bring up our colleague PETER KING's bill for a vote.

Our response to gun violence, this body's response to gun violence, can no longer be moments of silence and thoughts and prayers by Members in this Chamber. We can do more than that. We are expected to do more than that. My hope today is that we will.

Mr. NEWHOUSE. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I thank my friend from the State of Washington (Mr. NEWHOUSE).

Again, I want to emphasize with him, as I was down here listening to my friend, that this is regular order. And, frankly, the one thing I have learned in the Rules Committee, especially under

this administration, is, it wouldn't be a Rules Committee party if we didn't get a letter from the administration saying, I am not going to sign it.

I am not sure, many times, what they are for. Again, if we are just going to talk about issues today—we are talking about a piece of legislation that affects Americans. And it is amazing to me, every time I come down here to hear my colleagues actually talk about trivial pieces of legislation—if it affects the American public and it is something that affects American lives, then it is not trivial on the floor of this House.

This bill is worth it. This Red River Private Property Protection Act, we are going to vote on the rule. It needs to be supported. The underlying bill is going to be debated. It came through regular order. These are the things that we need to be doing.

But if we also want to talk about things that are going on in the world right now, I want to talk about the absolutely anemic response that we have seen in the world situation from the administration, especially when it comes to where terrorists are moving and growing and being unfettered while we stand by and watch. Especially now. In fact, for this, we have had a debate, and we are looking through it.

Iran, you know, oops, here we go again; it is not just a song on the radio. Iran has decided that they are just going to flaunt what we have been saying for years.

But this is the key thought of our administration on attacking and being at peace with the world. They just tested nuclear missiles again in violation of two U.N. directives, just did it. Where is the outrage? There is none.

We want to hang dangly little things out here. And let's talk about this: The real terrorists in the world, who hate us just because we are free, are still unabated.

It is time not to tell Congress, we will work with AUMF. But, Mr. President, it is time for you to actually give us a plan. It is time for you to stop passing the buck. It is time for the administration to give us an actual idea of how you want to address this, how you want to go about it.

Iran says: I will make a deal with America, flaunt it whenever I want to. I will do whatever I need.

We come to the floor. We debate things that matter to Americans. The majority understands that national security is projecting a strong national security. The majority is putting forth bills that actually work for people. The majority is looking today to work on a piece of legislation that affects real people's lives.

We will continue to have debates with my friends across the aisle on a number of issues. But today, let's move forward. And let's also have a time to say, Mr. President, we are looking for direction. It is time to lead. Check in, or check out.

The SPEAKER pro tempore (Mr. YOUNG of Iowa). Members are reminded to address their remarks to the Chair.

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

If my colleagues on the other side of the aisle wanted to defend the record of this House in terms of regular order, they can have it at. It is laughable, the record. This is the most closed Congress in the history of the United States Congress. That is the record that they are proud of.

We are here, again, trying to pressure the leadership of this House to let this House do what it is supposed to do: have the committees of jurisdiction report this bill to shut down this terrible loophole which is a potential danger to our citizens. Bring it to the floor. We can't get you to bring anything to the floor related to this issue.

But to get up here and to somehow talk like my friends on the other side care about regular order or even are in the most minimal way committed to an open process here is laughable. Look at the record of this Congress.

The Speaker and the previous Speaker all get up here and talk about their commitment to regular order. And then what do they do? They do the opposite time and time again.

I read to you some of the bills that you brought up recently that have come to the floor not under regular order. We don't need lectures on regular order from my friends on the Republican side who, again, are presiding over the most closed Congress in the history of the United States of America.

With that, I yield 2 minutes to the gentlewoman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Speaker, despite the increasing frequency with which mass shootings seem to happen in this country, we never expect it to happen in our community. But a week ago today, that is exactly what happened when tragedy hit home.

I knew the Inland Regional Center well, represented the city of San Bernardino during my time in the State senate; and on this tragic day, five individuals who lived in cities that I represent were murdered.

Far too many communities have felt the pain that the San Bernardino and Inland Empire community is facing right now. Far too many Americans have lost loved ones in similar acts of violence.

Mr. Speaker, the loophole that allows suspects on terrorist watch lists to purchase a gun, to walk into a gun store and purchase a high caliber weapon, must be fixed.

