

going to go to jail. In fact, just this past November, in new supplemental draft guidance, FDA explained that the agency, “does not intend to penalize or recommend the use of criminal penalties for minor violations.” The FDA went on to explain that minor violations would include inadvertently missing a calorie declaration for a standard menu item on the buffet; minor discrepancies in the type, size, color, contrast of calorie declarations; minimal variations or inadvertent error that would only minimally impact the calorie declaration, such as adding extra slices of pepperoni or an extra dollop of ketchup. This is just not going to happen.

Let me just say, in closing, the law that Congress passed almost 8 years ago—so the calls for more time is just ridiculous—should be allowed to go into effect. It is long past due. This is about freedom, about freedom of consumers to make informed choices.

I know my friends across the aisle talk about freedom all the time. This is about freedom to make choices that will help you. Empowering consumers to make informed decisions that benefit their health is exactly what the current law allows. H.R. 772 would undermine that important goal.

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

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

Mr. Speaker, I would just remind my colleagues that this bill is supported by literally hundreds of national State and local organizations, including the National Grocers Association, the National Association of Convenience Stores, the Food Marketing Institute, the American Pizza Community, the National Association of Truck Stop Operators, amongst many, many others.

□ 1330

I want to also reiterate that this bill, again, is bipartisan and has passed the Energy and Commerce Committee 39–14, in this Congress, and last year in the House, where it passed 266–144.

The bottom line is this: it clarifies that establishments acting in good faith will not be penalized, particularly in a criminal way, for inadvertent human error in reasonable variations in serving sizes and ingredients, giving them 90 days to correct a violation before enforcement action is brought by the FDA.

Mr. Speaker, I urge my colleagues to vote in support of this bill, and I yield back the balance of my time.

Mr. DESAULNIER. I rise to express my strong opposition to H.R. 772, the so-called Common Sense Nutrition Disclosure Act.

I have worked at every level of the restaurant business, starting as a dishwasher and busboy, and eventually managing and owning various restaurants in the San Francisco Bay area. As a former restaurateur and a member of the California Restaurant Association, I have a deep appreciation for the value American consumers place on nutritional information when determining their food purchases.

Numerous studies, like the International Food Information Council and elsewhere, suggest that nutritional information is second only to taste when choosing what to eat from a menu. Other peer-reviewed studies have found that consumers make healthier choices when nutrition information is placed directly on the menu.

Making nutrition information readily available and standardized is an important step in fighting the growing epidemic of obesity and chronic disease. According to the CDC, more than two-thirds of American adults are overweight or obese, nearly a third of American children are overweight, and the prevalence of childhood obesity children has more than tripled since 1971.

That is why, as a California State Senator, I co-authored the first-in-the-nation menu labeling law. This bipartisan legislation was passed with industry support and cooperation, and signed by a Republican governor.

In contrast, the bill before us today creates giant loopholes in the ACA's national menu labeling provisions and allows selected establishments to arbitrarily determine serving sizes, and obscure the total number of servings per item. For example, if this bill would become law pizza chains, supermarkets, and convenience stores would be exempt from having to provide information to consumers at the point-of-sale. The bill would also further delay the implementation of our existing nationwide menu labeling efforts that are supported by more than 75 percent of American consumers.

Particularly harmful for my constituents, H.R. 772 would preempt state efforts to address the obesity epidemic locally. The bill also undermines state and local efforts to enforce or enact their own food labeling laws, and extends to food labelling in general, not simply menu labeling as the bill's title would lead us to believe.

This misguided legislation unravels all of the cooperative work being done by the restaurant industry and government agencies across the nation. I urge my colleagues to oppose this effort to undermine local transparency efforts and vote No on H.R. 772.

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

Pursuant to House Resolution 725, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Ms. SCHAKOWSKY. 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 subject to the call of the Chair.

Accordingly (at 1 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1508

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PALMER) at 3 o'clock and 8 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1892, HONORING HOMETOWN HEROES ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115–547) on the resolution (H. Res. 727) providing for consideration of the Senate amendment to the bill (H.R. 1892) to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty, which was referred to the House Calendar and ordered to be printed.

#### PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1892, HONORING HOMETOWN HEROES ACT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 727 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 727

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1892) to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115–58 modified by the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment 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.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Rochester, New York (Ms. SLAUGHTER), my dear friend and ranking member of the Rules Committee, 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. SESSIONS. 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 Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, I rise today in support of this rule and the underlying legislation. The rule provides for consideration of the Senate amendment to H.R. 1892, the Further Extension of Continuing Appropriations Act of 2018.

Mr. Speaker, the House amendment will extend government funding until March 23, 2018, while simultaneously funding the Department of Defense for a full year. This will ensure our Nation's defense and pay for our proud servicemen and -women who will no longer be in jeopardy during ongoing discussions on funding for the long-term spending caps, until we agree to that.

Mr. Speaker, we just have come out of Rules Committee where we had a hearing for several hours where we detailed not only the parts of this bill, but also the agreement and disagreement between the two parties. I want you to know that I am pleased to report today the Rules Committee favorably reported out this bill, and we will be talking about the substance of that today.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume. I thank my friend for yielding me the customary 30 minutes.

Mr. Speaker, I am sorry I can't support this continuing resolution today.

The great government of the United States of America that has been called "the last best hope of man" cannot be funded in tranches of maybe 2 weeks to 3 weeks. This is the fifth continuing resolution that we have done since the 30th of September. That is an atrocity. I mean, I can't think of any legislative body anywhere totally unable to do its job. And as sorry as I am to say it because of my great respect and affection for my fellow Members, I don't believe that this majority is capable of governing.

We are 2 days before the shutdown of the government of the United States, before it closes for business. Late last night, about 10 p.m., they finally released the details of this short-term spending bill. And we will be back here as soon as this one expires doing yet another one.

We are 5 months into the fiscal year, and this is the majority's fifth continuing resolution. We are virtually in the same position today as we were on September 8, December 7, December 21, and January 18 when this Chamber passed the prior continuing resolutions.

The majority isn't learning from any of this. They just keep repeating those mistakes. Like the bill before it, the proposal was written by and for the majority.

Let me repeat. The Democrats had virtually no say in this.

And once again, it ignores many of the priorities that we all agree need to be addressed: providing additional disaster relief after a storm season that saw historic wildfires, hurricanes, and mudslides; three rail wrecks in 2 weeks with fatalities, certainly proving to us, if we didn't know it already, that our neglect of the railroads, the bridges, the infrastructure in the United States is a mess. Saving America's endangered pensions is also a priority, and extending additional health access for our veterans certainly is not just a priority, but an obligation.

□ 1515

What is included here is woefully inadequate. This bill pays for extending community health centers—which is very important to me, let me hasten to add—by eviscerating funding for one of the most important parts of the Affordable Care Act that helps keep people well: the Prevention Fund. This fund focuses on children's health by expanding access to lifesaving vaccines and reducing the risk of lead poisoning, among many other things. The majority is paying for opening the centers by gutting the Prevention Fund while we are experiencing the worst flu epidemic in nearly a decade.

Now, I have heard a lot of talk about prioritizing the national defense. We don't take a back seat on our side to anybody who loves and respects the people who defend us, who every day—an all-volunteer military—stands on the line for us.

But we also believe that this bill does not raise the Budget Control Act sequester level of spending caps for non-defense. That is a shame, and it is also the Budget Control Act.

