

# REAUTHORIZE THE JAMES ZADROGA ACT

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

Mr. CROWLEY. Mr. Speaker, the James Zadroga Act, the 9/11 Victims Health and Compensation Act, is up for renewal, surprise to everyone. It passed 5 years ago with a 5-year limit to be re-enacted in this Congress.

What has happened? Absolutely nothing. We keep waiting. We were told that the 9/11 victims compensation bill, the Zadroga Act, would be on the transportation bill. It was mysteriously withdrawn at the last moment. We don't know when this bill will pass.

What has happened to this place? What has happened to the spirit of bipartisanship to get this bill passed?

How can you, on the Republican side, go so low as to use this bill as grease to pass other legislation? That is what is being done right now.

The 9/11 Victims Act is being used as grease to pass other bills. It is outrageous. It is disrespectful to the men and women who gave all to serve this country, people who have stage 4 cancer today and are dying. It gives them no more solace to know that their country is not standing by them.

We continue to say "never forget," yet we continue to forget in this Christmastime, in this holiday season, those who are suffering.

Give them peace of heart and mind, and pass this bill.

## A TRIBUTE TO MEG MECCARIELLO

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

Mr. KATKO. Mr. Speaker, I rise today to pay tribute to the life of Meg Lawyer-Meccariello, who fought a hard battle against mesothelioma, an asbestos-related cancer.

Early in my term I met Meg in my office in Washington when she came to share the story of her sister, Mary Jo Lawyer Spano, who lost her life in her courageous battle with mesothelioma.

Meg shared how mesothelioma had tragically impacted her family, claiming the lives of Mary Jo and her father and leaving Meg and her sisters with unnerving diagnoses.

I vividly remember Meg's frustration and disparity by the information and lack of awareness about mesothelioma.

Despite all of this, Meg was a tremendous advocate for finding a cure for this terrible disease. Meg was instrumental in the introduction of legislation named in her sister's honor which would create the Nation's first mesothelioma patient registry.

I will continue to champion this legislation in Congress, now in memory of both Mary Jo and Meg. Meg lived with hope, strength, and grace, and she left this world a better place.

The Meccariello and Lawyer families are in our prayers.

# ENOUGH IS ENOUGH

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

Mr. POLIS. Mr. Speaker, Sandy Hook, Colorado Springs, San Bernardino. How many mass shootings or terrorist attacks will it take for Congress to act to reduce gun violence?

We are not talking about infringing upon our important Second Amendment rights, no gun registries, or privacy evaluations. No. We are talking about commonsense reforms to make it harder for terrorists and criminals to get the weapons that allow them to kill people: universal background checks, closing the gun show loophole, making sure that people on the terrorist watch list can't quietly assemble arsenals to do the American people harm.

No congressional action can end gun violence, but we can reduce it. We can save lives. We can prevent mass shootings. We can prevent terrorists from assembling the weapons they need to kill innocent Americans.

Enough is enough.

## NO-FLY LIST AND SECOND AMENDMENT RIGHTS

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

Mr. LAMALFA. Mr. Speaker, well, they are at it again. Earlier this year we saw the administration work to deny veterans because they may be on an arbitrary list for having sought financial help services, be threatened as incompetent to exercise gun ownership rights.

Now, with the left seeking any excuse to deny Second Amendment rights to Americans, there is much effort underway to use a no-fly list or even a selectee list to not only deny travel and flight rights to falsely listed American citizens with little or no due process to remove one's name from that list, but to extend denial of gun ownership rights as well.

The no-fly list can and should be a good tool for protecting against terror strikes, but needs criteria revision for a due process for those that have been wrongly listed to have an open chance to face their accusation.

As it is now, First, Fourth, and Fifth, let alone now the Second, Amendment constitutional protections are in danger of being denied for those citizens that are falsely listed because their name sounds like the name of someone actually who bears being watched or, in the hands of an aggressive gun control administration, the use of IRS-type tactics against people the powers that be don't like.

Such lists are dangerous to basic liberty. Let's first fix the process for how the no-fly list tool is used and revised before adding more restrictions, ones

that would not have even captured the San Bernardino shooters, to this list being added, the Democrat gun control Christmas or holiday period list.

□ 0915

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 2250, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 560 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 560

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 2. Upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order, a single motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my friend, 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. COLE. 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 Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday the Rules Committee met and reported a rule for consideration of the conference report to accompany H.R. 644,

the Trade Facilitation and Trade Enforcement Act of 2015, and the Senate amendments to H.R. 2250, a continuing resolution which runs through December 16, 2015.

The resolution provides a standard conference report rule for consideration of H.R. 644, with 1 hour of debate divided pursuant to clause 8(d) of rule XXII.

In addition, the rule makes in order a motion from the chair of the Committee on Appropriations to concur in the Senate amendments to H.R. 2250, with 60 minutes of debate equally divided and controlled by the chair and ranking member of the Committee on Appropriations on the motion. In addition, the rule provides for one motion to recommit.

Mr. Speaker, first, this resolution allows for consideration of the conference report on the Customs bill. I think it is important to put the work of this House in perspective. As Speaker RYAN noted yesterday, in the entirety of the last Congress, only three conference reports became law. However, with the passage of this conference report, this Congress will have passed three conference reports in 10 days. I am pleased that Speaker RYAN's commitment to regular order is already bearing fruit.

This conference report is a good product. One provision especially important to me is the establishment of new tools for Customs and Border Protection, the CBP, to effectively act against the evasion of antidumping and countervailing duties. I was first introduced to this issue in 2009, when the Chinese dumped literally tens of thousands of tires on the U.S. market, leading to devastating job losses at tire factories across America. I helped to lead the charge at that time to ensure that the Department of Commerce would impose antidumping and countervailing duties. The ENFORCE Act language included in the conference report provides a mechanism and incentive for the CBP to properly investigate and apply appropriate duties to ensure that U.S. companies can compete on a level playing field.

In addition, I am encouraged that the conference report includes language which permanently bans States and localities from imposing a tax on Internet access. Initially enacted in 1998, this prohibition has enabled greater access to Internet services and information. It is estimated that if Congress fails to continue the ban on taxes on Internet access, consumers could end up paying more than \$16.4 billion annually. This moratorium has been law since 1998 on a temporary basis, and I am pleased this conference report reflects our intention to make it permanent.

Mr. Speaker, in addition to the Customs measure, this legislation contains a 5-day continuing resolution to allow the Appropriations Committee to continue its work towards an omnibus appropriations measure. It is simple,

straightforward, and extends funding for all government agencies through December 16, 2015, at current funding levels.

I urge all Members to support this short-term CR, which will allow the Appropriations Committee the time to conclude negotiations on a full-year funding measure with its Senate counterparts and the White House. I am encouraged by the hard work of Chairman ROGERS and Ranking Member LOWEY, whose leadership on this cannot be overstated.

One of the preeminent responsibilities we are tasked with, as Members of Congress, is to ensure that government continues to function. While a CR is not the ideal vehicle, the alternative of a government shutdown is not what we have been sent to Washington to accomplish. Mr. Speaker, I urge support of the rule and the underlying legislation.

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

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

I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise today in opposition—I might add, reluctant opposition—to the rule on two important bills that really shouldn't be controversial: the Senate amendments to H.R. 2250—that is a short-term continuing resolution. It shouldn't be necessary. This body should have acted, but given that the body has not passed through regular order an appropriations process to keep government open, that bill is necessary—and the Trade Facilitation and Trade Enforcement Act of 2015.

H.R. 644, which is often called the Customs bill, is a bill that needs to pass in some form. I want to see it pass. I have voted for it to go to conference. It has a lot of provisions that are extremely important to many Members, to our economy, and to even Americans traveling casually overseas. It increases, finally, the amount of items they can buy as gifts for their friends and then bring back without having to pay duties. But looking at the version that we are considering today under this rule, which does not allow amendments, I think the body would be better taking individual votes on some of the provisions.

There is a lot of good in this bill, but there is also a blatant attack on climate science, on environmental protection, and, really, items that serve no purpose in a bill written to facilitate trade. They even put a separate item preventing Internet sales tax, which I support the bill separately, and somehow this wound up in the Customs bill, a totally unrelated measure from a different committee that wound up in this bill at the last minute, this Christmas-tree bill. It wasn't in the House or the Senate version before. I think we do need to give Members a chance to be on the record to approve or not approve these items individually, and I think

that would be the open process that this Speaker has committed to.

The second item under this rule, the Senate amendments to H.R. 2250, our short-term continuing resolution, is straightforward and is necessary as we near the shutdown of government, which would otherwise occur December 11. Today would be the last day that we would fund government, so, of course, we have to act. You don't hear objection about that. The only objection I hear is: Why does this Congress always wait until the eleventh hour to pass these kinds of bills? It just doesn't make any sense. You don't wait until the day before government shuts down to say: Okay. We will give ourselves a 5-day reprieve.

Are we even going to be able to complete the omnibus or continuing resolution in those 5 days? I don't know. Are we going to be back here next Wednesday doing another 3-day or 5-day CR?