This is an urgent, commonsense, widely supported reform that we can make to reduce gun violence, but we haven't. We haven't been able to have a serious conversation about any of these issues.

Those who want to support changes to our gun laws need to make their voices heard and say, enough is enough; check in, or check out.

Before we gather for yet another moment of silence, I remind my col-

leagues that this House floor is for action, not inaction. Doing nothing is inexcusable. It is an insult to the lives lost on that tragic day.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

□ 1415

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Mr. Speaker, I would challenge any one of my colleagues to go out on any street corner in the United States of America and ask people who are walking by: Do you think the people who are on the terrorist watch list who are not allowed to get on an airplane should be able to go into any gun store and buy a weapon of their choice?

For example, a weapon that looks like this. This is a Smith & Wesson .223-caliber assault rifle. This is a weapon that is available to people who are on the terrorist watch list. It is also the weapon that was used by the shooters in San Bernardino to fire off 65 to 75 rounds and kill the coworkers of one of those shooters.

Since 2004, over 2,000 suspects on the FBI's terrorist watch list have successfully purchased weapons in the United States. More than 90 percent of all suspected terrorists who attempted to purchase guns in the last 11 years were able to do that. It may not be the biggest issue, but, clearly, the American people don't think that potential terrorists should be able to buy guns.

Let's do it.

H.R. 1076 would ban the sale of weapons to any individual, according to the Attorney General, who is considered to be engaged in terrorist activities. Introduced by a Republican, this is bipartisan. Let's support PETER KING's bill, the bill that many of us have gotten together to sponsor, as a beginning in order to say we are serious about protecting our communities.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my friend from Massachusetts.

Mr. Speaker, I rise more in sadness than in anger. This debate has gone on long enough. Too many of our fellow Americans have been victimized by gun violence because we are enthralled by the gun lobby.

Who do we serve in this body if it isn't the American people? It is the sacred responsibility of every Member of this body to protect that public, not a special interest lobby. Are we ever going to be willing to put aside what we perceive we owe that lobby and act on behalf of the American people?

If we can't do it in this example—preventing guns from getting in the hands of people on a terrorist watch list—I would venture to guess, Mr. Speaker, that the American people who are

watching this debate think it is made up, that it can't be true, that it can't be true that somebody on the terrorist watch list qualifies and is going to be protected by this body to exercise his Second Amendment right and buy a gun. Surely that cannot be true.

I hope we examine our hearts as well as our minds in this discussion and come to our senses and do something vitally important for the American people.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I think most Americans think it is important for the Constitution to be protected. The Second Amendment is protected. We have the right to bear arms.

But most Americans would find our actions and inactions questionable at best because, after the 353rd mass murder, this Congress cannot come together and vote on one simple bill, that is, that individuals on the no-fly and terrorist watch lists would not be able to purchase guns.

Yes, my colleagues, today, as we stand here, they can purchase guns. They can purchase guns without imprisonment, without charges. In memory of San Bernardino, among the other failures that caused their deaths, the one we know of was the utilization of automatic weapons that shot thousands or hundreds of rounds—many rounds—killing these innocent persons.

I rise today to say that we should not move from this place without passing the Peter King bill, which keeps guns—automatic weapons—out of the hands of terrorists. How simple a question. How simple an answer. Vote "yes" for the American people.

Mr. NEWHOUSE. Mr. Speaker, may I inquire as to how much time is left on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 1½ minutes remaining. The gentleman from Massachusetts has 3½ minutes remaining.

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

Mr. MCGOVERN. Mr. Speaker, may I inquire if the gentleman has any further speakers?

Mr. NEWHOUSE. I have one further speaker.

Mr. MCGOVERN. I am the last speaker on my side.

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

Mr. NEWHOUSE. Mr. Speaker, I yield 1 minute to the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. Mr. Speaker, I don't usually show up unannounced or uninvited. But I have listened to the debate on this, and I find absolutely amazing the outpouring of abhorrence for potential gun violence from a body that failed to have a moment of silence for Kate Steinle, that failed to do anything to recognize that instance of gun violence in the Bay Area.

So, as I sit here and listen to all of the deplorable, junior varsity theater on the message, I wonder: Why aren't we doing something about that instance, which was put in the rearview mirror instantly and accelerate it away at the speed of light?

