

privileged citizenship by the United States?

We need to take this time in this centennial transfer year to look at what have been the gains and for the U.S. to make a more perfect Union by more perfect citizenship and more inclusion of the U.S. Virgin Islands into the United States.

STOP MILITARIZING LAW ENFORCEMENT

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

Mr. JOHNSON of Georgia. Mr. Speaker, for nearly three decades, State and local law enforcement agencies across America have been flooded with surplus military-grade weaponry through the Pentagon's 1033 program.

Late last year, law enforcement in North Dakota responded to protesters in Standing Rock in a well-documented, militarized fashion, reminding us of the danger which the use of military equipment by domestic law enforcement poses to the civil liberties of Americans.

During the elections, President Trump ran on a promise to restore "law and order." I am deeply concerned that the administration will follow up on that promise by making more military equipment available to State and local law enforcement agencies. This would further blur the line between the military and civilian police officers and violate a founding principle of our Nation.

For this reason, I am, today, reintroducing the bipartisan Stop Militarizing Law Enforcement Act to rein in the Pentagon's excess property management program and ensure that our communities are not just safe, but that the civil liberties of ordinary Americans continue to be protected.

IT IS CRUCIAL TO REPEAL AND REPLACE AFFORDABLE CARE ACT

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

Mr. YOHO. Mr. Speaker, I rise today to voice my concern about how crucial it is that we repeal and replace the poorly named Affordable Care Act.

We are working towards a better healthcare plan and doing it in a better fashion than the other side did 8 years ago. We are actually going through regular order, allowing the committees of jurisdiction to do their work in public, and have the text for all to see and debate.

Mr. Speaker, ObamaCare is failing and will collapse on its own. Many more will lose their insurance, and the healthcare system will get drastically worse if we simply leave it in place. The worst thing we can do is nothing.

4.7 million Americans were kicked off their healthcare plans by the ACA. I

was one of them. Under the ACA, there has been a 25 percent average increase in premiums for the midlevel plans in 2017 for millions of Americans trapped in the healthcare.gov exchanges. Nearly one-third of U.S. counties have only one insurer offering an exchange plan.

ObamaCare is unsustainable. Mr. Speaker, it is time for Congress to do its job and replace the failed ObamaCare. We guarantee we will read this bill before we pass it.

PROVIDING FOR CONSIDERATION OF H.R. 1259, VA ACCOUNTABILITY FIRST ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 1367, IMPROVING AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO HIRE AND RETAIN PHYSICIANS AND OTHER EMPLOYEES; AND PROVIDING FOR CONSIDERATION OF H.R. 1181, VETERANS 2ND AMENDMENT PROTECTION ACT

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 198 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 198

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-7. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole

to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-6. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs; and (2) one motion to recommit.

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

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman

from Florida (Mr. HASTINGS), 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. BUCK. 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 Colorado?

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation.

Our veterans have paid a high price. Dispatched to foreign lands to fight for our freedom, many returned injured, grief-stricken over lost friends, and torn apart by the violence of war.

We owe them our time, our energy, our gratitude, and our protection. That is why we are here on the floor today: to protect the constitutional rights of our heroes and to make sure we are taking care of them like we promised we would.

H.R. 1181, the Veterans 2nd Amendment Protection Act, ensures that government cannot strip our heroes of their constitutional rights without due process. Under current law, if the VA determines that a veteran needs a guardian or fiduciary to help manage their benefits, then that veteran's name must be sent to the NICS database, prohibiting them from purchasing a firearm.

The decision to strip any constitutional right from anyone, most importantly our veterans who have put their lives on the line to defend our Constitution, needs to be made with due process. The VA was never designed to adjudicate the removal of constitutional rights. This decision should be made by a judge or judicial authority.

Instead of stripping veterans of constitutional rights, our VA should be focused on protecting veterans. That is exactly what the other two bills under consideration do.

H.R. 1259 gives the Department of Veterans Affairs greater ability to discipline employees for misconduct or poor performance.

We entrust our VA employees with the health and well-being of our veterans. Most of these employees do a great job, working hard to make sure our heroes are cared for; but, occasionally, a VA employee engages in misconduct, behavior that can endanger the very lives of our veterans.

These men and women sacrificed to serve our Nation. The least we can do is enable them to receive the best care possible at the VA. That is why we need H.R. 1259, to allow the VA, under an expedited process, to fire or suspend or demote employees who are putting our veterans at risk.