Mr. Speaker, one-third of the non-defense domestic budget that we are trying to get parity for goes to national security, part of our defense: to our veterans, to homeland security, the State Department, the Justice Department, and counterterrorism initiatives.

Refusing to equally raise the defense and nondefense caps is irresponsible. Secretary of Defense General Mattis has said: No enemy is more harmful than unpredictable funding from Congress.

But it isn't just defense that has had undependable funding. Not a single agency of the Federal Government knows from one week to another whether they will be funded or what they can do. We have cut down on almost everything that they can do, including travel to places that they absolutely need to be. It is pretty awful.

We have had the warnings, yet here we are today with a fifth short-term continuing resolution. The majority has 238 seats in the Chamber, but it only holds 51 seats in the Senate. They have the ability to draft a partisan agenda, and routinely do.

And we just saw that spectacle coming from the Intelligence Committee in

the House, when a memo, governed by the majority—and one was acted on and put out for the public—but we are waiting and hoping that the one for the minority will be given the approval by the President of the United States.

But for anything, including this bill, to have a chance of getting 60 votes in the Senate and becoming law, you have to involve the Democrats. They don't have enough over there. Fifty-one is not 60. This is simple math.

The minority leader in the Senate has said this proposal is a nonstarter. He added that moving forward with this plan would "jeopardize the positive discussions going on right now about the budget, immigration, disaster aid, and more." So we know, standing here today, that we are wasting our time.

We should finally bring an end to the continuing resolutions and the failed my-way-or-the-highway approach to governing. That is the only way the majority can fulfill what Speaker RYAN pledged when he took the gavel and said: "Only a fully functioning House can truly represent the people. And if there were ever a time for us to step up, this would be that time."

Mr. Speaker, the American people and the world have watched for months as the greatest democracy ever devised has been defined by its dysfunction. If ever there was one, this is the time for the majority to step up.

I am very much concerned, Mr. Speaker, that we are reaching the tipping point. That the dysfunction and chaos displayed not just with the actions of the stock market in the past 3 days, but our inability to really know whether or not we are going to keep the lights on has cost us dearly with respect to the rest of the world. And I need to point out as well, just a few minutes ago, the President of the United States thought that a government shutdown would be a good idea.

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

Mr. SESSIONS. Mr. Speaker, I appreciate my colleague for being here so that we may move forward on this important funding for the government.

Mr. Speaker, from time to time, there are Members of Congress who distinguish themselves in ways that draw not only attention upon an organization more than just themselves, but also distinction. Our next speaker is a gentleman who served for 14 years in the United States Air Force. He holds the record for the fastest nonstop flight ever in the world in one of the United States Air Force planes that is called a B-1 bomber. This gentleman not only served with distinction and honor but is here today to speak about the importance of funding our United States military.

Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Speaker, I thank the gentleman for those kind words. Chairman SESSIONS is a hero of mine. There are a lot of reasons why I hold

him in such high regard. One of the reasons is that he understands a couple of very important things.

I think the first thing he understands is that the primary responsibility of the Federal Government is to keep Americans safe in a chaotic world. The second thing he understands is that nothing is more important than thing one.

It is for these reasons that I rise in strong support of the rule and the underlying legislation to fund our military. Our inability to constantly fund our Federal Government has real consequences, but it has no greater consequence than it has for our military members.

Nothing impacts our military with more devastating effect than the lack of sustained, predictable funding. We need to do what is right for the men and women in uniform charged with defending our country, including, I might add, members of my own family who are deployed, even as we speak.

The uncertainty of funding creates problems in the supply chain with regard to everything from large acquisitions to the smallest repair part. It impacts training as funding is needed to lock in major events to include logistical support, movement of personnel and equipment, and access to sufficient types and quantities of munitions. I have spoken with military members, as recently as the last few weeks, who told me about their funding and their training being canceled because of the threat of a government shutdown. It has implications for their safety and their well-being.

In a letter to Congress last September, Secretary Mattis warned of the consequences: funding through a CR cannot be reprogrammed; training impacts begin immediately, as I have said; and hiring actions and recruiting is curtailed.

The bottom line is this: governing by crisis has had an enormous impact on our military, and it is time we do what is right and fully fund our country's defense.

Funding the Department of Defense in the year 2018 will keep Americans safe by boosting our national defense and give a much-needed pay raise to our troops and an increase in end strength for the Active Duty, Guard, and the Reserve.

Let me end with a personal observation. These wings that I proudly wear are my father's Air Force wings. He was an Air Force pilot in World War II. He had five sons who served in the military. I am proud to say that I was one of them, as Chairman SESSIONS has indicated. As I indicated as well, I have members of my own family who are deployed now, or will deploy in the next year. These young men and women put their lives on the line to serve and to protect our country. For heaven's sake, let's give them the funding to do that. Let's do the right thing. That is why I support this rule and the underlying legislation.

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

Mr. Speaker, President Trump said to reporters earlier today that if Congress can't reach a deal on immigration: "I'd love to see a shutdown if we can't get this stuff taken care of. If we have to shut it down because the Democrats don't want safety . . . let's shut it down."

We are also the people who were accused last week at the State of the Union—because we didn't show great enthusiasm for his speech—that we were treasonous. It is really pretty frightening to me, Mr. Speaker, what is going on here, and I can't avoid talking about it. I said earlier in the Rules Committee that I think we are reaching a tipping point, and I honestly do believe that.

But this isn't the first time that President Trump encouraged a government shutdown, which would be devastating. The last one we had was for 16 days and took \$24 billion out of this economy. This is remarkable and, I think, pretty sad.

The President keeps injecting uncertainty into what already is a chaotic process from the majority. No one in this Chamber is against safety. We are asking them to take action on the bipartisan priorities that have languished while they passed tax cuts for millionaires.

In 2016, during an interview with CBS This Morning, President Trump said: "I'm the king of debt. I'm great with debt. Nobody knows the debt better than me."

Well, Mr. Speaker, according to this article from The Washington Post from February 3: "The U.S. Treasury expects to borrow \$955 billion this fiscal year. . . . It's the highest amount of borrowing in 6 years, and a big jump from the \$519 billion the Federal Government borrowed last year."

He is definitely the king of debt.

Mr. Speaker, I include in the RECORD the article from The Washington Post titled: "The U.S. Government is set to borrow nearly \$1 trillion this year, an 84 percent jump from last year."

[From the Washington Post, February 3, 2018.]

THE U.S. GOVERNMENT IS SET TO BORROW NEARLY \$1 TRILLION THIS YEAR, AN 84 PERCENT JUMP FROM LAST YEAR

(By Heather Long)

It was another crazy news week, so it's understandable if you missed a small but important announcement from the Treasury Department: The federal government is on track to borrow nearly \$1 trillion this fiscal year—Trump's first full year in charge of the budget.

That's almost double what the government borrowed in fiscal 2017.

Here are the exact figures: The U.S. Treasury expects to borrow \$955 billion this fiscal year, according to documents released Wednesday. It's the highest amount of borrowing in six years, and a big jump from the \$519 billion the federal government borrowed last year.

Treasury mainly attributed the increase to the "fiscal outlook." The Congressional

Budget Office was more blunt. In a report this week, the CBO said tax receipts are going to be lower because of the new tax law.

The uptick in borrowing is yet another complication in the heated debates in Congress over whether to spend more money on infrastructure, the military, disaster relief and other domestic programs. The deficit is already up significantly, even before Congress allots more money to any of these areas.