America, the junior varsity theater is in session on this issue. I encourage you to skip the show.

Mr. MCGOVERN. Mr. Speaker, I yield myself my remaining time.

I am sorry that the previous speaker doesn't see the importance of this issue and thinks that this is theater. I assure you that the vast majority of Americans—Democrats, Republicans, and Independents alike—think this is a very serious issue.

Right now, according to the ATF, the people who cannot own a gun in this country are criminals, unlawful users of controlled substances, people who are mentally ill, people who have renounced their citizenship, and people who have been convicted of domestic violence.

Our laws are clear on that. These people can't go out and buy guns. Yet, when it comes to people who are suspected of terrorism, for some reason, we can't apply the law to them. For some reason, there is a reluctance by some on the other side of the aisle—not all, but some—to do something about this.

This is fairly easy. Congressman KING, a Republican from New York, has a bill that I think is fairly straightforward. It basically says that people who are suspected of being terrorists, who right now can't fly on airplanes, should not be able to go out and purchase a gun, should not be able to purchase a weapon of war.

That concept is controversial in this House of Representatives. It is hard to fathom. People can't quite understand what the problem is.

Now, maybe my colleagues on the other side of the aisle are going to introduce bills to allow us to be able to sell weapons to people who are convicted of domestic violence or to people who are felons or to people who have renounced their citizenship. Maybe that is going to mysteriously come to the House floor. Maybe that is what the plan is, but I hope not.

I don't hear them saying that. I don't hear people on the other side of the aisle saying we should do away with the no-fly list and allow suspected terrorists to be able to fly on airplanes with the American people. I don't hear people asking to do that. So what is the problem?

We are making a big deal of this. I am sorry the gentleman from Nevada doesn't appreciate the importance of this issue, but we are making a big deal of this because it is a big deal. We need to do a lot of different things to protect the American people, and this is one of them. No one is up here saying this will solve all of our problems, but we are saying this is an important piece that we ought to get done.

I urge my colleagues on both sides of the aisle to defeat the previous question. Allow us to have the opportunity to bring this up because we have tried every which way—we even have a discharge petition going to try to force a vote on this issue—and all we have encountered is resistance, resistance, resistance. Give us the opportunity to deliberate. Let the people's House do the people's business.

I urge my colleagues to vote "no" on the previous question and to then vote "no" on the rule.

Mr. Speaker, I yield back the balance of my time.

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

It has been an interesting hour in our discussion of private property rights in Texas and in Oklahoma. We have quite a broad subject here. Let me just say a couple of things before I close.

It was just yesterday that the newspaper in Los Angeles, the LA Times, which is not known to be a conservative newspaper, stated: "One problem is that the people on the no-fly list"—and Mr. MCGOVERN was saying nobody wants to do anything about the no-fly list.

The LA Times points out: "One problem is that the people on the no-fly list . . . have not been convicted of doing anything wrong . . . And the United States doesn't generally punish or penalize people unless and until they have been charged and convicted of a crime."

It continues: "But serious flaws in the list have been identified. According to the American Civil Liberties Union"—the ACLU—"which is suing the government over the no-fly list, the two lists include thousands of names that have been added in error . . . The no-fly list has also been used to deny boarding passes to people who only share a name with a suspected terrorist. Former Sen. Ted Kennedy"—from your State of Massachusetts—"was famously questioned at airports in 2004 because a terror suspect had used the alias 'T. Kennedy.' It took the senator's office three weeks to get his name cleared."

Does that sound like common sense to my colleagues?

This is about upholding the Constitution, which we all swear an oath to every 2 years. Even the ACLU believes so.

Mr. Speaker, even though this has been a great distraction by the other side, I think, to blur the fact that the current administration has no policy in place to defeat terrorism, to defeat ISIS, I think we need to keep our eye on the ball.

The special terrorism task force has come up with fully 30 recommendations that I am hopeful the other side of the aisle will help us work through and pass in order to keep this country safe.

This is a serious issue that all Americans are concerned with. I am sure my office is no different than anyone else's in that the majority of calls and con-

tacts they have received over the last few weeks has been about security, about being safe in our country.