The legislation also allows the VA to recoup the money paid in bonuses or relocation grants to employees convicted of a felony.

Mr. Speaker, our veterans deserve the best. They deserve the best employees. They deserve the best medical staff. That is what the third bill under consideration, H.R. 1367, will achieve. This legislation improves the VA's ability to recruit the best medical staff, offering the agency direct hiring authority to fill key positions with critical staffing needs.

It also creates a fellowship program to train up VA management for the best performance. It is time to improve the personnel practices at the Veterans Administration.

Mr. Speaker, the resolution on the floor today is vital for our Nation's veterans. Their constitutional rights and their well-being stand in the balance.

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

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

I thank the gentleman, my friend from Colorado, for yielding me the customary 30 minutes for debate, and I rise to debate the rule providing for consideration of the three bills related to the Department of Veterans Affairs—interestingly, all under one rule. We have been doing two bills under one rule. We are now headed to three. I recommend we just put all of our bills under a rule and save us a lot of time.

The first bill under today's rule, to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, the bipartisanship reflected in this bill is certainly a rarity in this body and, frankly, could have easily come before us under the suspension of the rules.

There are nearly 47,000 job vacancies for doctors, nurses, and other medical professionals throughout the Veterans Administration's healthcare system. The VA is consistently rated as one of the worst Federal agencies in terms of pay and leadership, and since 2009, the number of VA employees resigning or retiring has risen every year.

□ 1245

As of the new year, 547,000 patients were waiting more than 30 days for care at a VA hospital. It is clear that we must act to improve the VA on a holistic level, and this bill is a good start.

This legislation establishes staffing, recruitment, and retention programs to enable the VA to build a stronger workforce.

However, I am disappointed that the Rules Committee majority did not make in order an amendment that I offered to this measure, which would have allowed the Secretary of the VA to fill any existing vacant positions within the Veterans Administration, regardless of whether the position was vacated before or after the reckless hiring freeze imposed by Donald John Trump.

I would also note that Representatives SCHRADER and MOULTON offered

an amendment that would fully lift the hiring freeze, but the Rules Committee blocked this amendment as well from receiving a vote on the House floor. I remain disheartened at the way the majority continues to operate the business of the House of Representatives.

The bipartisanship this bill enjoys dissipates when we move to another bill wrapped in today's three-rule measure, and that is H.R. 1181, the Veterans 2nd Amendment Protection Act. Before I launch into all of my remarks regarding this, I want to make it very clear that I and most Members of the House of Representatives will do everything we can to protect the Second Amendment rights of U.S. citizens and veterans especially.

This legislation, however, if enacted, would immediately enable approximately 174,000 veterans currently deemed mentally unfit by the VA to purchase firearms. At its core, this bill assumes that all veterans with mental illness should have unfettered access to guns, regardless of whether they will turn the weapon on themselves or their loved ones, and that any determination otherwise is simply wrong. The broadly reaching bill arbitrarily removes every veteran flagged by the National Instant Criminal Background Check System from its rolls, literally putting tens of thousands of lives at risk.

Let's look at the facts. Under procedures currently in place by the VA and the Department of Justice, an individual who lacks the mental capacity to contract or to manage his or her own affairs can be prevented from purchasing a gun. This term applies to veterans with severe mental illnesses who require a fiduciary to help manage their VA benefits. If the veteran thinks there was an error or that he or she was unfairly disqualified, the veteran can utilize the same due process and appeals procedures that are available for other VA decisions.

Under the current process, which was codified in the 21st Century Cures Act just a few months ago, the veteran is allowed a hearing before the Board of Veterans Appeals and given several opportunities for judicial review and appeal in Federal court.

Mr. Speaker, this bill turns this sensible and humane approach on its head. It is time that we acknowledge where we are as a country. It is time that we deal with the fact that we are in the midst of a veterans' suicide epidemic. Twenty veterans kill themselves every day. That is 7,300 of our finest and bravest persons in our society. Two-thirds of these suicides are carried out using firearms.

A Department of Veterans Affairs report, provided to Congress in 2015, revealed that nearly 20,000 veterans diagnosed with schizophrenia, 15,000 diagnosed with post-traumatic stress disorder, and thousands more diagnosed with dementia, Alzheimer's, and serious depression were on the NICS rolls. Under this bill, these individuals and many more would be given immediate

access to guns, putting themselves and others in danger.