"We're addicted to debt," says Marc Goldwein, senior policy director at Committee for a Responsible Federal Budget. He blames both parties for the situation.

What's particularly jarring is this is the first time borrowing has jumped this much (as a share of GDP) in a non-recession time since Ronald Reagan was president, says Ernie Tedeschi, a former senior adviser to the U.S. Treasury who is now head of fiscal analysis at Evercore ISI. Under Reagan, borrowing spiked because of a buildup in the military, something Trump is advocating again.

Trump didn't mention the debt—or the ongoing budget deficits—in his State of the Union address. The absence of any mention of the national debt was frustrating for Goldwein and others who warn that America has a major economic problem looming.

"It is terrible. Those deficits and the debt that keeps rising is a serious problem, not only in the long run, but right now," Harvard economist Martin Feldstein, a former Reagan adviser, told Bloomberg News.

The White House got a taste this week of just how problematic this debt situation could get. Investors are concerned about all the additional borrowing and the likelihood of higher inflation, which is why the interest rates on U.S. government bonds hit the highest level since 2014. That, in turn, partly drove the worst weekly sell-off in the stock market in two years.

The belief in Washington and on Wall Street has long been that the U.S. government could just keep issuing debt because people around the world are eager to buy up this safe-haven asset. But there may be a limit to how much the market wants, especially if inflation starts rising and investors prefer to ditch bonds for higher-returning stocks.

"Some of my Wall Street clients are starting to talk recession in 2019 because of these issues. Fiscal policy is just out of control," says Peter Davis, a former tax economist in Congress who now runs Davis Capital Investment Ideas.

The Federal Reserve was also buying a lot of U.S. Treasury debt since the crisis, helping to beef up demand. But the Fed recently decided to stop doing that now that the economy has improved. It's another wrinkle as Treasury has to look for new buyers.

Tedeschi, the former Treasury adviser to the Obama administration, calls it "concerning, but not a crisis." Still, he says it's a "big risk" to plan on borrowing so much in the coming years.

Trump's Treasury forecasts borrowing more than \$1 trillion in 2019 and more than \$1.1 trillion in 2020. Before taking office, Trump described himself as the "king of debt," although he campaigned on reducing the national debt.

The Committee for a Responsible Federal Budget predicts the U.S. deficit will hit \$1 trillion by 2019 and stay there for a while. The latest borrowing figure—\$955 billion—released this week was determined from a survey of bond market participants, who tend to be even faster to react to the changing policy landscape and change their forecasts.

Both parties claim they want to be "fiscally responsible," but Goldwein says they both pass legislation that adds to the debt.

Politicians argue this is the last time they'll pass a bill that makes the deficit worse, but so far, they just keep going.

The latest example of largesse is the GOP tax bill. It's expected to add \$1 trillion or more to the debt, according to nonpartisan analysis from the Joint Committee on Taxation (and yes, that's after accounting for some increased economic growth).

But even before that, Goldwein points to the 2015 extension of many tax cuts and the 2014 delays in Medicare reimbursement cuts.

"Every time you feed your addiction, you grow your addiction," says Goldwein.

There doesn't seem to be any appetite for budgetary restraint in Washington, but the market may force Congress's hand.

Ms. SLAUGHTER. Mr. Speaker, we did hear in the State of the Union that we will be asking for \$1.5 trillion for infrastructure. Given the \$1.5 trillion that we have already started borrowing for to give the top 1 percent a great tax cut that would be permanent, I am not sure anybody will finance that request. And, frankly, taking on that amount of debt would mean that almost everything else that we do in the country would take a back seat, or even further behind than back.

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

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

Mr. Speaker, I would like to acknowledge, also, Mr. STEWART's service to the United States Air Force and this country.

Mr. Speaker, I had an opportunity to talk with a security officer from Pearl Harbor, Lieutenant Kevin Fahland. Lieutenant Fahland essentially told me: We are out in the middle of the Pacific faced with danger every day, and we represent the greatest Nation in the history of the world. Please do us a favor and recognize that we need the funding to continue what is an aggressive race against us.

He is a lieutenant in the Navy, a security officer, who sees firsthand the attack, all sorts of ways, at Pearl Harbor that happens every day, and it is his job to protect this great Nation. I want to thank the lieutenant and other members of the United States Navy and the United States military for their service.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BURGESS) from the Rules Committee.

Mr. BURGESS. Mr. Speaker, we are here today considering a continuing resolution that will provide dollars for the Federal Government and our national defense, but it also will finally accomplish reauthorization of funding for several important healthcare programs. These extensions are long overdue, and I urge Members to support this legislation so that our Nation's healthcare providers will have stability to continue their normal operations.

The House passed many of these provisions last November. That is when we passed the Championing Healthy Kids Act. However, since House passage, the legislation has been stalled without action in the Senate. Fortunately, the Children's Health Insurance Program

was reauthorized in the last continuing resolution. It seems like a long time ago, but it was only 3 weeks ago. However, we did not complete the public health or Medicare extenders. The continuing resolution that we are debating today includes funding for other important healthcare programs, such as community health centers, the National Health Service Corps, and Teaching Health Center Graduate Medical Education, all of which expired at the end of September.

□ 1530

The continuing resolution provides a 2-year extension of funding for federally qualified health centers. One in 13 individuals nationwide relies upon a community health center to receive necessary healthcare services. The Community Health Center Fund plays an important role in supplementing the services that the federally qualified health centers are able to deliver to underserved communities by providing care to all Americans, regardless of their income or their ability to pay.

The legislation we are considering also includes a 2-year extension of other important public health programs, including funding for the National Health Service Corps, the Family-to-Family Information Centers, the Personal Responsibility Education Program, the Special Diabetes Program for Type 1 Diabetes, and the Special Diabetes Program for American Indians.

The package also delays the \$5 billion in cuts to many hospitals in many of our districts across the country from the Affordable Care Act-mandated Medicaid disproportionate share hospital reductions for the fiscal years 2018 and 2019. I am certain that other Members have heard from their hospitals, as have I; hospitals in our districts whose ability to remain open and operational and continue to provide care could be jeopardized by these cuts in the so-called DSH payments.

This delays but does not fix a problem that ObamaCare created for safety net hospitals that provide care to citizens of our country who most need this care. The committee is committed to continuing to work on this, but this 2-year extension is important.

The bill also includes important Medicare extenders. The extension of the ground ambulance services and cost reporting requirements will allow our emergency responders in urban, rural, and superrural areas another 5 years of certainty in receiving their add-on payments.

Similarly, home health providers will receive a 5-year extension of their rural add-on Medicare payments, and certain low-volume hospitals will continue to receive the payment adjustment for an additional 2 years.

This health extenders package permanently repeals a provision in the Balanced Budget Act of 1997. This provision sought to cap Medicare-covered outpatient therapy services, physical therapy, occupational therapy, and

speech-language pathology. The cap was never fully put into effect, but repealing the therapy caps will allow for certainty and stability for Medicare beneficiaries and providers of these services. Many of us have heard about the importance of repealing the cap.

One of my priorities as chairman of the Health Subcommittee has been to improve the value of our electronic health records for doctors and for patients. Electronic health records have promise to streamline the sharing of data amongst patients and their doctors, but they have not yet fully lived up to this promise.