I hope we can work in a bipartisan way to address the true issues that will keep Americans safe and not address the distractions that take away the attention from where it needs to be: on the lack of a clear policy on the administration's part to defeat terrorism.

Let me get back to the underlying reason we are having this discussion this afternoon, Mr. Speaker, that being the Red River Private Property Protection Act.

For over 200 years, confusion and dispute over the Texas-Oklahoma border have been ongoing staples of land management in that region. I am sure my colleagues from Oklahoma and Texas would agree with me that the last thing we need further muddying this confusion is a Federal agency's stepping in and claiming ownership of a large portion of that area.

Dozens of landowners along the Red River should not have to live in a restless state, unsure if the land they have held titles to, have worked hard to pay taxes on, and, in some cases, have owned for generations will suddenly be snatched up through a shoddily conducted survey.

Conducting a survey using the Supreme Court's approved gradient boundary method is the only way to truly find the boundary between public and private ownership to settle this dispute once and for all.

□ 1430

My colleagues from Oklahoma and Texas and their constituents deserve to have this matter finally settled and in a just fashion. H.R. 2130 protects private property and settles the question of ownership by requiring the BLM to commission a survey along the entire 116 mile stretch of the Red River using that gradient boundary survey method backed by the Supreme Court to determine the property ownership boundary between private and public land. This bill ensures that the survey is done correctly, accurately, and according to the Supreme Court's instructions.

I support the rule's adoption, and I urge my colleagues to support the protection of private landowners, the States, and the affected tribal nations' rights upheld by this rule and the underlying bill.

The material previously referred to by Mr. MCGOVERN of Massachusetts is as follows:

AN AMENDMENT TO H. RES. 556 OFFERED BY
MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist.

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 the Judiciary. 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.R. 1076.

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 amend-

ment to the rule, or yield for the purpose of amendment."

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

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 242, nays 178, not voting 13, as follows:

[Roll No. 682]

YEAS—242

Abraham	Cramer	Grothman
Aderholt	Crawford	Guinta
Allen	Crenshaw	Guthrie
Amash	Culberson	Hanna
Amodei	Curbelo (FL)	Hardy
Babin	Davis, Rodney	Harper
Barletta	Denham	Harris
Barton	Dent	Hartzler
Benishek	DeSantis	Heck (NV)
Bilirakis	DesJarlais	Hensarling
Bishop (MI)	Diaz-Balart	Herrera Beutler
Bishop (UT)	Dold	Hice, Jody B.
Black	Donovan	Hill
Blackburn	Duffy	Holding
Blum	Duncan (SC)	Hudson
Bost	Duncan (TN)	Huelskamp
Boustany	Ellmers (NC)	Huizenga (MI)
Brady (TX)	Emmer (MN)	Hultgren
Brat	Farenthold	Hunter
Bridenstine	Fincher	Hurd (TX)
Brooks (AL)	Fitzpatrick	Hurt (VA)
Brooks (IN)	Fleischmann	Issa
Buchanan	Fleming	Jenkins (KS)
Buck	Flores	Jenkins (WV)
Buchon	Forbes	Johnson (OH)
Burgess	Fortenberry	Jolly
Byrne	Fox	Jones
Calvert	Franks (AZ)	Jordan
Carter (GA)	Frelinghuysen	Joyce
Carter (TX)	Garrett	Katko
Chabot	Gibbs	Kelly (MS)
Chaffetz	Gibson	Kelly (PA)
Clawson (FL)	Gohmert	King (IA)
Coffman	Goodlatte	King (NY)
Cole	Gosar	Kinzinger (IL)
Collins (GA)	Gowdy	Kline
Collins (NY)	Granger	Knight
Comstock	Graves (GA)	Labrador
Conaway	Graves (LA)	LaHood
Cook	Graves (MO)	LaMalfa
Costello (PA)	Griffith	Lamborn