There is no particular reason that we are doing this, nothing new. No new information about how to better construct funding bills comes to us next week or the week after than we had last week or 2 weeks ago. I don't understand why we didn't do these bills last month. We passed the budget bills. We agreed on the overall dollar figures about a month ago. That is one of the hardest things about figuring out the appropriations bills and spending is what levels are you going to spend. We agreed on that. The House, the Senate, and the President agreed. So that is not even being discussed. Why didn't we do it within a week of that and just be done with it? It makes no sense.

So this bill would make December 16 the new deadline to finish Congress' appropriations work and keep government open, and I do think that Members and the public are anxious for us to complete our work. It is also critical that we get a good product.

Now, Mr. Speaker, the majority, the Republicans, have previously shown this country their willingness to go into a shutdown, so I hope that we take this new 5-day period to avoid a shutdown permanently rather than just to do another 3 or 5 days again and again and again.

Why aren't we sending a bill on appropriations to the President today? From my point of view, it seems like it is nothing more than partisan politics that is keeping it from getting done. I think the votes are here—they have been here, were here a month ago, and were here a week ago—for a common-sense bill that meets the budget that we have already agreed on, that doesn't have completely unrelated Christmas-tree policy riders that were put together in smoke-filled rooms rather than the open process that the new Speaker has committed to. And it is a real opportunity for this body to live up to that promise and put together an appropriations bill that passes overwhelmingly, which I think can absolutely be done.

Nearly every single member of the Democratic Caucus has said no divisive

or controversial riders. The appropriations bills are not a place for them. You don't bring government to the brink of a shutdown over policy disagreements. You don't say: "Look, unless we don't fund Planned Parenthood, we are shutting down government. Look, unless you don't ban the EPA from keeping our air clean, we are going to shut down government." You can have those debates and you can have those discussions, but it is not appropriate to do that with a threat of shutting down government.

Didn't the Republicans recently sign some sort of pledge to have no extraneous or legislation or must-pass bills? Well, what about taking on the President's attempt to protect clean air standards? If Republicans want it, then debate it and pass it. If you want to defund Planned Parenthood, then debate it and pass it, but not in a last-minute, closed package with a threat of closing government.

Compromise is what we did on the highway bill to pass a long-term authorization. It worked great. It didn't have what every single Member wanted, and we had to make tough compromises, but we can live with it. It passed overwhelmingly. Compromise is what we took yesterday when I got to go to the White House to see the Every Student Succeeds Act signed, the new Federal education law that replaces No Child Left Behind. It passed overwhelmingly in its final form in both the House and the Senate. Now, a compromise is not seeing how many partisan stocking stuffers you can jam into a must-pass bill before we head home for the holidays.

Moving to the Customs enforcement bill, H.R. 644, it is, for the most part, a very positive bill. The Customs bill is about giving the administration the tools they need to make sure we are fighting a fair fight when it comes to trade and to updating and eliminating unintended consequences of other trade laws. I heard Ranking Member LEVIN testify in the Rules Committee yesterday that the key to enforcement on trade issues was the willingness of the administration to act, and the final step of enforcing our existing and future trade agreements will always fall to the executive branch. But they can't fight those fights without the right tools in the toolbox. That is what the Customs bill does, and this bipartisan bill has a lot of very high-quality elements that we will likely send to the administration before the holidays.

It has the full ENFORCE Act, which would require immediate action to investigate and address trade cheats and take measures to stop those who continually attempt to circumvent the penalties already imposed on them. It establishes and funds the Interagency Trade Enforcement Center, which helps agencies find trade cheats and those who engage in illegal dumping that risk putting Americans out of work. It establishes the Trade Enforcement Fund, which would provide critical and

dedicated resources to enforce our trade agreements, and it would help with capacity building, an important issue which would help our current and future trading partners implement labor and environmental standards that we push them towards in a real way.

The bill also contains important language on ending the importation of goods made from child or forced labor, which is yet another step we are taking towards ending this abominable practice on a global scale. It also includes bipartisan language which gives the executive branch new tools in evaluating and consulting with partner countries who may be manipulating their currency.

Mr. Speaker, if we want to be serious with enforcing our trade agreements, then the enforcement provisions in this bill are a major step forward. We may still have to push this Executive when we feel they aren't using these tools, but having these tools available is a critical step.

The Customs bill also gives a leg up to American small business. The bill makes commerce at the border more efficient. It modernizes the operation of Customs and Border Patrol; and something that I fought for for many years, it raises the de minimis threshold from \$200 to \$800, which, again, is important to all Americans who travel overseas. Being able to have smaller items cross our border duty-free is a major win for small businesses and consumers, especially in the e-commerce space on the commercial side, but also for casual tourists who travel overseas.

What that means is, when you are re-entering this country, if you ever have to fill out one of those forms if you are coming back from Mexico or Canada or Europe, the de minimis threshold was \$200, and technically you are responsible for a duty above that. This finally raises it. It hasn't been adjusted for inflation for decades. This raises it to \$800, so you can truly bring back gifts for your friends and family. This is important for individuals, and it is important for businesses.

The bill makes important technical corrections that are important to companies in my district, like adjusting tariff lines for outdoor wear and footwear.

□ 0930

I am also very excited to say, as the cochair of the Nepal Caucus, that the bill includes the Nepal Trade Preferences Act, a very important provision that is a tangible benefit for Nepal's recovering economic market. That is simply the right thing to do. As many here know, Nepal suffered a devastating earthquake on April 25, 2015. Over 9,000 people were killed; 23,000 were injured. The earthquake triggered a series of avalanches on Mt. Everest where 19 people, including one of my constituents, were killed in what was the deadliest day in Mt. Everest history.

The country has begun the urgent process of rebuilding. Despite the trying circumstances, Nepal has remained resilient. On December 20, I am proud to say, the democratically elected constituent assembly announced the passage of a new democratic constitution, a remarkable chapter for a country that, until recently, had been mired in civil war and strife.

I am honored to join Representative CRENSHAW, my cochair on the U.S. Nepal Caucus, in introducing the Nepal Trade Preferences Act, which gives preferential treatment to textile, leather, and apparel products made in Nepal. And the bill facilitates capacity building to help expand the Nepali export market.

I am very grateful for the hard work of my colleague from Florida (Mr. CRENSHAW), and the simultaneous effort that has been taking place in the Senate under the leadership of Senator FEINSTEIN.

Nepal is a very important and strategic ally between global powers, India and China. Cooperation with America to help build capacity and build the Nepali economy and stability is a critical foreign policy priority, in addition to being an economic benefit to the American people.

I believe trade can be a mechanism for poverty reduction worldwide. I am heartened to see that this act, which attempts to do that, is included in the Customs bill.

With all these great things, why would anybody oppose this bill? Unfortunately, like anything, it is not that easy. I joined my Democratic colleagues in voting against the Customs bill when it was on the House floor last summer. Despite knowing that it needed to get done, I was simply unable to vote for a bill that contained extraneous, unnecessary attacks on climate science, on environmental protections, and on immigrants.

These are some of the things that needed to be taken out in the conference committee. They should have been taken out in the conference committee. If they were, I would be proudly 100 percent supporting this bill. If I could, in an open process, I would be amending the bill today to take them out, so that this bill could enjoy broad Democratic support.

The only positive thing I can say is that, emerging from conference, this bill is less bad than it was. Included in the underlying report is a renegotiated provision on greenhouse gas emissions and the role in international trade agreements that certainly is not as bad as the version that originally passed the House and, many argue, would not have any significant legally constraining role on agreements negotiated by the chief executive.

The House negotiated an objective that would have prohibited the USTR from pursuing trade agreements that obligate United States law or regulation towards global warming and climate change was stripped. It was replaced with an equally nontopical, but

somewhat convoluted, provision that is a little difficult to understand.

We use new language to bar trade agreements from including obligations to alter U.S. law or regulations surrounding greenhouse gas emissions.

To clarify, international trade policy will not be the stage on which the United States establishes and implements strong and thoughtful climate change policy. That is what Congress is for, that is what our States are for, that is what our local governments are for. That must be done. I think we all agree that won't be done through trade agreements.

In that sense, the language was only added to speak to a deeply held fear by my Republican Party colleagues to even acknowledge that climate change exists. To my colleagues on the other side, I would say, this is simply not the place for that kind of ideological statement.

Further, the language contradicts itself by explicitly allowing the USTR to seek provisions, including those related to global warming and climate change, if doing so would fulfill another negotiating objective.

So, we bar negotiators from discussing environmental policy objectives and then flip, allowing them to do so if it meets another objective.

Not only is this language unnecessary, it is a messy, convoluted, contradictory-type of compromise that nobody really even knows what it would mean, and is really rife for lawyers on both sides to be debating it for years or decades.

The entire world is in Paris right now talking about specifics on fighting climate change. And here we are today, with the only political party in the developed world that still questions the existence of climate change in their very platform, attaching this ridiculous provision to an unrelated Customs bill, embarrassing our own negotiators while they are in Paris.

We get it: you don't agree with the rest of the world on this, you don't agree with scientists on this, you don't agree with the majority of Americans on that. We get that. Next year, feel free to pass a resolution that says, we don't believe in climate change, if that is what you want to do. But put it on your letterhead; don't put it into an unrelated Customs bill that is actually important for our economy and for the American people. Stop trying to muddle good bipartisan bills with this sort of divisive, unscientific language that, frankly, not only threatens the environment, but also embarrasses our country. These kinds of provisions have no place in bills like the Customs bill and should have been taken out in the process.