Adoption of electronic health records is growing, but the meaningful use program, as established in the Health Information Technology for Economic and Clinical Health Act, has burdened providers with stringent requirements. In an effort to reduce that burden, this bill we are considering today removes the mandate that the Secretary of Health and Human Services make the meaningful use standards more stringent over time.

I believe we have squeezed all the blood we can out of this turnip, and it is time to let our doctors be doctors. This will permit the Department to evaluate in other ways.

Lastly, this package contains important provisions that aim to improve care for individuals suffering from chronic diseases. The Senate has already passed these provisions in their CHRONIC Care Act.

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

Mr. SESSIONS. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Texas.

Mr. BURGESS. One of the most important pieces of this package is the extension of the Independence At Home Medical Practice Demonstration Program, which allows participating high-need Medicare beneficiaries who have multiple chronic conditions to receive Medicare coverage for home-based primary care. This program is currently in its fifth year and has been found to save Medicare dollars, but Medicare needs more time to evaluate the overall effectiveness of the program.

This health extenders package has responsible offsets. One of these offsets would allow for Medicare reimbursement of outpatient physical therapy or occupational therapy services provided by a therapy assistant. These providers are reimbursed at 85 percent of the physician rate, and therapy assistants must have a State license and abide by Medicare supervision requirements.

Additionally, lottery winnings and other lump sum income of over \$80,000 would count toward income eligibility under Medicaid's modified adjusted gross income rules. In certain cases, individuals could remain eligible if being ineligible would lead to undue medical or financial hardship.

Similar to the Championing Healthy Kids Act, this bill modifies the level of funding in the Prevention and Public

Health Fund. By law, this fund is required to receive \$2.5 billion in annual appropriations, which must be used for prevention, wellness, and public health initiatives administered by the Department of Health and Human Services.

If Congress does not direct the funds toward specific efforts, the Secretary of Health and Human Services has the authority to spend the dollars however he or she deems fit. While we are redirecting these taxpayer dollars, the overarching purpose of the fund is still there to improve the health and wellness of Americans through existing mechanisms, and community health centers will do just that. With this spending offset, we are using the Prevention and Public Health Fund for what is intended: investing in America's well-being.

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

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 3440, the Dream Act. This bipartisan, bicameral legislation would help hundreds of thousands of young people who are American in every way except on paper.

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 New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO) to discuss our proposal.

Mrs. NAPOLITANO. Mr. Speaker, DREAMers embody our American ideals, our values, and everything we hold dear. They are proud servicemembers, students, teachers, healthcare workers, first responders, and entrepreneurs.

The DACA program has allowed many of them to build a life here and make positive, significant contributions to the U.S. economy and their communities. DACA recipients, in fact, earn higher wages and will contribute an estimated \$460 billion to the U.S. GDP over the next decade. It is no wonder employers and corporate America are demanding a solution.

The economic case for passing the Dream Act is strong. It is not just the right thing to do for our economy, though; it is the right thing to do, period.

H.R. 3440, the Dream Act, builds on these great successes and honors our history and our heritage, as we are a proud nation of immigrants from all over the world.

Poll after poll reflects overwhelming support for allowing the DREAMers to remain permanently in the United States. Nearly 8 out of 10 voters, including almost three-quarters of Trump voters, agree on this. Only 14

percent believe they should be forced to leave.

The faith community is also imploring Congress to do what is the right, compassionate, and just thing. Just this morning, I met with the Archdiocese of Los Angeles, who said this is about human dignity and how we treat people. They understand the weight of our inaction and indecisiveness. Anxiety and hopelessness continue to grow as the President dithers.

We are now less than 1 month away from the end of the 6-month period set by President Trump to fix the mess he created. No more delaying. No more inaction. DREAMers kept their promise to the only Nation they know and love. Our government must honor its commitment to protect them and their families.

Mr. Speaker, this is the 20th time we have asked for a vote on the clean Dream Act. All we are asking for is a vote. Give us a vote so we can give young immigrants, their families, their employers, their teachers, their coworkers, and friends some certainty and peace of mind.

I ask my colleagues to vote against the previous question so that we can immediately bring DREAMers and the Dream Act to the floor and finally do what is right for our young people and for our country.

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

It is amazing how the President, by honing the message and focusing his ideas on Congress, has brought this entire issue to a forefront.

Last year, the President said: I am calling on Congress to please resolve this issue with the DACA people who are in this country. I am asking Congress to please do this by next March.

Now he is being treated—instead of like a firefighter, he is being treated like an arsonist; and he is not. He is the person who has the ability and the desire to lead Congress, on a bipartisan basis; lots of meetings down at the White House. For months now that has been happening, with the date of March.

What happens?

Somebody gets frustrated and they want not what we agreed to do in March, but they want it in January—actually, December, rather than attempting to work with the President, who, I believe, forthrightly, has held lots of meetings.

So, Mr. Speaker, what I would say to you is that it is a moving target. There is never something that this President can do that will satisfy our colleagues on the other side. If it is not DACA, it is going to be the caps issue. If it is not the caps issue, it is going to be the military issue. If it is not the military issue, it is going to be Children's Health Insurance Program.

Mr. Speaker, we are addressing those. We are trying to bring those issues professionally, on a bipartisan basis. Just a week ago—10 days ago, we respectfully did not include yearlong funding for the United States military.

What did we hear back over and over and over from the other body?

They said: Well, I would have voted for this bill, but the funding for the military is not in there for a 1-year basis for the remainder of the year.

So that is what we have done. We are trying to bring forth ideas of agreement that say we need to find a deal. We need to come to an agreement. We recognize this is not the last funding agreement for the year, but what we are trying to do is to avoid a government shutdown. The way you do that is by voting "yes," and that is what we are asking people to do today.

That is why we had Dr. BURGESS. That is why we had Major CHRIS STEWART, the United States Congressman from Utah. That is also why we have the gentleman from Waterford Township, Michigan, here, a member of the Republican leadership, a bright, young, thoughtful, articulate man.

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I think everyone can agree here that continuing resolutions—CRs—are bad policy.

For the folks in the gallery, it is simple. CRs are whether we keep the lights on or not. They are whether you can call Social Security and get assistance. They are whether you can figure out what is going on with your taxes, call the IRS. They are whether or not we actually function.

Yes, it is going to be our fifth CR. Shame on all of us, and I do mean all of us.

However, the people on the other side of the aisle, they talk about all their legislative agenda they want put in the package and passed or they are going to vote against keeping the lights on. Think about that.

They say: If we don't get DACA, we are shutting the lights off. If we don't get this, we will shut the lights off.

That is what happened in the Senate the last shutdown.

They say: If we don't get full-year funding for the military, we are shutting the lights off. If we don't get DACA, we are shutting the lights off. If we don't get permanent funding for CHIP, we are shutting the lights off.

It didn't work out very well, did it?

Our fundamental responsibility is to keep the lights on. There is nothing in this bill that is objectionable. In fact, they have all passed. This bill supports full-year funding for the Department of Defense appropriations. This isn't the first time we passed the appropriations bill for the Department of Defense. We have passed it three times. And we sent it to the Senate to die a cruel and horrible death.

Why?

Not because, as was noted by my colleague, that we can't get 51 votes.

We can't get 60 votes.

And where do those votes come from?

On the other side of the aisle, who will do anything to get their agenda,

including putting our military at risk. People die when we make those decisions, and they have.

□ 1545

The funding is fully consistent with the NDAA, National Defense Authorization Act, something that was a bipartisan vote. It provides a 2.4 percent increase to the men and women in the military who put their lives on the line for our Nation, well deserved, something we also voted for and supported.