Lance	Paulsen	Shuster
Latta	Pearce	Simpson
LoBiondo	Perry	Smith (MO)
Long	Peterson	Smith (NE)
Loudermilk	Pittenger	Smith (NJ)
Love	Pitts	Smith (TX)
Lucas	Poe (TX)	Stefanik
Luetkemeyer	Poliquin	Stewart
Lummis	Pompeo	Stivers
MacArthur	Posey	Stutzman
Marchant	Price, Tom	Thompson (PA)
Marino	Ratcliffe	Thornberry
Massie	Reed	Tiberi
McCarthy	Reichert	Tipton
McCaull	Renacci	Trott
McClintock	Ribble	Upton
McHenry	Rice (SC)	Valadao
McKinley	Rigell	Walberg
McMorris	Roby	Walden
Rodgers	Roe (TN)	Walker
McSally	Rogers (AL)	Walorski
Meadows	Rogers (KY)	Walters, Mimi
Meehan	Rohrabacher	Weber (TX)
Messer	Rokita	Webster (FL)
Mica	Rooney (FL)	Wenstrup
Miller (FL)	Ros-Lehtinen	Westerman
Miller (MI)	Roskam	Westmoreland
Moolenaar	Ross	Whitfield
Mooney (WV)	Rothfus	Williams
Mullin	Rouzer	Wilson (SC)
Mulvaney	Royce	Wittman
Murphy (PA)	Russell	Womack
Neugebauer	Salmon	Woodall
Newhouse	Sanford	Yoder
Noem	Scalise	Yoho
Nugent	Schweikert	Young (AK)
Nunes	Scott, Austin	Young (IA)
Olson	Sensenbrenner	Young (IN)
Palazzo	Sessions	Zeldin
Palmer	Shimkus	Zinke

NAYS—178

Adams	Eshoo	McCollum
Ashford	Esty	McDermott
Bass	Farr	McGovern
Beatty	Fattah	McNerney
Becerra	Foster	Meeks
Bera	Frankel (FL)	Meng
Beyer	Fudge	Moore
Blumenauer	Gabbard	Moulton
Bonamici	Gallego	Murphy (FL)
Boyle, Brendan	Graham	Nadler
F.	Grayson	Napolitano
Brady (PA)	Green, Gene	Neal
Brown (FL)	Grijalva	Nolan
Brownley (CA)	Gutiérrez	Norcross
Bustos	Hahn	O'Rourke
Butterfield	Hastings	Pallone
Capps	Heck (WA)	Pascarella
Capuano	Higgins	Payne
Cárdenas	Himes	Pelosi
Carney	Hinojosa	Peters
Carson (IN)	Honda	Pingree
Cartwright	Hoyer	Pocan
Castor (FL)	Israel	Polis
Castro (TX)	Jackson Lee	Price (NC)
Chu, Judy	Jeffries	Quigley
Ciilline	Johnson (GA)	Rangel
Clark (MA)	Johnson, E. B.	Rice (NY)
Clarke (NY)	Kaptur	Richmond
Clay	Keating	Roybal-Allard
Cleaver	Kelly (IL)	Ruiz
Clyburn	Kennedy	Ruppersberger
Cohen	Kildee	Ryan (OH)
Connolly	Kilmer	Sánchez, Linda
Conyers	Kind	T.
Cooper	Kirkpatrick	Sarbanes
Costa	Kuster	Schakowsky
Courtney	Langevin	Schiff
Crowley	Larsen (WA)	Schrader
Cuellar	Larson (CT)	Scott (VA)
Cummings	Lawrence	Scott, David
Davis (CA)	Levin	Serrano
Davis, Danny	Lewis	Sewell (AL)
DeFazio	Lieu, Ted	Sherman
DeGette	Lipinski	Sinema
Delaney	Loebback	Sires
DeLauro	Lofgren	Slaughter
DelBene	Lowenthal	Smith (WA)
DeSaulnier	Lowe	Speier
Deutch	Lujan Grisham	Swalwell (CA)
Dingell	(NM)	Takai
Doggett	Luján, Ben Ray	Takano
Doyle, Michael	(NM)	Thompson (CA)
F.	Lynch	Thompson (MS)
Duckworth	Maloney,	Titus
Edwards	Carolyn	Tonko
Ellison	Maloney, Sean	Torres
Engel	Matsui	Tsongas

Van Hollen	Visclosky	Watson Coleman
Vargas	Walz	Welch
Veasey	Wasserman	Wilson (FL)
Vela	Schultz	Yarmuth
Velázquez	Waters, Maxine	

NOT VOTING—13

Aguilar	Huffman	Sanchez, Loretta
Barr	Johnson, Sam	Turner
Bishop (GA)	Lee	Wagner
Garamendi	Perlmutter	
Green, Al	Rush	

□ 1458

Mr. ENGEL changed his vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BARR. Mr. Speaker, on rollcall No. 682, I was unavoidably detained. Had I been present, I would have voted “yes.”