Even as our Nation suffers shooting after shooting, Congress has not acted. Democrats held a sit-in in this very room in that well in this last Congress to protest the callousness of the House Republican leadership in preventing us from even considering legislation to protect our citizens with reference to guns. Rather than act to address gun violence, we instead considered legislation like this, which will actually lead to more gun violence, Mr. Speaker. The logic and lack of compassion in such an approach absolutely escapes me.

Our country has witnessed horrific shootings in the past few years. Dozens of children were murdered at Sandy Hook. Nearly 50 people were killed at the Pulse nightclub in Orlando. One of our very own from this Congress was nearly assassinated while holding a townhall event in 2011. We continue to ignore the ramifications of shootings at Oak Creek, Aurora, Virginia Tech—I could go on and on—Charleston. The list just continues. 32,000 Americans lose their lives every year from gun violence.

We have grieved together. And I, along with several of my colleagues, have stopped standing down here in the well for a moment of silence and then going back to our regular business after hundreds of our people are killed throughout this society. We have demanded change together, and we have been shocked by the paralysis that has gripped this institution when it comes to taking commonsense steps to end our country's gun violence epidemic.

Today, we see in this bill another measure coming out of Republican leadership that sprints toward the goal set by this country's powerful gun lobby. Listen up, NRA, there are people like me that aspire to have a zero rating by you every year. And it is not just the gun lobbyists, it is gun manufacturers as well. It may be great for the gun manufacturers' bottom line and the NRA's bottom line, but it is terrible for those brave men and women who have served this country so fully, those brave men and women who suffer wounds that may not be visible to the naked eye, but are no less real and worthy of our attention.

With each new tragedy that occurs, whether it be a mass shooting or the 20 servicemembers we lose every day to suicide, those who stand in the way of legislation to address our country's gun violence epidemic are increasingly culpable for its continuation. I am disgusted with this morally bankrupt obfuscation, and I think the American people are, too.

Let me lay down a marker. Of the 435, plus six Members of the House of Representatives and the 100 U.S. Senators, I want to see the first person when this measure goes into effect, if it does, and 174,000 veterans are taken off of the NICS rolls and can access guns, the first one that dies—and I hope we track it—I want everybody to stand up

and remember that we had a chance to stop it here. Don't tell me, if 20 veterans are killing themselves every day and if 7,000-plus of them are killing themselves every year—and we won't even mention domestic violence and the horror that comes from those guns—if we continue this effort, we will allow more deaths along those lines.

Before concluding, Mr. Speaker, I want to say a few words about the final bill encompassed in this rule, H.R. 1259, the VA Accountability First Act of 2017, and the Republicans' continued assault on the working people of this country.

At its core, this bill is an attack on workers' rights, plain and simple, and will do more harm than good in our efforts to improve care at the Veterans Administration. This legislation would strip the collective bargaining rights of VA workers. It weakens an employee's right to appeal. It weakens protections for VA workers who speak up against mismanagement and patient harm.

Republicans claim they want to help fix our VA system, yet, with this bill, they do that by insulting, undermining, and attacking the very employees who serve and care for our veterans, including the over 120,000 veterans who work for the VA. Yesterday, one of our colleagues presented at the Rules Committee a statistic that I didn't know. Of the 2 million Federal employees in this great Nation of ours, 640,000 of them are veterans. So when we get ready to pare back this government that somehow or another people have targeted for all sorts of cuts, if you read today's budget proposal by Donald John Trump, you will see that lots of these veterans will be losing their jobs, in addition to all of the things that we have already discussed.

We need to make improvements at the VA. Everybody knows that. That is clear. But singling out VA employees and their protections is counterproductive, to say the least, and only compounds manpower shortages plaguing the agency.

This legislation will exacerbate recruitment problems and impair retention at the agency. It threatens the agency's ability to build a robust clinical workforce by threatening the quality of care that the VA will be able to provide.

I don't know what the pique is by my Republican colleagues with reference to workers in this country. They talk a very good game about protecting workers and we are going to bring back jobs and we are going to do all of these things that are going to protect the middle class.

I will get a chance to talk about this a little bit more, but I am very proud of the unions in this Nation. They are the unions that people like my father and countless of us who served in the House of Representatives worked in and helped build this Nation. They are the people that our veterans from the Second World War, the Korean conflict,

and Vietnam who became union members and went on to do things for collective bargaining that made workers' rights be better for people in America. And I don't see tearing them down—let alone in the VA administration—is something that we need to do.