I reserve the balance of my time.

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

First, I want to begin by agreeing with my friend on the other side on a number of areas. I, too, have concerns about the process by which we operate,

and would have preferred a number of these items to come, as my friend suggests, separately. But the reality is, of course, we are late in the year and late in the session, we have got significant work to do, and this, I think, is the best way to proceed.

It is worth noting that the conference report itself is a compromise. The Democrats and Republicans were involved in putting that together, and, indeed, this entire bill has considerable Democratic support, as we work toward a larger compromise on the omnibus itself.

It is also worth noting why we ended up in this situation. Frankly, the Appropriations Committee in this House accomplished its work—all of its work—for the first time in a long time early this year. All 12 legislative bills passed through the Appropriations Committee, six of them across this floor. To suggest that anything has been done in the dark or in the back room, frankly, ignores that fact.

What happened was the United States Senate chose not to allow any appropriations bills to come to the floor. They didn't do that as a body. My friends on the other side of the aisle in the Senate—the Democrats—chose not to allow any bills to come to the floor. To be fair to them, they also completed every appropriations bill through the full committee. That is the first time that has happened in many, many years in the United States Senate.

But, our friends, until we got this larger agreement, the budget agreement, which I was happy to vote for, and I know my friend on the other side also voted for, until we reached that point, the appropriations process in the other body didn't happen. At some point, that affects what is going on over here. If they are not moving bills, we stop moving bills because it is sort of a waste of time to do that. If you have got complaints, you should talk to your colleagues in the other body on your side of the aisle, and tell them hopefully next year they won't try to keep bills from moving to the floor in a normal way. Again, I am proud that this body moved all 12 bills through the Appropriations Committee.

I also want to make a couple of other points in terms of where we are now in trying to reach an omnibus. This puts me a little bit, again, at odds with my friend. I don't think that is a closed process. Frankly, it is a pretty normal process. There are representatives involved in these negotiations, both Democratic and Republican, and from the administration. They are working very hard, in good faith, to try and do something that is extremely difficult. Writing a \$1.1 trillion omnibus bill takes a lot of time, and there are multiple items to be negotiated. I think both sides are negotiating in good faith in this legislative body, and I think the administration is participating in good faith.

My friend and I will also disagree that riders on appropriations bills, as

they are called, is somehow unusual. They certainly, when they were in the majority, had lots of riders on appropriations bills. It is just not an unusual thing. There is, obviously, give-and-take on these things. But Congress, exercising the power of the purse, is a perfectly appropriate constitutional tool to use.

In this case, where we end up will, indeed, be a compromise. The omnibus bill cannot pass either Chamber, and certainly has to be signed by the President of the United States. A Republican Congress, our friends with the appropriate tools and votes that they have, the President of the United States, who has the ultimate veto pen, all of these parties will have to be placated. Again, that negotiation is long and complex. We are making good progress. All parties are represented there.

Eventually, a bill will be presented to this body, hopefully, in the next few days. I share my friend's concern. I would prefer not to be here. But if we have to be here next week and have two or three more days to have the process work out, so be it.

The lessons I think we ought to draw from this, and that we have a chance to implement next year, are let's do a normal process. We already have an agreement now for next year's spending numbers. That is a step in the right direction, and, actually, says a lot of good things about all parties and all concerned that they were able to come to this larger agreement earlier this year.

We have no excuse, in my view, not to move all 12 bills across the floor in regular order under an open rule so every Member can come down here and participate. I know that that is certainly the goal of Chairman ROGERS, the chairman of the Appropriations Committee. I know that is the goal of his ranking member, the distinguished gentlewoman from New York (Mrs. LOWEY).

I think the hard work this year has set us up both for a fruitful compromise here in the waning days of the calendar year in the legislative session, and has actually laid the foundation for something we have not seen around here in a long time: regular order, next year. In the course of that regular order, all of us will be forced to compromise.

We still live in a divided government: a Republican Congress and a Democratic President. We still operate in a system of checks and balances that our Constitutional forebearers set up over 230 years ago. That system has served us pretty well over the course of our history. I think it will continue to. And it will continue to demand compromise. We have seen a little bit more of that lately. I know my friend has his concerns, some of which, again, I share.

I am pretty proud of a Congress that has: number one, produced the first unitary budget since 2001, where the Senate and the House agree that, for

the first time since 2006, has moved all appropriations bills through the Appropriations Committee of both Chambers; that, actually, in recent days and weeks, passed landmark legislation, as my friend referred to, the Reauthorization of Higher Education Act, where I know he played a role in that; the highway bill that was recently passed; this conference report, which I know my friend has some concerns with, but, in fairness, speaks well of him, and pointed out a lot of things that he liked in this conference report.

If we sit here and wait to pass things where we all get 100 percent of what we want, nothing will ever pass the United States Congress. Certainly, in a bill this large, when we reach the omnibus, that is going to call for many compromises. This bill before us has called for many compromises. But people have found a way to work in good faith.

My friend is perfectly in order to oppose the rule. That is a pretty normal position for each side to take, minority and majority. I never have any problem with that. I think we will pass the rule. I hope he looks at the entire bill: the funding of the government and the Customs Act, where he had some concerns, but also had many things to point to that he thought were appropriate and good; and the Internet tax prevention that we now make permanent, where I know my friend has worked very hard for many years to do that.

And, yes, there will be some things in this bill that he doesn't like. There are some things in this bill that I don't like. But I think if you look at the merits of it, the permanent end of taxes on the Internet, the Customs legislation that my friend very ably pointed out has many good provisions; finally, the essential operation of government for the next few days, so people negotiating in good faith for both my friend's party and my party and from the administration can actually arrive at a deal. I think there is a lot of merit in the underlying legislation.

I would just ask that we be realistic. Again, my friend is perfectly within his rights to oppose both these measures, the rule and the final bill. I certainly understand his concern about the rule. If the roles were reversed, my concerns would probably be similar. I hope he looks to the underlying legislation when that vote comes and says, there are a lot of good things here.

There is a lot of give-and-take by both sides. There is real compromise. We have done a lot of that in the last few weeks under Speaker RYAN. I think we have the opportunity to do more next year. Let's pass the rule, pass the underlying legislation; get to finishing our business in the next few days; hopefully give the American people what they deserve: some peace, quiet, and certainty in the Christmas season; and then come back here next year with an opportunity to build on this and do some tremendous things in a bipartisan way. That is what I intend to

work for. I know that is what my friend will be working for.

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

□ 0945

Mr. POLIS. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a senior member of the Ways and Means Committee.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

I am here to speak in support of the Customs bill that we will be facing later today. It represents significant progress over the version from earlier this summer that I opposed. Part of this progress is due to strong bipartisan support from the Senate and bipartisan give-and-take with some of my colleagues on the Ways and Means Committee.

I appreciate having worked with then-Chair RYAN and Chairman BRADY to see some of these elements improve. I think it is important to recognize that the bill before us is substantially better. I know there are concerns by some of my friends about currency manipulation, which I share, and we have been pushing for and secured stronger provisions.

In the Customs bill, we have elements that represent the give-and-take of a legislative process, working with the administration; and the provisions, while no one would suggest they are perfect, are substantially better than the situation we have right now. We will be better off with the currency provisions in the Customs bill.

It contains many provisions that I fought for that are important to my constituents—businesses in the Pacific Northwest—dealing with unfair and outmoded tariff provisions, dealing with things like performance outerwear, that I know I share with my friend from Colorado. These are important both in terms of businesses that we represent and constituents that we represent who value that equipment—the shoes, the outdoor apparel—and making it more affordable.

Beyond the elements of making sure that the Customs system works more appropriately, there are important things that I think all of us can point to and be enthusiastic about. Both speakers have mentioned the end of the importation of products that are made by child and forced labor. There are strong provisions here to help us keep that out of the stream of commerce.

My friend from Oklahoma referenced the ENFORCE Act, and there have been problems—tires, solar panels—up in my area. We have had people cheat and do so with impunity. Incorporating the provisions of the ENFORCE Act gives us the tools to go after the cheaters, to make them pay, and to protect American companies and their employees.

It permanently establishes the Interagency Trade Enforcement Center to centralize and enforce trade enforcement. This is an area that I have been

working on throughout this process. In the Ways and Means Committee, I introduced the STRONGER Act with my friend and former fellow Northwesterner, Senator MARIA CANTWELL from Washington, to deal with ways to better enforce our agreements.

Today trade agreements are complex and trade enforcement takes a long period of time. They are expensive. Frankly, we are not equipped as well as we should be to do the job of protecting Americans by enforcing and implementing these agreements.

This legislation includes the trust fund for enforcement and in-country capacity building. It provides for up to \$30 million a year. It may not seem like much when we are talking about hundreds of billions of dollars in the Federal Government, but when you consider that the budget of the United States Trade Representative is less than \$60 million to do all of the things with which they are charged, being able to have a \$30 million a year enforcement fund is a very significant advancement.

Now, I am mindful of the extraneous climate provisions. I think they are unfortunate and should have been left out. I think my Republican friends in the future are going to be embarrassed by doing things like this, particularly when the rest of the world is in Paris, working to try and help deal with the crisis that is carbon pollution and climate change.