The bill provides full extensions for popular health programs that, in fact, both sides of the aisle supported, a 2-year extension of community health centers.

In Michigan, federally qualified health centers serve nearly 650,000 individuals. There are 11 health centers located in my congressional district. They need the funding. That is why I support it. In all of your districts, you have community health centers.

But you will argue: Unless we get DACA, we won't fund the military; we won't fund the health centers. This bill also extends Medicare policies, providing options for people receiving home care. Again, it was a bipartisan vote, but now we don't want to support it.

I believe we shouldn't continue the habit of short-term spending bills. They are offensive to me; they truly are. We passed, in September, in this House, all 12 appropriations bills and sent them to the Senate. My suggestion to my colleagues on the other side of the aisle is, rather than lecture us about math—I can count to 60. I can get between 51 and 60. I suggest you make a phone call to some of your colleagues in the Senate and tell them to do their job and bring up the appropriations bills. If they don't like what they are, amend them, go to conference, rather than just obstruct the functioning of our government.

The most fundamental responsibility we have is to keep the lights on, is to defend this Nation. If we are not doing that, I have to wonder what we are doing for a job.

So I suggest we pass this bill here, we send it to the Senate. And may I suggest that someone on the other side of the aisle make a phone call and ask if they want to see how Schumer shutdown part 2 goes—their choice.

The SPEAKER pro tempore (Mr. BERGMAN). Members are reminded to refrain from referring to occupants in the gallery and also reminded to direct their remarks to the Chair.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to say that I would not come to the floor if I were in the majority and lecture the minority when the majority runs the House, the Senate, and the White House and accuse us of shutting down the House or not producing the votes. We don't have enough votes in the first place. That is why we are the minority.

Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas

(Mr. DOGGETT), the distinguished ranking member of the Ways and Means Subcommittee on Tax Policy.

Mr. DOGGETT. Mr. Speaker, it was all only a dream, a dream that Speaker RYAN would permit this House to work its will and have a vote to secure the future of our DREAMers, America DREAMers, who Trump one day condemns as "illegal," then says he "loves," and then goes off on some racist rant.

Congress, in fact, has been hijacked by 28 percent of the Members who sit here. Applying the rule that the only thing this House can vote on is whatever a majority of the majority want us to vote on and blocking everything else is what creates the problem that we face today. A minority of this House can say we will not ever get to vote on the DREAMers or any other number of other issues under the procedures that are being applied here. And even if 72 percent of this body want to seek a bipartisan resolution to a matter, we cannot do it under the rules that are being applied.

So what has happened since the Trump shutdown three weeks ago? What has been done to secure the future of our DREAMers? What has been done to fulfill the promise that was made of action on our DREAMers? Absolutely nothing, zero, zilch—nothing to resolve this problem, and not even the prospect of action here in the House.

Last week I met again with DREAMers in Texas: a county prosecutor who enforces our local and state laws, a teacher, a nurse, students—powerful, emotional stories that they tell—and their employers who are uncertain about their ability to continue providing the services that they provide.

Just as Congress has been hijacked by a few Republican extremists, these DREAMers have been hijacked, and the only question is: What is the price to solve their problem, our problem?

That price grows by the day. The ransom that is being demanded day-by-day goes up a little bit higher amidst all of the anti-immigrant hysteria. It is not difficult to resolve this issue. It could have been resolved before President Trump ever issued his ill-begotten proclamation in September.

And since I represent a city that is proud to call itself "Military City," San Antonio, Texas, I find particularly obnoxious the attempt to pit the security of our DREAMers against the security of our country. It ignores, for example, the fact that a number of DREAMers are putting their lives on the line for us in the United States military.

And what could be more harmful to taxpayers and the future of our country than to continue to budget week-by-week, month-by-month? Of course, I am impressed by the number of Republicans who get up here and tell us: Oh, we just hate these continuing resolutions.

Well, if they hate them, why do they keep doing them? We are on number five.

The SPEAKER pro tempore (Mr. HULTGREN). The time of the gentleman has expired.

Ms. SLAUGHTER. Mr. Speaker, I yield the gentleman from Texas an additional 1 minute.

Mr. DOGGETT. Mr. Speaker, what we have is an incredible amount of bungling, no fiscal responsibility in doing this week by week, month by month. And the discussion of there being a government shutdown, turning the lights out, well, the only person who has called for a government shutdown was Donald Trump back in May, and then he reiterated his call this afternoon for a government shutdown.

I think he and the Republican intransigents, the ability to block votes here in the House by a minority—28 percent, almost one-fourth of the people who are here to block a vote—is what led to the last Trump shutdown.

And by casting our vote "no" today, it is not only about the DREAMers, but it is the only way that we who do not have a majority can speak out and say that this fiscal mismanagement has to stop once and for all. We are tired of taxpayers being charged more money for all kinds of services and products the government procures just because this problem is not solved.

Fulfill the dream. Fulfill responsibility for the taxpayers. Vote against this resolution.

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

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

Mr. Speaker, a year or so ago, I received a rather urgent phone call from Dr. Shelley Hall from Baylor University Medical Center in Dallas and Dr. Rick Snyder from Medical City in Dallas, which are hospitals, and they spoke with me about a change in the law some year and some ago that would change infusion therapy.

What is infusion therapy? It involves administering medication through a needle or a catheter, which is prescribed when a patient's condition is so severe that it cannot be treated effectively by oral medications, meaning, through this needle or the opportunity for a catheter. What happened was there was a change in the law that did not fully fund this effort.

"Home infusion" means, instead of having to receive this in the hospital, which is more expensive, they would be able to do this at home, and the doctor would manage that. As a result of the change in some law and funding levels, that stopped the patients from being able to do this at home.

I want to congratulate KEVIN BRADY, the chairman of the Ways and Means Committee, for working not only with these doctors, but also with me on this insistence that we go and review this,



an opportunity for more effective healthcare and cost effective from the perspective of not only the patient, but also to make sure that physicians would stay involved in the health of their patients.

I would like to thank Dr. Shelley Hall of Baylor University Medical Center and Dr. Rick Snyder, both from Dallas, Texas, for working with me to make sure that this change happened today.

This is one of the pages of the changes that we are making today, to go in and offer some corrections and to update and extend the privileges that we have in this country to have the greatest healthcare system in the world.

I want to thank Chairman BRADY for his work, and his staff, to make sure this was involved in this change today.

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

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

Ms. JACKSON LEE. I thank the gentlewoman for yielding me time.

Mr. Speaker, I associate myself, and I think it is important for my colleagues and the American people to know, that this body, this government, this Congress, is controlled by one party: the Presidency, the House, and the Senate. Just a few minutes ago, the President of the United States called for a shutdown. I am shocked. I am not calling for anything but relief.

I am delighted that the gentleman from Dallas was able to craft a support system for infusion therapy, but it goes to show you who controls this place. I don't know what Democrat could get any additions to this particular CR. It is not an appropriation. It is not an authorization bill.

I am just on the floor begging for what my colleagues, both Republicans and Democrats from Texas, have been asking for but my Republican House has not been able to produce, or the Senate. When I say that, we have not been able to produce a disaster supplemental bill that is going to respond to the needs of those who are still suffering.