Mr. Speaker, my friends on the other side of the aisle know exactly where their priorities lie with this bill, and it is certainly not with improving the quality of care of our veterans, but rather in exploiting yet another opportunity to attack the rights of working men and women across our country.

I reserve the balance of my time.

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

My friend from Florida and I were in committee yesterday and heard testimony from one of our colleagues that this bill, as it pertains to veterans' gun rights, is not reactive. It does not go back to those individuals who have been denied their due process rights, who have been denied their Second Amendment rights.

This bill is prospective only. It will only affect those who in the future have been denied those rights. And I think it is absolutely important that we understand the Republican Party in the House of Representatives is committed to make sure that those individuals who have been denied their due process rights, their Second Amendment rights in the past, we will find a solution. We will help those individuals.

Right now, we are focused on making sure that others have the ability to a fair, open hearing where they can present their side of the story before they are denied their constitutional rights.

My friend and colleague from Florida (Mr. HASTINGS) also talks about the fact that H.R. 1259 will do more harm than good; that somehow disciplining those who are delivering poor services to our veterans is unfair to unions. The truth is that 35 percent of the VA's workforce is made up of veterans.

□ 1300

But the fact is that veteran employees believe employees that are not meeting acceptable standards for their fellow veterans should be removed, period, regardless of their service while on Active Duty.

Are opponents of removing poor-performing employees and those whose misconduct warrant removal saying that a veteran employee who cannot do the job or is guilty of misconduct be kept on the job?

On the contrary, veterans know that the strictest accountability standards apply to them during their military service, and millions of hardworking Americans in the private sector do not enjoy anything close to the protections enjoyed by Federal employees.

The only employees who need to be concerned with reasonable reform that would be made by this legislation are those who aren't doing their jobs on behalf of the veterans who they serve.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. MAST).

Mr. MAST. Mr. Speaker, I want to start by saying this. I was prompted to say this by the remarks from my colleague from Florida just now.

I believe that there is absolutely nothing that is common sense about preventing those who defend America from having the opportunity to defend themselves. There is no common sense in that whatsoever.

I listened to your emotional remarks here, and I listened as you gave zero specifics on the mental illness that my colleague specifically talked about being worried about.

Specifically, what mental illnesses is it that had you concerned?

I would encourage you to have the courage to be specific and say exactly what it is that you mean so that there is no confusion.

Now, the true intent of my remarks today are to talk about my favorite part of going to the VA, and that is sitting next to my fellow veterans when I sit down at one of the clinics at my local VA hospital. Whether it is a marine from Iraq, whether it is a sailor from World War II, a soldier from Vietnam, an airman from Korea, whenever we sit down next to each other, there is a camaraderie that exists immediately.

One of the first things that is said is usually some sort of off-topic joke about the branch that the other person comes from. It is that camaraderie of shared service that unites us in a way that half a century of age can't divide. I can tell you, we have common experiences, and we have common healthcare challenges as well.

It is important for veterans to come together and for the VA to establish and maintain expertise in providing for our unique healthcare needs. Unfortunately, too many VA facilities have lost their hunger to provide care. They have lost the passion to meet the individual needs of veterans, and it has become way too much of a rarity that a veteran's needs are truly met when they enter the VA facility.

You cobble that together with enough bad experiences from underperforming employees, and it forces veterans to ask: Where else can I go for my care?

That is why I am excited to see the House bring forward two bills this week that get at the crux of the matter: authority to hire the best employees and the ability to remove underperforming employees.

Today we will debate the VA Accountability First Act. We will provide the VA Secretary the flexibility to either remove, demote, or suspend an employee for misconduct. It can be very little that is more important to go on at the VA.

Tomorrow we will debate H.R. 1367 that will bolster the Secretary's situational awareness to recruit and retain the very best employees.

You know, when a veteran like myself or my peers goes to the VA, we are

not given a choice in our provider. We go there, and they look at a person like me and they say: Your last name is MAST. We are going to assign you to Alpha clinic. This is your provider, and there is no choice.

The veterans deserve nothing less than the kind of care and accountability that these bills endeavor to provide.

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

Mr. BUCK. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. MAST. Mr. Speaker, I encourage my colleagues to vote for this rule and to bring each of these bills to the floor.

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

I have great respect for my colleague whose district abuts a portion of my district in Florida. I want to make it very clear that it is important to listen to what a person says. My colleague just commented that I did not offer the specifics with reference to persons who suffered some form of mental illness; and he said that, in my passionate remarks, I failed to provide those specifics.