As a practical matter, again, the result of working with the administration and people in the Senate, the provision that is stuck in the bill, yes, is confusing, but it is much better than it was in June, and I am convinced it doesn't change the status quo at all, nor prohibit other efforts in different forums, such as Paris.

The optics are bad for my Republican friends, I think, and I do believe that they will rue the day for doing things like this. But, as a practical matter, we are not going to solve our climate problems through international trade. This doesn't change that.

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

Mr. POLIS. I yield the gentleman an additional 20 seconds.

Mr. BLUMENAUER. Because of the composition of the Senate and Republican opposition, we couldn't pass those things when we were in charge. So we are going to do it through other mechanisms. This Customs bill does not prevent that. I strongly urge my colleagues' favorable consideration.

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

First of all, I want to thank my good friend from Oregon for coming to the floor and for, frankly, more ably explaining the Customs portion of this legislation than I could.

I want to commend him and his colleagues for working in a bipartisan fashion to improve a bill that had passed earlier this year in ways that I think broadly make it more acceptable

to a larger percentage in this body. He is to be commended for that. So are his colleagues on that committee on both sides of the aisle. So is the administration, which I know has been heavily involved in these deliberations.

I think my friend makes an excellent argument for the passage of the underlying legislation. When you combine that with a permanent prohibition on Internet taxation—something I assume my friend also supports—and the necessary continuing resolution to give us a few more days to negotiate a bipartisan omnibus spending bill that, frankly, both parties will need to contribute votes toward and that the administration ultimately will have the prerogative of signing, I take these to be hopeful signs.

With some of the things that have happened in the last few weeks on a bipartisan transportation bill and on a bipartisan education bill and with what I am convinced is essentially a bipartisan conference report here today and with what will be a bipartisan omnibus bill, it sounds to me like significant progress.

It is something that leaders on both sides of the aisle can take some pride in as long as we get it done, hopefully, in a timely way next week and then come back here and build on this progress for all of next year, when we can move under regular order.

Again, I thank my friend for his hard work on the Customs portion of this. I also thank him for giving what I thought was a very thoughtful, constitutional lesson in give-and-take.

There are some things that we might all like to achieve, but that are just simply not possible, given the distribution of political power, the checks and balances in our system, and the fact that people do have, indeed, differing opinions and perspectives.

But the fact that we have gotten to this point I think demonstrates we can produce a good product even within a complex constitutional system, with a rather polarized political environment, and given the hard realities of divided government. I am pleased we have made the progress that we have made, and I thank my friend for his participation in that.

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

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank the gentleman from Colorado and let me thank the gentleman from Oklahoma for the thoughtful discussion and for the tone in which it is offered.

Mr. Speaker, I think all of us certainly are interested in coming to a place next week that embraces, really, the values of America and all of our concerns, and, obviously, riders that are toxic are obstacles we need to continue to discuss.

In my district, I have senior citizens with blue tarps on the tops of their homes, blue tarps that have been there

since the terrible Hurricane Ike. Obviously, we need the Housing and Urban Development to have funding that not only addresses affordable housing, but senior housing repair.

It comes down through community development. In the manner in which we are going through this, we are looking for that kind funding to make sure that the plus-up of \$80 billion that came about through the budget agreement gets evenly distributed, if you will. What happens is that, with the extenders of tax provisions that are unpaid for, the blue tarps in my district continue to exist. Seniors have roofs that are falling in.

I think that is an important issue at which many of us will be looking this weekend, and we will be looking to the appropriators to do what is right by the American people.

We wrote a letter regarding the Minority HIV/AIDS Program, which was gutted out. Mr. Speaker, let me tell you that HIV/AIDS is resurging among young people and among minorities. This is no time to zero out that funding.

As we go through this process, we are asking the question whether you are putting in toxic riders, but are not focusing on funding that is needed. The Thomas Street Clinic in my district needs the minority HIV funding.

I know that my good friends Mr. POLIS and Mr. COLE are certainly interested in making sure that transportation funding matches the funding that came about through the bill. Then, certainly, I hope that, as I listen to the calm discussion by Mr. POLIS, we can find a way to eliminate the prohibition from the Centers for Disease Control to not do their work.

Why are we preventing them from discerning the impact of gun violence on suicide? of the impact of gun violence on young people who are committing suicide? We have done research on drunk driving. We have done research on cancer. We have done research to move the country forward in a healthy manner. Why are we blocking the CDC from assessing what the impact is from gun violence?

As a member of the Judiciary Committee, I now understand that the Internet Tax Freedom Act is in this legislation and it is in this legislation permanently. There was no hearing. I remember this bill on the floor of the House in June.

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

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. Mr. Speaker, I have a number of letters to include for the RECORD. One is from Tom McGee, the President and CEO of the International Council of Shopping Centers. One is from the NRF. One is from the AFL-CIO.

DECEMBER 10, 2015.

DEAR REPRESENTATIVE: On behalf of the 70,000 members of the International Council

of Shopping Centers (ICSC), I am writing to urge you to oppose the conference report on H.R. 644, Trade Facilitation and Trade Enforcement Act, which contains a non-germane provision permanently extending the Internet Tax Freedom Act (PITFA). This is considered a key vote for ICSC.

Because PITFA was included without being paired with long awaited remote sales tax collection legislation, the added fiscal pressure being put on states and local governments will result in less funds for first responders and infrastructure and additional pressure to increase other state and local taxes such as sales or property taxes. This will truly add insult to injury for thousands of local businesses across the country.

As an organization, ICSC supports PITFA but strongly believes that a permanent restriction on states' ability to tax telecommunications services should absolutely be linked with the restoration of states' rights to collect sales taxes that are already owed in 45 states today. It is not only a missed opportunity to pursue good policy, but the manner in which this provision is being advanced certainly represents a departure from regular order.

After more than 20 years, close to 40 hearings and a successful bipartisan vote in the Senate, it is time for Congress to do the right thing and update sales tax collection policy to reflect the 21st century marketplace. The shopping center industry has sales that represent 15% of U.S. GDP, employs 1 out of every 11 Americans and generates \$141 billion in sales tax revenue. Our industry touches people's lives every day and is essential to the economic, civic and social vibrancy of every community. We urge you to send an important message on state tax policy and oppose H.R. 644. Please vote NO when the Trade Facilitation and Trade Enforcement Act Conference report is voted on later this week.

Sincerely,

TOM MCGEE,  
President & CEO.

NATIONAL RETAIL FEDERATION,  
Washington, DC, December 10, 2015.

Hon. MITCH MCCONNELL,  
Majority Leader, U.S. Senate,  
Washington, DC.

Hon. PAUL RYAN,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND SPEAKER RYAN: On behalf of the National Retail Federation (NRF), I would like to take this opportunity to share our views on the Conference Report to the Trade Facilitation and Trade Enforcement Act of 2015 (HR 644). NRF is concerned with the last-minute inclusion of the Permanent Internet Tax Freedom Act (PITFA) as part of the Conference Report, without also including legislation to provide parity in sales tax treatment of internet sales with sales in brick and mortar stores, like H.R. 2775, The Remote Transactions Parity Act.

NRF has long supported the efforts to pass a Customs Reauthorization bill, especially those provisions focused on trade facilitation. We believe the Conference Report includes provisions to help facilitate and streamline the Customs process. While we strongly support enforcement of U.S. trade laws, we remain concerned with the final enforcement language and the impact it will have on retailers and other downstream consumers.

Unfortunately we are extremely concerned about the inclusion of the Permanent Internet Tax Freedom Act (PITFA) in the final conference report. Retailers have long believed that it is appropriate to eliminate the



sales tax discrimination for brick and mortar stores as part of Congressional consideration of PITFA. This past Thanksgiving week-end was the first time that electronic sales surpassed brick and mortar sales in that key metric for retail sales. As more and more Main Street retailers close their doors because they cannot compete, it is time for Congress to remove the sales tax advantage for internet sellers that is harming our communities. We need a level playing field so retailers can compete without the government advantaging one sector of the industry over another.

NRF is the world's largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and Internet retailers from the United States and more than 45 countries. Retail is the nation's largest private sector employer, supporting one in four U.S. jobs—42 million working Americans. Contributing \$2.6 trillion to annual GDP, retail is a daily barometer for the nation's economy.

We urge you to remove language on PITFA from the final conference report, unless it is accompanied by sales tax fairness.

Sincerely,

DAVID FRENCH,  
Senior Vice President,  
Government Relations.

AMERICAN FEDERATION OF LABOR  
AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,

December 10, 2015.

DEAR REPRESENTATIVE: On behalf of the AFL-CIO, I write to urge you to oppose the conference report on H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015 (Customs Bill).

The Customs Bill, which when it emerged from the Senate had bipartisan support and included provisions supported by both labor and industry, was loaded up in the House with numerous controversial and partisan provisions that weakened or unacceptably altered it and would make it more difficult to negotiate trade agreements that are good for workers and the environment. Unfortunately, numerous of these unacceptable provisions remain in the bill that will be voted upon.