Harris County covers 1,778 square miles. It can fit New York City, Philadelphia, Boston, Chicago, Seattle, Austin, and Dallas, with room still to spare; 41,500 square miles of land mass impacted by Hurricane Harvey and the subsequent flooding that covered an area larger than the States of Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont, combined. This is not puffery. It is to show you the depth of devastation.

Hurricane Harvey dropped 21 trillion gallons of water on Texas and Louisiana, most of it on the Houston metroplex. 51.88 inches of rain fell near Cedar Bayou, and at the peak, on September 1, one-third of Houston was underwater.

Our headlines: Hurricane Harvey Recovery Goes Ignored in Washington Yet

Again; Republicans Controlling Every Phase of Government; After Harvey, Houstonians Eye Long Road to Recovery; After Harvey, Houstonians Have Long Road; Houses Down on the Ground; Long Road to Recovery; Senior Citizens Suffering; Suffering from Health Conditions.

And you can see, here is the basic point: There is no reason why Republicans joining with Democrats cannot, one, have an \$81 billion supplemental that goes up. It is not enough. But it is the administration that has cut into our very life by giving us a skinny disaster aid supplemental. I am looking for the Senate to plus it up because this is not enough.

In this bill, if you want to know why we are voting "no," it doesn't exist. Where is the disaster emergency supplemental money that is needed?

I left my office with six members of local officials in my office. They were telling me about the depression of so many in Texas who do not have the resources. They don't have the housing money. The infrastructure money has not come. Mold is there. They have bad health.

And these are examples of their situation. This is what the rescues look like. This is, of course, what the water looked like. And this gentleman was walking in the water.

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

Ms. SLAUGHTER. Mr. Speaker, I yield the gentlewoman from Texas an additional 2 minutes.

Ms. JACKSON LEE. This is a house that is evidenced by those impacted by the hurricane. This is a house of someone who is still waiting for that house to be rebuilt.

Finally, the city council, wanting to be responsive—and I thank them—has lifted the permitting to allow trailers. Our people are begging now for trailers. Most people don't beg for trailers. We are begging for trailers in urban Houston because people have nowhere to live.

This is a disgrace. I am not making this personal, but we flooded on August 27. It is now, today, February 6. There is no reason why this Republican administration has not been able to work. And all these additional addendums on this CR should have been done in a bipartisan effort.

We support infusion therapy. We support federally qualified health clinics. But you are taking money from prevention. We support CHIP, but you are taking money from prevention and other things. This is not the way to do, one, spending; it is not the way to provide for national security; it is not the way to provide for the Environmental Protection Agency, the Department of State, Department of Justice, law enforcement. We are not doing any of that.

□ 1600

And then there are 140,000 DREAMers in my State. Some of them are im-

pacted by Hurricane Harvey. And let me make mention of the Virgin Islands, Puerto Rico, Florida, and California. I am not in any way diminishing their pain. They are likewise suffering.

So if the American people want to know what the "noes" are about, the "noes" are because those who are in charge are not doing anything.

By the way, DREAMers are part of those who sought to rescue many who were stranded in Houston. We lost a DREAMer who traveled all the way from Dallas to provide rescue and he died. He died because he loved this country. He died because he loved his neighbors.

Yet we cannot get that fixed, but we cannot help our neighbors get the dollars that they need. If you want to know why there is a "no" vote, it is because it is long overdue for our friends to do the real work that needs to be done, and to do disaster supplemental funding and do it right.

Mr. Speaker, I include in the RECORD two articles from the Houston Chronicle.

[From the Houston Chronicle, Oct. 26, 2017]  
HOUSTON ISD SCHOOLS WITH MOST DISPLACED STUDENTS AFTER HURRICANE HARVEY  
(By Shelby Webb)

More than 1300 Houston ISD students are displaced or homeless after Hurricane Harvey, according to records the district submitted to the Texas Education Agency.

That number is likely to change after the TEA changed how districts should categorize displaced students and as Houston ISD shores up its own internal estimates. But initial data shows four of the 10 schools with the largest numbers of displaced students are located in Southwest Houston, three in Meyerland alone.

Two magnet schools—Carnegie Vanguard High School and Lamar High School—also saw large numbers of their students affected by Harvey's floods.

Houston ISD Superintendent Richard Carranza required that all teachers go through crisis and trauma training during the first semester of the year to better help students who are dealing with Harvey-related fears and losses.

Across the Houston area, more than 10,700 students have been displaced by Hurricane Harvey, according to data reported to the TEA and given to the Chronicle by 16 local school districts. But that number does not include estimates for how many students are displaced in some of the area's largest school districts, including the Cypress-Fairbanks, Spring and Pearland ISDs.

Katy ISD had the most students affected by the storm with 2,862. Tiny Stafford MSD had the least, with 32 students displaced by the storm.

[From the Houston Chronicle, Dec. 6, 2017]  
TOP HEALTH OFFICIAL VIEWS HARVEY RECOVERY EFFORTS  
(By Mike Hixenbaugh)

Dr. Brenda Fitzgerald, the head of the federal Centers for Disease Control and Prevention, spent most of the day receiving briefings from officials at Harris County Public Health, which has been on the front lines helping residents cope following the historic flooding.

Later, Fitzgerald visited a mobile wellness unit in Galena Park, where county health

workers provided residents of the flood-ravaged community in southeast Harris County with free immunizations, cleaning supplies, bug spray, canned food and other services.

**Now Playing:** Level of help to expect for Harvey flood recovery

Harris County dispatched the mobile health units to more 30 locations in the weeks following the hurricane, part of a broader effort to help residents care for themselves in the midst of the devastation. Fitzgerald said she's been monitoring the county's efforts closely and wanted to see them firsthand.

"I wanted to come and see how it's going," Fitzgerald said, "and also to see what else we can do to make sure Houston recovers totally."

Although Harvey's true toll on public health is still being calculated, Fitzgerald said the CDC is committed to providing Texas with whatever resources are needed to grapple with the aftermath.

The visit comes days after the Kaiser Family Foundation released a sweeping survey that found 17 percent of those who had houses damaged or suffered income loss reported that someone in their household has developed a new or worsening health condition.

Chronic respiratory ailments resulting from mold and stress-related mental health struggles are of particular concern after flooding, health officials said, as well as the threat of mosquito-borne illnesses and other infectious diseases.

Fitzgerald said she was impressed by the resiliency of residents and public health workers she met, some of whom manned mobile health clinics just days after losing their homes to flooding.

"The work goes on," Fitzgerald said.

Mr. Speaker, I rise to speak in opposition to Rules Committee Print 115–58, legislation extending the Continuing Resolution now in effect for an additional five weeks, or until March 23, 2018.

But before I proceed further, I want to note—and Americans needs to know—that this is not a spending bill; it is instead an affirmation of the House Republicans' inability to govern.

This is the fifth time House Republicans have chosen to kick the can down the road rather than work with Democrats to come to a necessary bipartisan agreement to lift the Budget Control Act (BCA) spending caps, giving appropriators the direction they need for full-year funding bills.

The reason given for passing each of the prior Continuing Resolutions was that the extra time was needed to reach a comprehensive agreement to fund government operations in a fair and balanced way.

Yet, even with the extra time, House Republicans made no progress during any of the previous extensions.

This should not be surprising; the House GOP is carrying the water for the president, who a few months ago said "we need a big beautiful shutdown."

Mr. Speaker, I cannot support a CR that does not include full funding for disaster recovery, extends additional health access for veterans, provides funding to combat the opioid epidemic, and protects pensions.