Stated against:

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following vote: Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 2130. Had I been present, I would have voted “no” on this bill.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 241, noes 183, not voting 9, as follows:

[Roll No. 683]

AYES—241

Abraham	Crawford	Hardy
Aderholt	Crenshaw	Harper
Allen	Culberson	Harris
Amash	Curbelo (FL)	Hartzler
Amodei	Davis, Rodney	Heck (NV)
Babin	Denham	Hensarling
Barletta	Dent	Herrera Beutler
Barr	DeSantis	Hice, Jody B.
Barton	DesJarlais	Hill
Benishkek	Diaz-Balart	Holding
Bilirakis	Dold	Hudson
Bishop (MI)	Donovan	Huelskamp
Bishop (UT)	Duffy	Huizenga (MI)
Black	Duncan (SC)	Hultgren
Blackburn	Duncan (TN)	Hunter
Blum	Ellmers (NC)	Hurd (TX)
Bost	Emmer (MN)	Hurt (VA)
Boustany	Farenthold	Issa
Brady (TX)	Fincher	Jenkins (KS)
Brat	Fitzpatrick	Jenkins (WV)
Bridenstine	Fleischmann	Johnson (OH)
Brooks (AL)	Fleming	Jolly
Brooks (IN)	Flores	Jones
Buchanan	Forbes	Jordan
Buck	Fortenberry	Joyce
Buonshon	Foxx	Katko
Burgess	Frelinghuysen	Kelly (MS)
Byrne	Garrett	Kelly (PA)
Calvert	Gibbs	King (IA)
Carter (GA)	Gibson	King (NY)
Carter (TX)	Gohmert	Kline
Chabot	Goodlatte	Knight
Chaffetz	Gosar	Labrador
Clawson (FL)	Gowdy	LaHood
Coffman	Granger	LaMalfa
Cole	Graves (GA)	Lamborn
Collins (GA)	Graves (LA)	Lance
Collins (NY)	Graves (MO)	Latta
Comstock	Griffith	LoBiondo
Conaway	Grothman	Long
Cook	Guinta	Loudermilk
Costello (PA)	Guthrie	Love
Cramer	Hanna	Lucas

Luetkemeyer	Poe (TX)	Smith (NJ)
Lummis	Poliquin	Smith (TX)
MacArthur	Pompeo	Stefanik
Marchant	Posey	Stewart
Marino	Price, Tom	Stivers
Massie	Ratcliffe	Stutzman
McCarthy	Reed	Thompson (PA)
McCaul	Reichert	Thornberry
McClintock	Renacci	Tiberi
McHenry	Ribble	Tipton
McKinley	Rice (SC)	Trott
McMorris	Rigell	Upton
Rodgers	Roby	Valadao
McSally	Roe (TN)	Wagner
Meadows	Rogers (AL)	Walberg
Meehan	Rogers (KY)	Walden
Messer	Rohrabacher	Walker
Mica	Rokita	Walorski
Miller (FL)	Rooney (FL)	Walters, Mimi
Miller (MI)	Ros-Lehtinen	Weber (TX)
Moolenaar	Roskam	Webster (FL)
Mooney (WV)	Ross	Wenstrup
Mullin	Rothfus	Westerman
Mulvaney	Rouzer	Westmoreland
Murphy (PA)	Royce	Whitfield
Neugebauer	Russell	Williams
Newhouse	Salmon	Wilson (SC)
Noem	Sanford	Wittman
Nugent	Scalise	Womack
Nunes	Schweikert	Woodall
Olson	Scott, Austin	Yoder
Palazzo	Sensenbrenner	Yoho
Palmer	Sessions	Young (AK)
Paulsen	Shimkus	Young (IA)
Pearce	Shuster	Young (IN)
Perry	Simpson	Zeldin
Pittenger	Smith (MO)	Zinke
Pitts	Smith (NE)	