Stripped from the final bill is a critical bipartisan currency provision that would have made clear the U.S. can treat currency manipulation as a countervailable subsidy. The remaining currency provisions are a poor substitute, simply calling for "engagement" and with so-called "consequences" that simply won't work—including the possible exclusion from OPIC funding, something the worst currency manipulators (including China and Japan) don't receive anyway.

The conferenced Customs Bill also contains language that U.S. free trade agreements (FTAs) must not include obligations regarding greenhouse gas emissions. This will prevent the United States from making meaningful commitments on climate policy. It is incomprehensible how a 21st century trade agenda would ignore the reality of important climate issues.

Also included in the bill is language weakening the Menendez trafficking amendment, which barred Tier 3 trafficking nations from joining U.S. FTAs. Weakening this provision by allowing a nation to be included should they merely implement "principal" recommendations for changes, undermines the U.S. commitment to lead on human trafficking and raises doubt regarding the ability of the FTAs to protect workers and ensure compliance by trading partners with internationally recognized ILO labor rights, including the right to be free from forced

labor. This move is particularly troubling given the recent interest expressed by Thailand in joining the Trans-Pacific Partnership (TPP). Thailand is a Tier 3 trafficking nation and should not be allowed to participate in the TPP until such time as it is no longer justifiably designated as a worst-trafficking nation. On a related note, language is included in the bill that could be used to prevent trade deals from ensuring that migrant workers have effective protections and remedies against fraud, trafficking, forced labor, and other forms of labor exploitation and abuse.

This package also contains a harmful bill unrelated to trade. We strenuously oppose the inclusion of the Permanent Internet Tax Freedom Act (PITFA), which bans the authority of state and local governments to impose taxes on internet access. By restricting state and local government taxing authority, this bill reduces the ability of state and local governments to raise funds to invest in needed infrastructure, education, health care, job training and other vital public services. This unrelated harmful measure was unfortunately added at the last minute.

While the bill does contain Rep. Sanchez's ENFORCE Act, which would address the circumvention of antidumping and countervailing duties and assist with addressing unfair trade, other provisions in this bill remain unacceptable.

The Customs Conference Report unfortunately too closely resembles the flawed House version of the bill and the AFL-CIO urges you to oppose it.

Sincerely,

WILLIAM SAMUEL,  
Director, Government Affairs Department.

Ms. JACKSON LEE. Mr. Speaker, the point I want to make is, with what you are doing, even though there is a 4-year lapse, you are grandfathering this. My own State of Texas will lose \$358 million, Wisconsin \$120 million, Ohio \$65 million, and South Dakota will lose about \$13 million.

Are we going to replace those moneys from the Federal Government? What are we going to do to the retail industry that has bricks and mortar?

My friends, I am going to support a CR, but I do believe we should work together to do things that impact us positively and not negatively. Get rid of the riders and help our States, which have a need to have this Internet tax provision lifted.

Mr. Speaker, as a senior Member of the House Judiciary Committee; as the Ranking Member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations; and as the representative from Houston, I rise in opposition to the "Permanent Internet Tax Freedom Act" being in this bill.

When originally enacted in 1998, the Internet Tax Freedom Act established a temporary moratorium on multiple and discriminatory taxation of the Internet as well as new taxes on Internet access.

This moratorium, however, is due to expire on October 1st of this year.

Since 1998, Congress has extended the moratorium on a temporary basis. The bill before us will make that moratorium permanent.

Unfortunately, in doing so, the bill also ends the Act's grandfather protections for states that imposed such taxes prior to the Act's enactment date.

Mr. Speaker, the bill is problematic for several reasons.

First, Congress, instead of supporting this seriously flawed legislation, should be focusing on meaningful ways to help state and local governments, taxpayers, and local retailers. The House can do that by addressing the remote sales tax issue.

In addition to extending the expiring moratorium on a temporary basis, the House should take up and send to the Senate legislation that would give states the authority to collect sales taxes from remote sellers.

Such a proposal would incentivize remote sellers to collect and remit sales taxes as well as require states to simplify several procedures that would benefit retailers.

Such legislation would enable states and local governments to collect more than \$23 billion in estimated uncollected sales taxes each year.

The measure would also help level the playing field for local retailers—who must collect sales taxes—when they compete with out-of-state businesses that do not collect these taxes.

Retail competitors should be able to compete fairly with their internet counterparts at least with respect to sales tax policy.

The House should do its part and address the remote sales tax disparity before the end of this Congress.

Second, this legislation will severely impact the immediate revenues for the grandfather-protected states and all states progressively in the long term.

The Congressional Budget Office, for example, estimates that this bill will cost certain states "several hundred million dollars annually" in lost revenues.

Indeed, the Federation of Tax Administrators has estimated that the bill will cause the grandfather-protected states to lose at least \$500 million in lost revenue annually.

For my home state of Texas, enactment of this bill will result in a revenue loss of \$358 million per year. Texas will not be alone in these losses, annually: Wisconsin will lose about \$127 million, Ohio will lose about \$65 million, and South Dakota will lose about \$13 million.

Should this bill become law, state and local governments will have to choose whether they will cut essential government services—such as educating our children, maintaining needed transportation infrastructure, and providing essential public health and safety services—or shift the tax burden onto other taxpayers through increased property, income, and sales taxes.

Meanwhile, the Center on Budget and Policy Priorities has estimated that the permanent moratorium will deny the non-grandfathered states of almost \$6.5 billion in potential state and local sales tax revenues each year in perpetuity.

This bill will burden taxpayers, while excluding an entire industry from paying their fair share of taxes.

Finally, this bill ignores the fundamental nature of the Internet.

The original moratorium was intentionally made temporary to ensure that Congress, industry, and state and local governments would be able to monitor the issue and make adjustments where necessary to accommodate new technologies and market realities.

The Act was intended as a temporary measure to assist and nurture the fledgling Internet that—back in 1998—was still in its commercial

infancy. Yet, this bill ignores the significantly changed environment of today's internet.

The bill's supporters continue to believe that the internet still is in need of extraordinary protection in the form of exemption from all state taxation.

But, the internet of 2015 is drastically different from its 1998 predecessor. And, surely the internet and its attendant technology will continue to evolve.

Permanently extending the tax moratorium severely limits Congress's ability to revisit and make any necessary adjustments.

Simply put, a permanent moratorium is unwise.

In closing, I urge my colleagues to oppose H.R. 235 and I reserve the balance of my time.

The bill is misguided legislation that will devastate state revenues, especially for those states currently protected by the grandfather clause, and could force state governments to eliminate essential governmental programs and services, while increasing the burden on taxpayers.

For all of these reasons, I urge my colleagues to reject this flawed legislation; that makes the internet tax moratorium permanent, in part.

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

First, I want to thank my friend, the distinguished gentlewoman from Texas, for coming down and raising important issues.

I am not involved in the negotiations where HUD is concerned, but it would be my hope that her concerns would be addressed, quite frankly. I think, with the additional funds that are a product of the bipartisan negotiations of the Budget Act, which I know my friend supported, there is certainly a prospect that that will occur.

The negotiations that are going on now are indeed bipartisan. I have no doubt my friend's point of view is ably represented by her Democratic colleagues in those negotiations and by the administration. So, hopefully, we will arrive at a product in the next few days that will address some of those concerns.

I want to reinforce my friend's remarks about moving in a cooperative way. Again, we are not going to agree on every part of every piece of legislation, but I think the underlying legislation that we present today is a product of bipartisan cooperation and of compromise and of give-and-take. It is my hope that many people on both sides of the aisle will be able to support that.

There are three important elements of the Customs proposals. My friend from Oregon earlier laid out the many virtues with them, and, frankly, my friend from Colorado has extolled many parts of them.

The prohibition of taxation on the Internet I think is something we have routinely passed through this body since 1998. It has usually not been a particularly contentious issue. It is something we agree on on both sides of the aisle. Making it permanent makes a lot of sense, and I am hopeful that

many of my colleagues who have worked so hard on that will see that as an advantage.

Finally, I don't think we disagree on a short-term continuing resolution because we know that our Representatives on the Appropriations Committee—certainly Chairman ROGERS and Ranking Member LOWEY—are working really hard to find a bipartisan compromise.

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Now, I will remind my friends, we are not going to agree on every part of this bill. There will be elements, so-called riders, that are in them that probably some of my friends don't like. There will be Democratic riders in this bill, not just Republican riders. That is just the process of normal legislation.

Congress has every right to use the power of the purse. I don't know any executive branch, be it Republican or Democrat, that ever likes Congress getting down to the details of this. They just expect us to write a check for whatever they ask for. Well, that is not the way our Constitution is set up.

While the executive branch has a range of powers and authorities that are unique to itself, at the end of the day, we do fund every single activity that they engage in. At the end of the day, we have the right to say: Well, we agree with you here, here, and here, but we disagree here, and we are not funding that activity.

Now, in this case, I would always point out that wherever we end up at the end of the day is, by necessity, going to be a matter of compromise. My friends, frankly, don't have the congressional strength in either the House or the Senate to dictate to us, but we don't have it to dictate to them either.

Obviously, the President of the United States is of my friend's political party, and he has got to sign this legislation. So anything that gets done is going to involve a lot of compromises. Anything that comes to this floor, whether you like or dislike it, will have been approved at some level or, at least, accepted at some level by Members of both parties, as this is what we had to agree to.