Let me go back and read you my remarks again. A Department of Veterans Affairs report provided to Congress in 2015 revealed that nearly 20,000 veterans diagnosed with schizophrenia, 15,000 diagnosed with post-traumatic stress disorder, and thousands more diagnosed with dementia, Alzheimer's, and serious depression.

Is that specific enough for you, or do I need to add additional reasons?

Evidently my colleague didn't hear that.

Mr. MAST. Will the gentleman yield?

Mr. HASTINGS. I yield to the gentleman from Florida.

Mr. MAST. I appreciate that. When I get to speaking about the specifics of this matter—and you used a very broad, general term, like the term “post-traumatic stress disorder.” That is something that is, unfortunately, layered upon nearly every veteran that exits service today. So to go out there and have this ability to put people into this NICS, who have this sort of label placed upon them, that is exactly the crux of this that I am getting to that is not specific enough. It does not point to what is specifically an issue that anybody is facing.

Mr. HASTINGS. Reclaiming my time, is schizophrenia one of those things that isn't specific enough for you?

Mr. MAST. If the gentleman would yield, that is certainly an issue that we can point to. But when you talk about post-traumatic stress and so many other issues that are diagnosed by the Department of Veterans Affairs—

Mr. HASTINGS. Reclaiming my time, that is what you should have said rather than say that I didn't offer specifics, and I just want to make that very clear to you.

I don't think that people with diagnosis of schizophrenia, that have been

allowed—that their fiduciaries have determined that their mental illness allows that they should not get a gun, I suggest to you and to anybody that those persons that have a gun—and I made the distinction. You evidently didn't hear that part either. I made the distinction about the Second Amendment and how much I support it and I support veterans, and I support veterans' rights to defend themselves. But I don't support crazy people having guns, whether they are veterans or not, and it is just that simple.

The SPEAKER pro tempore. Members of both sides of the aisle are reminded to address their remarks to the Chair.

Mr. HASTINGS. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. TAKANO), the vice chair of the Veterans' Affairs Committee.

Mr. TAKANO. Mr. Speaker, I thank the gentleman from Florida for yielding me time.

Mr. Speaker, I rise in opposition to the rule. In its current form, H.R. 1181 would endanger veterans in crisis and serve as another obstacle to addressing the crisis of veteran suicide.

We had hoped to introduce amendments which would protect veterans' rights while ensuring their safety. By bringing this bill to the floor under a closed rule, the majority has prevented us from doing so, from considering other possibilities to come together in a bipartisan fashion.

There are changes that could be made to this legislation to ensure that it is good public policy. For instance, we could consider a streamlined appeals process that would allow veterans erroneously flagged by the background check system to have their status changed.

I do acknowledge the concern of the gentleman from Florida that people with PTSD on this list may have been inappropriately flagged to be on this list, and we could have discussed a streamlined process. We could conduct a study of the VA's existing practices for submitting records of veterans to the background check system.

But rather than subject that whole list to being dismantled and freeing people that should not be free to have weapons—crazy people from having weapons—at the very least, we should understand the impact this change would have on veteran suicide, as Ms. ESTY suggested when she tried to offer an amendment to the Rules Committee last night to require a study into the number of veterans who have committed suicide by firearm, who should have been prevented from accessing a firearm under current policies.

I do wish, Mr. Speaker, to dispute the gentleman from Colorado's contention that this is only about going forward, that it affects going forward. I maintain there is considerable concern that this will affect those that exist on the list currently.

These are sensible ideas that I offered, that we could have considered instead of being forced to vote on the legislation we have now. We could come together under unanimity to solve this issue.

But under this rule, we are forced to vote only on legislation that would make veterans and their communities less safe. Accordingly, I call on my colleagues to oppose this rule.

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

My friend from Florida talked about the specificity that he used in describing the conditions of these veterans, but that is not what the rule says.

What the rule says, Mr. Speaker, is that if someone—if a veteran needs a fiduciary, they will be denied the ability to own, possess, purchase a firearm. It doesn't say if they are schizophrenic. It doesn't say if they have PTSD. It doesn't say if they have depression, and if they have PTSD or depression that is somehow linked to further violent behavior. It doesn't say that.

What it says is, if you can't balance your bank account, you can't have a gun to protect yourself. There is no relationship between those two.

Now, if the gentleman from Florida would go to the Veterans Administration and talk to them about the need to link that finding of a fiduciary with future violent behavior, we may not be here today.