NOES—183

Adams	Farr	McCollum
Ashford	Fattah	McDermott
Bass	Foster	McGovern
Beatty	Frankel (FL)	McNerney
Becerra	Fudge	Meeks
Bera	Gabbard	Meng
Beyer	Gallego	Moore
Blumenauer	Garamendi	Moulton
Bonamici	Graham	Murphy (FL)
Boyle, Brendan	Grayson	Nadler
F.	Green, Al	Napolitano
Brady (PA)	Green, Gene	Neal
Brown (FL)	Grijalva	Nolan
Brownley (CA)	Gutiérrez	Norcross
Bustos	Hahn	O'Rourke
Butterfield	Hastings	Pallone
Capps	Heck (WA)	Pascarell
Capuano	Higgins	Payne
Cárdenas	Himes	Pelosi
Carney	Hinojosa	Peters
Carson (IN)	Honda	Peterson
Cartwright	Hoyer	Pingree
Castor (FL)	Huffman	Pocan
Castro (TX)	Israel	Polis
Chu, Judy	Jackson Lee	Price (NC)
Ciulline	Jeffries	Quigley
Clark (MA)	Johnson (GA)	Rangel
Clarke (NY)	Johnson, E. B.	Rice (NY)
Clay	Kaptur	Richmond
Cleaver	Keating	Roybal-Allard
Clyburn	Kelly (IL)	Ruiz
Cohen	Kennedy	Ruppersberger
Connolly	Kildee	Ryan (OH)
Conyers	Kilmer	Sánchez, Linda
Cooper	Kind	T.
Costa	Kirkpatrick	Sarbanes
Courtney	Kuster	Schakowsky
Crowley	Langevin	Schiff
Cuellar	Larsen (WA)	Schrader
Cummings	Larson (CT)	Scott (VA)
Davis (CA)	Lawrence	Scott, David
Davis, Danny	Lee	Serrano
DeFazio	Levin	Sewell (AL)
DeGette	Lewis	Sherman
Delaney	Lieu, Ted	Sinema
DeLauro	Lipinski	Sires
DeBene	Loeb sack	Slaughter
DeSaulnier	Loftgren	Smith (WA)
Deutch	Lowenthal	Speier
Dingell	Lowe	Swalwell (CA)
Doggett	Lujan Grisham	Takai
Doyle, Michael	(NM)	Takano
F.	Luján, Ben Ray	Thompson (CA)
Duckworth	(NM)	Thompson (MS)
Edwards	Lynch	Titus
Ellison	Maloney	Tonko
Engel	Carolyn	Torres
Eshoo	Maloney, Sean	Tsongas
Esty	Matsui	Van Hollen

Vargas	Walz	Welch
Veasey	Wasserman	Wilson (FL)
Vela	Schultz	Yarmuth
Velázquez	Waters, Maxine	
Visclosky	Watson Coleman	

NOT VOTING—9

Aguilar	Johnson, Sam	Rush
Bishop (GA)	Kinzinger (IL)	Sanchez, Loretta
Franks (AZ)	Perlmutter	Turner

□ 1506

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Mr. BRADY of Texas submitted the following conference report and statement on the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes:

CONFERENCE REPORT (TO ACCOMPANY H.R. 644)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 644), to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Trade Facilitation and Trade Enforcement Act of 2015”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT

Sec. 101. Improving partnership programs.

Sec. 102. Report on effectiveness of trade enforcement activities.

Sec. 103. Priorities and performance standards for customs modernization, trade facilitation, and trade enforcement functions and programs.

Sec. 104. Educational seminars to improve efforts to classify and appraise imported articles, to improve trade enforcement efforts, and to otherwise facilitate legitimate international trade.

Sec. 105. Joint strategic plan.

Sec. 106. Automated Commercial Environment.

Sec. 107. International Trade Data System.

Sec. 108. Consultations with respect to mutual recognition arrangements.

Sec. 109. Commercial Customs Operations Advisory Committee.

Sec. 110. Centers of Excellence and Expertise.

Sec. 111. Commercial risk assessment targeting and trade alerts.

Sec. 112. Report on oversight of revenue protection and enforcement measures.

Sec. 113. Report on security and revenue measures with respect to merchandise transported in bond.