So I am optimistic about that, and I am very pleased, frankly, that this process is largely driven by the chairman of the Appropriations Committee, Mr. ROGERS, and by Mrs. LOWEY from New York. I know them to be exceptional legislators. I know that all parties concerned here and their Senate counterparts and their administration counterparts are involved in a good faith effort to give us a good funding bill for next year and to set the stage for what we hope is a normal appropriations process.

If we have that process next year, my friends on both sides of the aisle will have the opportunity to see every bill on the floor, the opportunity to offer any amendment they want, the opportunity to literally educate the com-

mittee about some concern that may be unique to their district or something that they understand, frankly, better than the members of the Appropriations Committee. That is the process that we are trying to get back to. I know it will serve the country well if we can actually reach that.

What we have done in the last few months of this year has actually set that up: the budget agreement, which was preceded by a temporary CR and the budget agreement that came out of that, the omnibus we are working on now, and the legislation that has passed in the last few weeks in a very bipartisan fashion on education and highways. All of those things create a foundation for what can be an exceptionally productive year next year and one where we move through regular order.

Again, I thank my friend from Texas for bringing her concerns to the floor. I look forward to working with her on the underlying legislation, which I hope has enough items in it to attract significant bipartisan support.

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

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND), a member of the Ways and Means Committee.

Mr. KIND. Mr. Speaker, I thank my friend from Colorado for yielding me this time.

Mr. Speaker, as a member of the Ways and Means Committee and as someone who has been involved in negotiations in regards to the Customs bill before us today, I rise in strong support of that bill. I encourage my colleagues to do the same.

The Customs bill before us today is not the Customs bill that was reported out of the House in June of this year, a bill, quite frankly, that I couldn't support because of extraneous provisions—controversial provisions—that got included in it.

Through the product of the give-and-take in the negotiations, I think we reached a good bipartisan compromise. This is what bipartisanship looks like: the cooperation, the give-and-take. It is not a perfect bill. I know there are still some objections to it.

At its crux, however, this bill provides us important tools and resources to enhance enforcement mechanisms so we can enforce trade agreements and the standards that we are trying to elevate in these trade agreements. For instance, this bill, with the language that I worked on very hard with my colleagues Mr. LEVIN and Mr. LEWIS on the Ways and Means Committee will finally end the importation of goods and products based on the exploitation of child and forced and slave labor. That is in this bill.

This bill also includes the full ENFORCE Act on the Senate side, the PROMISE Act on the House side that again gives us additional tools to enforce elevated standards in the trade agreements that we lacked previously.



It also establishes for the first time an interagency trade enforcement center to require greater coordination from our agencies when it comes to the implementation and the enforcement of trade provisions that matter, leveling the playing field for our businesses, our workers, and our farmers.

With the help of my friend from Oregon, we were able to get included a trade enforcement trust fund so that resources are dedicated for the enforcement of trade agreements. I hear that a lot from our colleagues that they are not so much concerned with what goes into the trade agreements; they are more concerned about the lack of follow-up and the enforcement of the trade agreements. Again, because of the progress we have made and the creation of this trust fund, there will be resources in the future that will enable us to better enforce the trade agreements that are in front of us.

This also, again, to the credit of the gentleman from Oregon (Mr. BLUMENAUER), establishes a Super 301 section, enhanced trade enforcement on key priorities, such as labor, environmental, and human rights standards that are now being negotiated in the body of these trade agreements. They are fully enforceable like any other provision. This Super 301 gives us tools now to be able to follow that up and enforce it.

This also establishes a State trade and export promotion program to help our smaller businesses, our manufacturers in our respective States to get in the game and be able to offer more export opportunities to them. We know that with exporting companies their workers are paid roughly 18 to 19 percent more than other workers in our economy, so this is a good thing to help promote exports in our own country.

This also provides our Treasury-enhanced tools when it comes to fighting against the manipulation of currency in the foreign markets. The Bennett language that was agreed to in this language is a step in the right direction when it comes to the enforcement of currency manipulation.

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

Mr. POLIS. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Wisconsin.

Mr. KIND. Mr. Speaker, again, that is a source of concern that many of our colleagues have expressed concern about and, I think, legitimately so. Again, progress was made in this Customs bill when it comes to currency manipulation.

For all these reasons, I think it is important that we move forward on this Customs bill and give this administration and future administrations the tools they need in order to enforce trade agreements so we can elevate standards and begin to level the playing field for our workers, our businesses, and our farmers so that they can be as successful as they can be in

the 21st century global economy. I encourage my colleagues to support it.

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

I just want to quickly respond to my friend's point and, number one, thank him for his hard work in getting us to this position on this very important Customs legislation. I appreciate the bipartisan manner in which the work product was clearly achieved. I take a lot of hope from the fact that our current Speaker was actually the chairman of the committee in much of that process, and obviously Mr. BRADY from Texas continues in that tradition. So I am pretty hopeful that we are seeing a good, open process that is producing products that Members on both sides of this Chamber are happy to support and participate in. So this is a good and hopeful thing. Again, I thank my friend for coming back and educating us about an area he knows a great deal more about than I do.

I yield 3 minutes to the distinguished gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentleman for yielding. Mr. COLE has been a leader in this area for many years now, and I appreciate that leadership.

I rise today, as chairman of the House Small Business Committee, in strong support of H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015.

The importance of robust international trade for America's small businesses cannot be overstated. Small businesses represent 98 percent of all goods-exporting firms in the United States—98 percent are small businesses—establishing our Nation's role as the world's leader in international trade. Seven out of every 10 new jobs in this country are created by small businesses. So if we want to improve the economy and trade, small businesses are an integral part of doing that. In my home State of Ohio alone, more than 1.5 million jobs are tied to international trade, many of them with these small firms.

The bipartisan Customs reauthorization bill before us today will give small businesses the confidence and security they need to compete in a global marketplace. Specifically, it accomplishes this important goal by making sure international trade agreements are working to benefit America's small businesses and the employees of those small businesses. That is why I am pleased that the finished bill incorporates language that our committee helped to craft to ensure we are doing everything we can to keep the doors of trade open to small businesses. We have done this in that committee, in general, in a bipartisan fashion.

By modernizing the procedures and systems used by Customs and Border Protection, this bill also improves trade facilitation and makes sure their safeguards are working as intended.

By giving the Treasury new tools to crack down on currency manipulation,

this bill ensures that foreign competitors like China aren't taking advantage of our workers and small businesses. That has been a top issue for those of us that have dealt with trade, and that is the concept, that the Chinese have been manipulating their currency to give them an unfair advantage over America's businesses, that this bill helps to deal with.

By empowering the CPB and the Department of Commerce, this bill will make it easier to hold bad actors accountable when they engage in unfair trade or evasive trade practices. Mr. Speaker, this is truly commonsense legislation that will help America's small businesses at a time when they need our help to compete in the era of globalization.

I also thank my friend and colleague from Texas (Mr. BRADY), the chairman of the Ways and Means Committee, for his leadership on this issue. He has worked on this since he introduced a Customs reauthorization bill back in 2011, and I know that is the basis for today's legislation. I again thank Chairman COLE for his hard work in this area because trade is important to jobs. Yes, it is important to large corporations, but it is especially important to those small businesses all across America who engage in international trade. In the Small Business Committee, we are encouraging them more and more to do that. That means more jobs for more families all over this country.

I urge my colleagues to support this.

Mr. POLIS. I yield myself such time as I may consume.

Mr. Speaker, even after we pass this continuing resolution today, we will still be just 5 days away from a government shutdown. That is no way to run the greatest, freest, most prosperous country on the face of the Earth. We agree on so many of the issues. I urge my colleagues to stop the partisan games.

We have shown in recent weeks we can produce good, bipartisan legislation when we just put the controversial, divisive poison pills on the side. Look at what we accomplished in transportation and in education. Let's continue that trend. Let's drop the ideological wish list for another time and pass the spending bill without the last-minute hysterics and partisan riders.

In recent weeks, Americans have witnessed two senseless, horrific mass shootings: one very near to my district in Colorado that took three lives, and another in San Bernardino, California, that took 14 lives. These slayings are heartbreaking and tragic. Sadly, no one can any longer use the adjective to describe them as "shocking." There have been 355 mass shootings in 2015, which, themselves, are just a small portion of the 48,000 incidents of gun violence so far this year.

While I strongly support the rights given to Americans in our Second Amendment, I believe there are commonplace measures that we must take

to curtail gun violence. A common-sense improvement we can make is passing legislation to keep individuals who are suspected of terrorist activity from purchasing firearms.

If we defeat the previous question, I will offer an amendment to the rule that would allow the House to consider H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act of 2015. H.R. 1076 would amend the criminal code to stop the issuance of firearm licenses to people on the terrorism watch list.

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 Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, enough is enough. It is time to act. Let's make it harder for criminals and terrorists to quietly assemble arsenals designed to kill innocent Americans. We can do that. We can protect the Second Amendment. We can implement commonsense reforms that keep America safe.

□ 1015

There is nothing Congress can do to end gun violence, but we can and we must take action to reduce gun violence. If we defeat the previous question, we will do that. It will pass, and it will become law, and the American people will be safer. Stop standing in the way, Mr. Speaker.

I urge my colleagues to vote "no" to defeat the previous question.