But so many people have been trapped in this overbroad rule that we are going to make sure that those people that have a fiduciary and are listed by the VA have a due process right to show that they are nonviolent; that they don't have a propensity to commit a crime with a weapon; that they are not a harm to themselves or to others.

And if the VA or an independent judicial officer finds that they are, then yes, list them on the NICS report, but give them that due process right. That is where the majority believes this rule created during the Clinton administration and by the Veterans Administration falls.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MAST).

Mr. MAST. Mr. Speaker, I take issue with a term that was thrown around far too loosely twice in just the last couple of minutes by my colleagues from the other side of the aisle here where each of them used the term "crazy." They used the term "crazy" twice. I take serious issue with that.

This is the reality: our servicemembers that endeavor onto the battlefield, they face snipers that are targeting them. They face mortars being dropped on their head. They face improvised explosive devices like the ones that took my legs and so many of my friends. There are aviators that fly beyond the lines of our enemy. They face the threat of being shot down or captured. There are marines, there are sailors. And all of us—you know, the reality is we do come home with demons that are

associated with a life that is surrounded by death. That is certainly the truth.

But to say for one moment that that is something that allows the term "crazy" to be layered upon any one of these heroes that goes out there and serves in defense of this country, that goes out there and has the willingness to have their uniform stained with the blood of their friends, I find that to be a disgusting use of that word. I resent the fact that it has been done, Mr. Speaker, and I would respectfully ask that there be an apology made to those that put on the uniform and go out and defend this country on behalf of every single American.

Mr. HASTINGS. Mr. Speaker, I would urge my friend from Colorado to know that I have no additional speakers and I am prepared to close if he is prepared to close.

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

Mr. BUCK. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Colorado has 17¾ minutes remaining.

Mr. BUCK. Mr. Speaker, I yield 2 minutes to my friend from Georgia (Mr. COLLINS).

□ 1315

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate my colleague from the Rules Committee yielding me time.

I can't be in any more agreement with my friend from Florida just now. We talked about this actually in the Rules Committee yesterday. If you look at the actual language in the rule, it gets down to the fact that you are adjudicated a mental defective. That is language that has to be stopped in this. I know my friend from the Rules Committee, and we serve on Judiciary together, we are going to actually look into this. Because if we really want to start talking about veterans and suicide, then we need to start addressing it head-on in real terms and in real ways with the issues that they face and not simply saying that we are going to take a right away.

It is amazing to me that we are discussing this issue. What about the other amendments? Well, we are just going to do the Second Amendment.

In fact, what is happening right now among many, and for those who need to understand this, many of our VA colleagues who want to go to the Veterans Administration, have stopped going. If we want to actually worry about some of this stuff that they are worrying about with their mental health, then we need to take impediments away from them getting help, to let them know that just because they have problems that they can't process, getting help from the VA is something that should not be predicated on a fiduciary or somebody helping them.

If they have got real issues, then follow the law. Follow the law. Adju-

dicate this. Don't give just simple carte blanche to say: We are going to take this away, and then, oh, by the way, go fix it yourself.

I said yesterday in the Rules Committee: I am still in the Air Force. I am an attorney and a chaplain. I served in Iraq. I have delivered these death notifications. I have counseled those who have called saying: I don't find a reason to live, Chaplain.

When we begin to throw around loosely these terms as we did yesterday in committee, when we send letters that say: if you vote for this, then you are actually making it free and easier—I think was the wording—to get guns to veterans. This is why this problem breaks down. This is why we use veterans as pawns. If you are against this, vote "no," but don't use the cover of saying that you are helping people on suicide. Get to the issues.

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

Mr. BUCK. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. COLLINS of Georgia. When we understand this, I understand the discussions, and I understand the issues we have here, but not with this. Make your vote. But don't cloak it. Don't call it crazy people.

Congressman MAST, that ain't what they are.

They are hurting. They need help. If this is an impediment to that, then vote "yes." If you want to vote "no," fine, vote "no." But at least get the issue right.

The issue is that the Veterans Affairs is saying: We are going to take your constitutional right away without adjudication and make you do it on your own because we have an opinion about this that we think could happen because you have got a fiduciary, you can't do it on your own.

When we understand what is really at the heart of this, I would encourage all to say: you know, the veterans, you just overstepped your bounds here. We are going to put this back where it needs to be, and then we are going to get on to the real issues of veterans who are needing help.

I know my Florida appreciates that. We have talked about it before. These veterans need help. Our VA needs help. Our hospitals need help. The money and time that are spent to help these folks when they come back—they are not crazy, they are not defective. They are just people who have been through a tough time, and they need a little kindness, compassion, and help.