Most important, it is outrageous that House Republicans would bring to the floor and request support for a fifth CR extension that does not address and resolve the crisis the Republican Administration has inflicted on 800,000 Dreamers and their families, including 124,000 Dreamers in my home state of Texas.

Instead of acting responsibly to address these issues and fund the government for the remainder of the fiscal year, House Republicans continue wasting time.

This is not appropriations; this is a stop-gap funding measure to save ourselves from collapse.

Although the funding bill before us makes a feeble attempt to address numerous expired or expiring health priorities, it fails to reauthorize several key programs including the Maternal Infant and Early Childhood Home Visiting (MIECHV) and Health Professional Opportunity Grant (HPOG) programs.

Just as bad, this legislation is paid for the package with partisan offsets, such as cuts to the Prevention and Public Health Fund before ending the Prevention and Public Health Fund in 2027.

Mr. Speaker, another reason that this bill should be passed in its present form is that it includes the same Department of Defense appropriations bill that the House passed on January 30, 2018, which increases defense spending by \$73 billion more than the \$549 billion allowed under the current BCA defense cap and provides \$75 billion in additional discretionary funding designated for Overseas Contingency Operations (OCO).

As a consequence, if this bill becomes law it would eliminate any chance for a bipartisan budget cap agreement for this year.

For months, Democrats have sought an agreement on the discretionary spending caps that provides parity for both defense and non-defense appropriations bills, both of which are critical to our nation's security.

Rather than negotiate a cap agreement that would pave the way for a defense appropriations bill to become law, Republicans are placing a bill on the floor that will exempt itself from the BCA defense cap's sequestration.

This bill is the fifth example of Republicans rejecting bipartisan compromise.

Mr. Speaker, despite controlling the House, Senate, and the White House, Republicans have not funded the government for the entire year, even though we are already four months into the fiscal year.

Democrats, meanwhile, have done the work with which we were tasked.

I am a member of the Budget committee and we Democrats proposed a budget that:

1. Respected the needs of all Americans, including those who serve bravely in the Department of Defense;

2. Honored the sacrifice of our heroes in uniform;

3. Protected programs like CHIP, made investments in infrastructure and ensured that Americans have access to quality healthcare.

Because Republicans refuse to work with Democrats and compromise on how to provide relief from the BCA's sequester level spending caps, they are lurching from CR to CR—degrading the readiness of our military and preventing government agencies from properly serving the American people.

This is not a responsible way to govern; therefore, I cannot support this bill, especially when there still remains millions of Americans still coping with the devastating effects of Hurricanes Harvey, Irma, and Maria in Texas, Florida, Puerto Rico, and the U.S. Virgin Islands, and wildfires in California.

The nine-county Houston metro area impacted by Hurricane Harvey covers 9,444 square miles, an area larger than five states,

including New Hampshire, New Jersey and Connecticut.

Harris County covers 1,778 square miles, enough space to fit New York City, Philadelphia, Boston, Chicago, Seattle, Austin and Dallas, with room still to spare.

There was over 41,500 square miles of land mass impacted by Hurricane Harvey and the subsequent flooding that covered an area larger than the States of Connecticut, Massachusetts, New Hampshire, Rhode Island and Vermont combined.

Hurricane Harvey dropped 21 trillion gallons of water on Texas and Louisiana, most of it on the Houston Metroplex and the 51.88 inches of rain that fell near Cedar Bayou is the highest total ever recorded for a single U.S. weather event.

At its peak on September 1, 2017, one-third of Houston was underwater.

At the peak on August 31, there were 34,575 evacuees in shelters across Texas.

Hurricane Harvey is the largest housing disaster to strike the U.S. in our nation's history.

Hurricane Harvey damaged 203,000 homes, of which 12,700 were destroyed.

Mr. Speaker, people are living in homes with mold.

As recently as this past November, nearly 19,000 hotel rooms in over 1,500 hotels were still occupied by persons displaced by Hurricane Harvey.

Thousands of others with severe damage to their homes are living with family or friends.

889,425 people have registered for assistance with the Federal Emergency Management Agency.

As of December 5, 2017, more than 632,000 individuals or households in metro Houston had submitted valid registrations for FEMA's Individual and Households Program (IHP) and 249,259 registrations were approved for \$1.0 billion in assistance.

And because of Republican unwillingness to compromise or govern competently, disaster victims in my congressional district and all across the affected areas are still waiting for the disaster funding assistance they desperately need.

House Republicans need to work across the aisle with Democrats and get our work done—including upholding the long-standing precedent of agreeing to parity when providing relief from sequester caps.

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

I appreciate the gentlewoman's advocacy because, in many respects, I feel the same way. But I would offer, in speaking to you, Mr. Speaker, that you made sure this House passed the \$81 billion spending bill on October 12 last year. The House of Representatives, through the leadership of not only Speaker RYAN, but also the gentleman from New Jersey (Mr. FRELINGHUYSEN) were tasked with the duty of making sure that we would take feedback from States, from cities, and came up with a figure of \$81 billion. That is not in any way not living up to our responsibility, Mr. Speaker.

We are the ones who did this—this whole body. It is stuck in the United States Senate, and the President and this administration have not been authorized to spend more than what has been appropriated.



Ms. JACKSON LEE. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Texas.

Ms. JACKSON LEE. The gentleman, we have worked together.

Mr. SESSIONS. And continue to right now.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding.

I think the important point is that this has to be a collective effort of the administration and the bodies of the House and the Senate. The only point that I would make is that the administration has not sent forward—yes, the \$81 billion—but we are not moving it in the Senate.

The administration has not been engaged actively to say that they want to help the people who are impacted, and they have a skinny impact or skinny impression of what we need of \$81 billion for all of the disaster areas.

And, of course, Mr. SESSIONS, my good friend, understands that \$1 trillion tax cut does not help us in getting the increased disaster money.

Mr. SESSIONS. Mr. Speaker, reclaiming my time because the gentleman is going to switch subjects.

I would tell the gentleman that the House, respectfully, before we got to any tax cut bill, made sure that we did a constitutionally responsible thing, and that was to make sure that we measured three times, sawed once, came up with the \$81 billion. It is, in my opinion, something that the United States Senate needs to solve.

I would also add that I don't know what the Democratic Party is doing over there to push this issue. I think it needs to be an important attribute. But we are waiting for the Senate, Mr. Speaker. And for us to blame both houses, I think, is not fair to the leadership that PAUL RYAN has provided, to the leadership that RODNEY FRELINGHUYSEN has contributed to this effort, and most of all, Mr. Speaker, to the people who voted for the bill in the House. They did the responsible action. And I think that if we are going to do anything, we need to look to the United States Senate, which is constitutionally required.

President Trump and Vice President PENCE not only visited the ravaged areas, but they tried to provide the leadership. But it is up to the constitutional provisions of the United States Senate, and that is where the problem lies.

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

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

Mr. Speaker, I have heard the majority speak with great urgency today about the need to pass the continuing resolution. But where was this urgency from the majority for the last 5 months of this fiscal year?

They were so consumed with providing tax breaks to the wealthy and corporations that they ignored virtually everything else.

This was a bill that was sold as a middle class tax cut. But 83 percent of the tax cuts go to the wealthiest 1 percent; and for corporations, the tax breaks are permanent. For individuals, they are sunsetted.