I yield back the balance of my time.

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

First, before I close, I want to thank my friend for the debate and for his thoughtful remarks.

Not surprisingly, there will be a couple of areas in my close where I disagree with my good friend. One of them is the process itself. I share, actually, his frustration and the need for us to move under regular order. I share the frustration I think both sides share in this that we are doing an omnibus, but I remind my friends, we moved six bills across the floor here. Every bill has moved through the full Committee on Appropriations.

Frankly, our friends on the other side of the rotunda need to take a considerable responsibility for the delay in the appropriations, since they prevented the Senate from actually picking up and acting on individual bills. I think, frankly, had they done so, we would have had a more orderly process and been out of here in an easier way. My hope is next year they will do that, because I think in the bipartisan budget compromise, we set a framework up by deciding early on what the top line numbers are for next year, where that process can, indeed, occur. I certainly promise to work with my friends on

the other side of the aisle to see that we restore regular order, bring each appropriations bill down here.

I am going to disagree with my friend, too, on this terrorist watch list idea. This is a very interesting point. I think Members on both sides are equally committed to making sure all of our citizens are safe, but the terrorist watch list that my friend has talked about is one of the more mysterious lists in the United States.

As I read the press, I find one article that tells me there are 47,000 people on it; another one that tells me, no, there is 470,000 people; yet another that tells me there are 1 million people on it or more. I do know that the American Civil Liberties Union has called the terrorist watch list a "massive, virtually standardless, government watch list scheme that ensnares innocent people and encourages racial and religious profiling." Now, that is not from a conservative group. That is the American Civil Liberties Union.

I also know in this Chamber, one of our distinguished colleagues, the gentleman from California (Mr. MCCLINTOCK), who, when he was a State senator, found out accidentally going to the airport he was on the terrorist watch list. He found out another Democratic colleague, another State senator, was also on the terrorist watch list. They inquired as to why, and they were told: Well, we can't tell you.

Eventually, working with the Sergeant at Arms of the California Senate, they were able to determine Mr. MCCLINTOCK had been confused with an IRA—Irish Republican Army—terrorist, and the other gentleman had been confused with somebody else. We know that the late Senator Kennedy was, at one time, on the terrorist watch list. So I think this is a very imperfect tool that will ensnare lots of innocent Americans in it.

It is also worth noting—and this was a fact that was made acquainted to me by our good friend, the gentleman from Oklahoma (Mr. RUSSELL) who, along with his distinguished record of service for over 21 years in the United States Army, is an arms manufacturer and an arms seller—he pointed out actually the terrorist watch list is one of the lists that is used by the Alcohol, Tobacco, and Firearms group to decide whether or not to issue a permit. So it is a factor in now. It is not exclusive. You wouldn't exclude somebody simply because they were there, but it is a factor taken into consideration.

I say this just to suggest that perhaps we shouldn't seize on this as a be-all and a political talking point. This is worth a real serious look as to whether or not this particular list, how it is compiled, who is on it, what is the appropriate way to use it?

I think the last thing we should do is attach it to legislation without the appropriate hearing and discussion of it, which actually I think my friend on the other side would generally be in favor of.

There are plenty of reasons, anecdotal and serious studies, when, again, groups like the American Civil Liberties Union look at this as a very imperfect tool that will violate the civil liberties of the average American. Again, I caution my friends on the other side. It is a great political talking point, but I think it is a pretty imperfect tool, and I think they would find themselves embarrassed, frankly, were it used in the manner that they suggest here.

Mr. Speaker, let me move to my close. Passage of the continuing resolution, as we both agree, is critical to prevent a government shutdown and, frankly, to allow both sides and the administration to continue to negotiate. A CR passed the Senate yesterday by voice vote. We should pass this rule, and we should support the underlying legislation.

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

AN AMENDMENT TO H. RES. 560 OFFERED BY  
MR. POLIS OF COLORADO

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

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

Clearly, the vote on the previous question on a rule does have substantive policy 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. COLE. 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 ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 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 236, nays 177, not voting 20, as follows:

[Roll No. 690]

#### YEAS—236

Abraham	Graves (LA)	Palazzo
Aderholt	Graves (MO)	Palmer
Allen	Griffith	Paulsen
Amash	Grothman	Pearce
Amodei	Guinta	Perry
Babin	Guthrie	Peterson
Barletta	Hanna	Pittenger
Barr	Hardy	Pitts
Barton	Harris	Poe (TX)
Benishek	Hartzler	Poliquin
Bilirakis	Heck (NV)	Posey
Bishop (MI)	Hensarling	Price, Tom
Bishop (UT)	Herrera Beutler	Ratcliffe
Black	Hice, Jody B.	Reed
Blackburn	Hill	Renacci
Blum	Holding	Ribble
Bost	Hudson	Rice (SC)
Boustany	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Roby
Brat	Hultgren	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurd (TX)	Rogers (KY)
Brooks (IN)	Hurt (VA)	Rohrabacher
Buchanan	Issa	Rokita
Buck	Jenkins (WV)	Rooney (FL)
Bucshon	Johnson (OH)	Ros-Lehtinen
Burgess	Jolly	Roskam
Byrne	Jones	Ross
Calvert	Jordan	Rothfus
Carter (GA)	Joyce	Rouzer
Carter (TX)	Katko	Royce
Chabot	Kelly (MS)	Russell
Chaffetz	Kelly (PA)	Salmon
Clawson (FL)	King (IA)	Sanford
Coffman	King (NY)	Scalise
Cole	Kinzingler (IL)	Scott, Austin
Collins (GA)	Kline	Sensenbrenner
Collins (NY)	Knight	Shimkus
Comstock	Labrador	Shuster
Conaway	LaHood	Simpson
Cook	LaMalfa	Smith (MO)
Costello (PA)	Lamborn	Smith (NE)
Cramer	Lance	Smith (NJ)
Crawford	Latta	Smith (TX)
Crenshaw	LoBiondo	Stefanik
Culberson	Long	Stewart
Curbelo (FL)	Loudermilk	Stivers
Davis, Rodney	Love	Stutzman
Denham	Lucas	Thompson (PA)
Dent	Luetkemeyer	Thornberry
DeSantis	Lummis	Tiberi
DesJarlais	MacArthur	Tipton
Diaz-Balart	Marchant	Trott
Dold	Marino	Turner
Donovan	Massie	Upton
Duffy	McCarthy	Valadao
Duncan (SC)	McCaul	Wagner
Duncan (TN)	McClintock	Walberg
Ellmers (NC)	McHenry	Walden
Emmer (MN)	McKinley	Walker
Farenthold	McMorris	Walorski
Fitzpatrick	Rodgers	Walters, Mimi
Fleischmann	McSally	Weber (TX)
Fleming	Meehan	Webster (FL)
Flores	Messer	Wenstrup
Forbes	Mica	Westerman
Fortenberry	Miller (FL)	Whitfield
Fox	Miller (MI)	Williams
Franks (AZ)	Moolenaar	Wilson (SC)
Frelinghuysen	Mooney (WV)	Wittman
Garrett	Mullin	Womack
Gibbs	Mulvaney	Woodall
Gibson	Murphy (PA)	Yoder
Gohmert	Neugebauer	Yoho
Goodlatte	Newhouse	Young (AK)
Gosar	Noem	Young (IA)
Gowdy	Nugent	Young (IN)
Granger	Nunes	Zeldin
Graves (GA)	Olson	Zinke

#### NAYS—177

Adams	Capps	Cohen
Ashford	Capuano	Connolly
Bass	Cárdenas	Conyers
Beatty	Carney	Cooper
Becerra	Carson (IN)	Costa
Bera	Cartwright	Courtney
Beyer	Castor (FL)	Crowley
Bishop (GA)	Castro (TX)	Cuellar
Blumenauer	Chu, Judy	Cummings
Bonamici	Ciциlline	Davis (CA)
Brady (PA)	Clark (MA)	Davis, Danny
Brown (FL)	Clarke (NY)	DeGette
Brownley (CA)	Clay	Delaney
Bustos	Cleaver	DeLauro
Butterfield	Clyburn	DeBene

DeSaulnier	Langevin	Rangel
Deutch	Larsen (WA)	Rice (NY)
Dingell	Larson (CT)	Richmond
Doggett	Lawrence	Roybal-Allard
Doyle, Michael	Lee	Ruiz
F.	Levin	Ruppersberger
Duckworth	Lewis	Rush
Edwards	Lieu, Ted	Ryan (OH)
Ellison	Lipinski	Sánchez, Linda
Engel	Loeb sack	T.
Eshoo	Lofgren	Sarbanes
Esty	Lowenthal	Schakowsky
Farr	Lowey	Schiff
Fattah	Lujan Grisham	Scott (VA)
Foster	(NM)	Scott, David
Frankel (FL)	Luján, Ben Ray	Serrano
Fudge	(NM)	Sewell (AL)
Gabbard	Lynch	Sherman
Gallego	Maloney,	Sinema
Garamendi	Carolyn	Sires
Graham	Maloney, Sean	Slaughter
Grayson	Matsui	Smith (WA)
Green, Al	McCollum	Speier
Grijalva	McDermott	Swalwell (CA)
Gutiérrez	McGovern	Takai
Hahn	McNerney	Takano
Hastings	Meeks	Thompson (CA)
Heck (WA)	Meng	Thompson (MS)
Higgins	Moore	Titus
Himes	Moulton	Tonko
Hinojosa	Murphy (FL)	Torres
Honda	Nadler	Tsongas
Hoyer	Napolitano	Van Hollen
Huffman	Neal	Vargas
Israel	Norcross	Veasey
Jackson Lee	O'Rourke	Vela
Jeffries	Pallone	Velázquez
Johnson (GA)	Pascarell	Visclosky
Johnson, E. B.	Pelosi	Walz
Kaptur	Perlmutter	Wasserman
Keating	Peters	Schultz
Kelly (IL)	Pingree	Waters, Maxine
Kennedy	Pocan	Watson Coleman
Kilmer	Polis	Welch
Kind	Price (NC)	Wilson (FL)
Kirkpatrick	Quigley	Yarmuth

#### NOT VOTING—20

Aguilar	Jenkins (KS)	Pompeo
Boyle, Brendan	Johnson, Sam	Reichert
F.	Kildee	Sanchez, Loretta
DeFazio	Kuster	Schrader
Fincher	Meadows	Schweikert
Green, Gene	Nolan	Sessions
Harper	Payne	Westmoreland

□ 1051

Mr. RANGEL and Ms. EDWARDS changed their vote from "yea" to "nay."