They are not broken. I broke my leg. I stepped on a piece of glass, and I cut my achilles. That is what happened to me. But if my mind—everybody said: Your cast looks interesting. Nobody talks about it, though, if I came home to say: I am depressed. I have an issue.

We start backing away. We have got to break that in our country. Mental health has got to be a priority—this—to be against this and claim what we are claiming here on the floor is wrong.

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

Mr. Speaker, my friend that sits on the Rules Committee, my colleague from Georgia, correctly speaks to this issue and its need to go to the Judiciary Committee or other committees to ensure that veterans have the appropriate adjudication.

I don't know where he or my colleague from Florida would place schizophrenia. I am not a mental health expert, but I have spent a good portion of my career here in Congress dealing with issues and trying to address issues of mental health, be it veterans or not.

Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up H.R. 696, Representative SCHRADER's bill to exempt the Department of Veterans Affairs from Donald John Trump's hiring freeze. As we have already discussed, my amendment to allow the VA Secretary to fill vacant positions, regardless of whether they were vacated before or after the hiring freeze, was blocked last night in the Rules Committee.

There are nearly 47,000 vacant positions within the VA, and we should not be limiting the VA's authority to fill these positions, especially as we continue to work towards reducing patient wait times.

On a bipartisan basis, Members of both the House and Senate have requested that the VA be exempt from the hiring freeze. Mr. Speaker, this is commonsense legislation to ensure that the VA can recruit and hire qualified staff to meet the needs of our veterans.

Mr. Speaker, I ask unanimous consent to insert the text of my 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 Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, at the end of the day, we are gathered here, once again, to debate the same old, tired, irresponsible, and morally bankrupt policies championed by my friends across the aisle, policies that will, while we face a suicide epidemic among those servicemembers who have so bravely served this country, make it easier for them to take their own lives by increasing their access to guns. That may be good policy for the powerful gun lobby and gun manufacturers, but it is horrendous policy for the American people.

We have before us legislation that will gut workers' rights for VA employees while also making it easier to reprimand those who are brave enough to speak out against the ills they see occurring at the VA—ills that have and will continue to undermine the quality of service our veterans are able to receive.

All of this moral ineptitude is set against the backdrop of a healthcare

plan recently put forth by Republicans that will raise the number of uninsured in this country to 24 million in under 10 years. This includes 14 million folks being unceremoniously kicked off of Medicaid and 7 million Americans kicked off of the health insurance plans they receive through their employers.

This is a plan that will increase premiums for individual policyholders by up to 29 percent. This is a plan that will increase, particularly for older Americans, out-of-pocket healthcare expenses.

Mr. Speaker, in the final analysis, this is no plan at all but rather a shameful and cynical massive giveaway to the ultrawealthy at the expense of the middle class that will result in hardworking Americans paying far more for far, far less.

Mr. Speaker, I have been in this institution 25 years, and I have been on this Earth 80 years. I have seen an awful lot of trauma during that period of time. I served as a State court judge and had the responsibility of Baker Acting—it is called in Florida—people to mental institutions. I have established fiduciaries for people who were unable to take care of themselves. I worked actively when we had mental health hospitals to keep those mental health hospitals open.

I would say to you, Mr. Speaker, so that you can say to the gentleman who asked that I apologize, that I apologize for nothing having to do with any remarks that I made within the confines of what is allowed in this institution. The simple fact of the matter is I used the term “crazy,” and I had reference to schizophrenia. Now, it may very well be that these are not broken people, it is that they are brave people who came home with problems. But crazy is crazy, and I would say that until the day I die.

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

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

Mr. Speaker, I want to draw your attention and the attention of my colleague from Florida to a letter dated January 26, 2017, from the chairman of the Committee on Veterans' Affairs, U.S. House of Representatives, Representative ROE, and the chairman of the Committee on Veterans' Affairs, U.S. Senate, Chairman ISAKSON, to the President in which they asked for various positions to be exempted from the President's executive order concerning a hiring freeze.

The next day, January 27, the Acting Secretary issued a memorandum under the authority of that Presidential memorandum, executive order, granting the chairman's request and exempting various positions.

I would exceed my time limitations, Mr. Speaker, if I were to read all of these. But let me assure you there are dozens and dozens of positions at the Veterans Administration that have been exempted from the President's

hiring freeze. They include social worker, science lab technician, practical nurse, nursing assistant, dietitian, nutritionist, occupational therapist, on and on and on. And the need for the amendment that the gentleman presents is unnecessary.