Speaker RYAN, over the weekend, promoted the fact that a secretary in Pennsylvania received an extra \$1.50 a week under the tax scam. That is \$78 a year for her. You can see what the middle class actually got.

But compare that with the wealthy. One analysis found that the Koch brothers and their corporate empire could save between \$1 billion and \$1.4 billion combined in income taxes every year as a result of the tax law. It is important to remember that this is a permanent cut.

It was a bill written for the rich to help the rich. It spends money we don't have, while adding \$1.5 trillion to the deficit. That is such a staggering amount that the Congressional Budget Office said last week that because of this tax bill, our government now is expected to run out of money sooner than anticipated.

The deadline to raise the debt ceiling has now been moved from early April to mid-March. Only during the Second World War was our debt as a percentage of gross domestic product higher than it is today. I hope we can forever end the myth that the majority is the party of fiscal discipline. The situation we are in today is a direct result of the majority prioritizing the wealthy over doing the most basic functions of keeping the government running.

And now, after ignoring Democrats as this bill was drafted, they expect us to fall in line and support a flawed proposal. That is not how it works. If they want our support, they need to work with us. And Democrats have been clear: We cannot afford to keep kicking the can down the road. It is past time for a long-term bill that addresses urgent national priorities.

Mr. Speaker, I urge a "no" vote on the previous question, on the rule, and the bill.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Texas has 4½ minutes remaining.

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

I thank the gentlewoman, my dear friend from Rochester, New York, not only for her working together, but for her long hours that are a requirement of being on the Rules Committee; for her leadership not only of her team, but each of the individuals who represent not only her team, but, really, Members of Congress, and the collegial activity that she brings to the table. I thank the gentlewoman very much for that.

Mr. Speaker, we have an obligation to ensure our Nation's servicemen and -women are adequately trained for missions and to support this great Nation.

We have talked about several members of the military today. My son is at Pearl Harbor also and is on duty as we speak today. He is proud of his service to the United States Navy.

There are proud parents all over the country, patriots, veterans, people who deeply believe in our military. We have got to get this funding done. That is what we are doing here today.

This rule and the underlying legislation provides funding for the Federal Government and fully funds our Nation's military. But I will tell you that the discussions we have had here today are similar to what we had at the Rules Committee.

The gentlewoman gave us credit. The Republican Party is the party of fiscal responsibility. But also, I would say to you, we are trying to do the right thing across the board, not just what we do today. But what we are faced with is similar to a changing viewpoint about how someone justifies a "no" vote; a "no" vote that they know means that while they are for something, they can't vote for it because of an issue.

Just an hour ago at the Rules Committee, we had a Democratic Member who came and wanted more money for a specific project. And I asked that Member how much money were we going to spend in the budget this year. They didn't know. I asked: How much do you want to add to that?

They said: Well, I don't know.

It is a continuing drumbeat that we, as Republicans, are puzzled by. And that is: Why do we fund the government fully for the entire year?

Let's know how much we have agreed to, and then let's make a determination if we are not meeting the needs.

Mr. Speaker, this Congress must ask the tough questions, but this Congress must be up to tough decisionmaking also. I was sent to Congress to make tough decisions, not just popular decisions. So I think I would recalculate each of us today and say the bill that we have on the floor today and the rule are designed to fund the government for the remainder of the fiscal year.

We would ask that all Members really look deep within them and let's end this mess that we are in. Let's fund this effort and let's look to March 23, when we can finalize all that we have done.

Mr. Speaker, I urge my colleagues to support this rule and the underlying legislation.

Mr. SESSIONS. Mr. Speaker, when the Committee on Rules filed its report (H. Rept. 115-547) to accompany House Resolution 727) the Committee was unaware that the waiver of all points of order against consideration of the motion to concur in the Senate Amendment to H.R. 1892 included:

A waiver of section 302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a 302(a) allocation of such authority.

A waiver of section 311 of the Congressional Budget Act, which prohibits consideration of legislation that would cause the level

of total new budget authority for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided.

A waiver of clause 10 of rule XXI, which prohibits the consideration of a bill if it has the net effect of increasing mandatory spending over the five-year or ten-year period.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 727 OFFERED BY  
MS. SLAUGHTER

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

SEC. 2. 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. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children 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 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. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

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. SESSIONS. 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.

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

The yeas and nays were ordered.

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

#### 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:

Passage of H.R. 772;

Ordering the previous question on House Resolution 727; and

Adopting House Resolution 727, if ordered.

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

#### COMMON SENSE NUTRITION DISCLOSURE ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 772) to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 266, nays 157, answered "present" 1, not voting 6, as follows:

[Roll No. 56]

YEAS—266

Abraham	Dent	Jones
Aderholt	DeSantis	Jordan
Aguilar	DesJarlais	Joyce (OH)
Allen	Diaz-Balart	Katko
Amash	Dingell	Keating
Amodei	Donovan	Kelly (MS)
Arrington	Doyle, Michael	Kelly (PA)
Babin	F.	Kennedy
Bacon	Duffy	Kind
Banks (IN)	Duncan (SC)	King (IA)
Barletta	Duncan (TN)	King (NY)
Barr	Dunn	Kinzinger
Barton	Emmer	Knight
Bergman	Estes (KS)	Kustoff (TN)
Biggs	Farenthold	Labrador
Bilirakis	Faso	LaHood
Bishop (GA)	Ferguson	LaMalfa
Bishop (MI)	Fitzpatrick	Lamborn
Bishop (UT)	Fleischmann	Lance
Black	Flores	Latta
Blackburn	Fortenberry	Lewis (MN)
Blum	Fox	Lipinski
Bost	Frelinghuysen	LoBiondo
Brady (TX)	Gaetz	Long
Brat	Gallagher	Loudermilk
Bridenstine	Garrett	Love
Brooks (AL)	Gianforte	Lucas
Brooks (IN)	Gibbs	Luetkemeyer
Buchanan	Gohmert	MacArthur
Buck	Gonzalez (TX)	Marchant
Bucshon	Goodlatte	Marino
Budd	Gosar	Marshall
Burgess	Gottheimer	Mast
Bustos	Gowdy	Matsui
Butterfield	Granger	McCarthy
Byrne	Graves (GA)	McCaul
Calvert	Graves (LA)	McClintock
Cárdenas	Graves (MO)	McHenry
Carter (GA)	Griffith	McKinley
Carter (TX)	Grothman	McMorris
Chabot	Guthrie	Rodgers
Cheney	Hanabusa	McSally
Coffman	Handel	Meadows
Cole	Harper	Meehan
Collins (GA)	Harris	Messer
Collins (NY)	Hartzler	Mitchell
Comer	Hensarling	Moolenaar
Comstock	Herrera Beutler	Mooney (WV)
Conaway	Hice, Jody B.	Mullin
Cook	Higgins (LA)	Murphy (FL)
Correa	Hill	Neal
Costa	Holding	Newhouse
Costello (PA)	Hollingsworth	Noem
Cramer	Hudson	Norman
Crawford	Huizenga	Nunes
Cuellar	Hultgren	O'Halleran
Culberson	Hunter	Olson
Curbelo (FL)	Hurd	Palazzo
Curtis	Issa	Palmer
Davidson	Jenkins (KS)	Paulsen
Davis, Rodney	Jenkins (WV)	Pearce
DeFazio	Johnson (LA)	Perry
Demings	Johnson (OH)	Pittenger
Denham	Johnson, Sam	Poe (TX)