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

#### LEGISLATIVE PROGRAM

Mr. MCCARTHY. Mr. Speaker, looking ahead to next week, Members are advised that no votes are expected in the House on Monday.

Members are further advised that first votes of the week are expected on Tuesday at 6:30 p.m., and it is my intent to stay until we get our work done.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 236, noes 174, not voting 23, as follows:

[Roll No. 691]

AYES—236

Abraham	Graves (LA)	Palazzo
Aderholt	Graves (MO)	Palmer
Allen	Griffith	Paulsen
Amash	Grothman	Pearce
Amodi	Guinta	Perry
Babin	Guthrie	Pittenger
Barletta	Hanna	Pitts
Barr	Hardy	Poe (TX)
Barton	Harris	Poliquin
Benish	Hartzel	Posey
Bilirakis	Heck (NV)	Price, Tom
Bishop (MI)	Hensarling	Ratcliffe
Bishop (UT)	Herrera Beutler	Reed
Black	Hice, Jody B.	Reichert
Blackburn	Hill	Renacci
Blum	Holding	Ribble
Bost	Hudson	Rice (SC)
Boustany	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Roby
Brat	Hultgren	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurd (TX)	Rogers (KY)
Brooks (IN)	Hurt (VA)	Rohrabacher
Buchanan	Issa	Rokita
Buck	Jenkins (WV)	Rooney (FL)
Bucshon	Johnson (OH)	Ros-Lehtinen
Burgess	Jolly	Roskam
Byrne	Jones	Ross
Calvert	Jordan	Rothfus
Carter (GA)	Joyce	Rouzer
Carter (TX)	Katko	Royce
Chabot	Kelly (MS)	Russell
Chaffetz	Kelly (PA)	Salmon
Clawson (FL)	King (IA)	Sanford
Coffman	King (NY)	Scalise
Cohen	Kinzinger (IL)	Scott, Austin
Cole	Kline	Sensenbrenner
Collins (GA)	Knight	Shimkus
Collins (NY)	Labrador	Shuster
Comstock	LaHood	Simpson
Conaway	LaMalfa	Sinema
Cook	Lamborn	Smith (MO)
Costa	Lance	Smith (NE)
Costello (PA)	Latta	Smith (NJ)
Cramer	LoBiondo	Stefanik
Crawford	Long	Stewart
Crenshaw	Loudermilk	Stivers
Culberson	Love	Stutzman
Curbelo (FL)	Lucas	Thompson (PA)
Davis, Rodney	Luetkemeyer	Thornberry
Denham	Lummis	Tiberi
Dent	MacArthur	Tipton
DesJarlais	Marchant	Trott
Diaz-Balart	Marino	Turner
Dold	Massie	Upton
Donovan	McCarthy	Valadao
Duffy	McCauley	Wagner
Duncan (SC)	McClintock	Walberg
Duncan (TN)	McHenry	Walden
Ellmers (NC)	McKinley	Walker
Emmer (MN)	McMorris	Walorski
Farenthold	Rodgers	Walters, Mimi
Fitzpatrick	McSally	Weber (TX)
Fleischmann	Meehan	Webster (FL)
Fleming	Messer	Wenstrup
Flores	Mica	Westerman
Forbes	Miller (FL)	Whitfield
Fortenberry	Miller (MI)	Williams
Fox	Moolenaar	Wilson (SC)
Franks (AZ)	Mooney (WV)	Wittman
Garrett	Mullin	Womack
Gibbs	Mulvaney	Woodall
Gibson	Murphy (PA)	Yoder
Gohmert	Neugebauer	Yoho
Goodlatte	Newhouse	Young (AK)
Gosar	Noem	Young (IA)
Gowdy	Nugent	Young (IN)
Granger	Nunes	Zeldin
Graves (GA)	Olson	Zinke

NOES—174

Adams	Blumenauer	Capuano
Ashford	Bonamici	Cárdenas
Bass	Brady (PA)	Carney
Beatty	Brown (FL)	Carson (IN)
Becerra	Brownley (CA)	Cartwright
Bera	Bustos	Castor (FL)
Beyer	Butterfield	Castro (TX)
Bishop (GA)	Capps	Chu, Judy

Cicilline	Huffman	Peters
Clark (MA)	Israel	Peterson
Clarke (NY)	Jackson Lee	Pingree
Clay	Jeffries	Pocan
Cleaver	Johnson (GA)	Polis
Clyburn	Johnson, E. B.	Price (NC)
Connolly	Kaptur	Quigley
Conyers	Keating	Rangel
Cooper	Kelly (IL)	Rice (NY)
Courtney	Kennedy	Richmond
Crowley	Kilmer	Roybal-Allard
Cuellar	Kind	Ruiz
Cummings	Kirkpatrick	Ruppersberger
Davis (CA)	Langevin	Rush
Davis, Danny	Larsen (WA)	Ryan (OH)
DeGette	Larson (CT)	Sánchez, Linda
Delaney	Lawrence	T.
DeLauro	Lee	Sarbanes
DelBene	Levin	Schakowsky
DeSaulnier	Lewis	Schiff
Deutch	Lieu, Ted	Scott (VA)
Dingell	Lipinski	Scott, David
Doggett	Lofgren	Serrano
Doyle, Michael	Lowenthal	Sewell (AL)
F.	Lowe	Sherman
Duckworth	Lujan Grisham	Sires
Edwards	(NM)	Slaughter
Ellison	Lujan, Ben Ray	Smith (WA)
Engel	(NM)	Speier
Eshoo	Lynch	Swalwell (CA)
Esty	Maloney,	Takai
Farr	Carolyn	Takano
Fattah	Maloney, Sean	Thompson (CA)
Foster	Matsui	Thompson (MS)
Frankel (FL)	McCollum	Titus
Fudge	McDermott	Tonko
Gabbard	McGovern	Torres
Galleo	McNerney	Tsongas
Garamendi	Meeks	Van Hollen
Graham	Meng	Vargas
Grayson	Moore	Veasey
Green, Al	Moulton	Vela
Grijalva	Murphy (FL)	Velázquez
Gutiérrez	Nadler	Visclosky
Hahn	Napolitano	Walz
Hastings	Neal	Wasserman
Heck (WA)	Norcross	Schultz
Higgins	O'Rourke	Waters, Maxine
Himes	Pallone	Watson Coleman
Hinojosa	Pascrell	Welch
Honda	Pelosi	Wilson (FL)
Hoyer	Perlmutter	Yarmuth

NOT VOTING—23

Aguilar	Harper	Payne
Boyle, Brendan	Jenkins (KS)	Pompeo
F.	Johnson, Sam	Sanchez, Loretta
DeFazio	Kildee	Schrader
DeSantis	Kuster	Schweikert
Fincher	Loeb	Sessions
Frelinghuysen	Meadows	Smith (TX)
Green, Gene	Nolan	Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1059

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.

Stated for:

Mr. SMITH of Texas. Mr. Speaker, on roll-call No. 691, I was unavoidably detained. Had I been present, I would have voted "yes."

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2693. An act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the "Phyllis E. Galanti Arboretum".

The message also announced that the Senate has passed bills of the following

titles in which the concurrence of the House is requested:

S. 142. An act to require special packaging for liquid nicotine containers, and for other purposes.

S. 209. An act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes.

S. 993. An act to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 2308. An act to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes.

S. 2393. An act to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

#### PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT ON CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that the question on adopting a motion to recommit on the conference report to accompany H.R. 644 may be subject to postponement as though under clause 8 of rule XX.

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

There was no objection.

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

Mr. BRADY of Texas. Mr. Speaker, pursuant to House Resolution 560, I call up the conference report on the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 560, the conference report is considered read.

(For conference report and statement, see proceedings of the House of December 9, 2015, at page H9104.)

The SPEAKER pro tempore. The gentleman from Texas (Mr. BRADY) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD on the conference report to accompany H.R. 644.

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

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.