I would also like to talk very briefly about the gentleman's argument that somehow those at the Veterans Administration are being harmed, and we are attacking a union in some way rather than trying to deal with real situations and improving the quality of care at the VA.

I want to give a few examples of VA employees and just the time that it took to remove people. A VA employee was a willing participant in an armed robbery several years ago, and after a lengthy legal and administrative battle where the employee was supported by the Public Employees Union, the employee was reinstated in their previous position without any discipline.

A VA nurse showed up to work intoxicated and participated in a veteran's surgery while under the influence of alcohol. Although the employee eventually resigned, to date, no other employees were disciplined for allowing the employee to participate in the veteran's surgery.

In 2013, a vocational rehab specialist out of the Central Alabama Veterans Health Care System crashed a government car, and a passenger ended up dying. He was later indicted for a DUI. The VA confirmed that the employee was not removed from payroll until January of this year—almost 4 years.

In 2014, a VA employee at the Central Alabama Veterans Health Care System took a veteran who was a recovering drug addict to a crack house where he purchased illegal drugs for the veteran, as well as purchased a prostitute for him, though the employee was still employed at the VA well over a year later after the incident until they were finally able to remove him.

Mr. Speaker, I ask my colleagues to stand up now for our veterans. They have performed their duty, and it is time for us to perform for them.

Our duty is to take care of them. A “yes” vote restores their Constitutional rights and improves their quality of care.

I ask my colleagues to vote “yes” on this resolution, vote “yes” on the underlying bill. I thank Chairman ROE and Representative WENSTRUP for bringing these bills before us.

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

AN AMENDMENT TO H. RES. 198 OFFERED BY
MR. HASTINGS

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

SEC. 4. 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. 696) to prohibit any hiring freeze from affecting the Department of Veterans Affairs. 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 Oversight and Government Reform. 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. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 696.

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 30 minutes p.m.), the House stood in recess.

□ 1335

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOST) at 1 o'clock and 35 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 198;

Adoption of House Resolution 198, if ordered; and

Agreeing to the Speaker's approval of the Journal.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1259, VA ACCOUNTABILITY FIRST ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 1367, IMPROVING AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO HIRE AND RETAIN PHYSICIANS AND OTHER EMPLOYEES; AND PROVIDING FOR CONSIDERATION OF H.R. 1181, VETERANS 2ND AMENDMENT PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 198) providing for consideration of the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; providing for consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes; and providing for consideration of the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 227, nays 185, not voting 17, as follows:

[Roll No. 162]

YEAS—227

Abraham	Cole	Gowdy
Aderholt	Collins (GA)	Granger
Allen	Comer	Graves (GA)
Amash	Comstock	Graves (MO)
Amodei	Conaway	Griffith
Arrington	Cook	Grothman
Babin	Costello (PA)	Guthrie
Bacon	Cramer	Harper
Banks (IN)	Crawford	Harris
Barletta	Culberson	Hartzler
Barr	Curbelo (FL)	Hensarling
Barton	Davidson	Herrera Beutler
Bergman	Denham	Hice, Jody B.
Biggs	Dent	Higgins (LA)
Bilirakis	DeSantis	Hill
Bishop (MI)	DesJarlais	Holding
Bishop (UT)	Diaz-Balart	Hollingsworth
Black	Donovan	Hudson
Blackburn	Duncan (SC)	Huizenga
Blum	Duncan (TN)	Hultgren
Bost	Dunn	Hunter
Brady (TX)	Emmer	Hurd
Brat	Farenthold	Issa
Bridenstine	Faso	Jenkins (KS)
Brooks (AL)	Ferguson	Jenkins (WV)
Brooks (IN)	Fitzpatrick	Johnson (LA)
Buchanan	Fleischmann	Johnson (OH)
Buck	Flores	Johnson, Sam
Bucshon	Fortenberry	Joyce (OH)
Budd	Fox	Katko
Burgess	Franks (AZ)	Kelly (MS)
Byrne	Frelinghuysen	King (IA)
Calvert	Gaetz	King (NY)
Carter (GA)	Gallagher	Kinzinger
Carter (TX)	Garrett	Knight
Chabot	Gibbs	Kustoff (TN)
Chaffetz	Gohmert	Labrador
Cheney	Goodlatte	LaHood
Coffman	Gosar	LaMalfa