

the football field, he was truly as caring as Mother Teresa off the field. He organized the summer lunch program for children in need at his church, Our Lady of Mount Carmel. He was always ready to lend a hand to someone in need or offer his smile to friends and strangers. He planned on attending Marian University's nursing program next year.

September is National Suicide Prevention Month. It is my hope we can remove the stigma of mental health issues so that all of us can help people like Evan who believe their only way to finding peace is by making a decision that can never be undone.

#### LARGE AGRIBUSINESS MERGERS

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

Mr. KHANNA. Mr. Speaker, I rise to urge support for the Food and Agribusiness Merger Moratorium and Antitrust Review Act of 2018. I am proud to be an original cosponsor of this bill introduced by Representative POCAN and an original founder of the Congressional Antitrust Caucus.

This bill is good for our farmers. It would place a short-term moratorium on the large agribusiness mergers that we are seeing across our Nation. Fewer farmers mean fewer choices for consumers and higher prices.

Agricultural consolidation is a huge problem. Today, the top four beef packers control 82 percent of the market. Missouri had 23,000 hog farms in 1985, but only 2,200 in 2012. Four companies control 85 percent of soybean processing. I could go on and on.

We need to temporarily stop these big mergers, and we need to start looking out for our farmers again. When the farm bill expires this week, small family farmers should be first.

#### RECOGNIZING BILL PICKETT

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

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize Mr. Bill Pickett of Danville, Illinois, who is celebrating 50 years of reporting the news for Neuhoff Media.

Having recently graduated from Danville High School in 1968, Bill became one of the youngest newsmen in the business at 17 years of age. It wasn't very long after he started that Bill went live with his first story: an explosion at the grain elevator in Danville. Bill witnessed the fireball erupting and the walls of the elevator slowly crumble into a heap of debris. All that night, Bill provided live updates on the disaster. As the fire subsided, it became apparent to Bill that he had found his calling.

Over the past half century, Bill has gone from answering phones to being the news director for several news outlets. His duties require him to act as

investigative reporter, news gatherer, copy editor, and broadcaster.

Mr. Speaker, many voices have been raised in recognition of Bill's remarkable career, and I am pleased to be able to add my own to the chorus. I wish Bill and Neuhoff Media all the best in the future as we celebrate Mr. Bill Pickett's 50 years in radio.

#### RECOGNIZING LES JOHNSON

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

Mr. BACON. Mr. Speaker, I rise today to recognize Les Johnson, who served as the police chief of the town of Bennington in my district from 2004 until his untimely death this past August at the age of 51. He died from head injuries related to an off-duty incident.

People who knew Chief Les Johnson said he had a steady hand and was a big man with a big heart, and that he was an extremely kind and thoughtful person. Former Mayor Gordon Mueller recalled how Johnson worked to bring upgrades to the police department, including finding a good deal on a car, as the two squad cars were continuously breaking down. The superintendent of Bennington schools said Johnson would help with traffic at the beginning of the school year.

These are just a couple of stories representing his faithful service and work ethic.

Johnson joined the Bennington Police Department as a part-time officer in 1992. While it is a small department, a big man with a big heart led it.

Chief Johnson is survived by his wife, Alice Ann of Waterloo, and daughters, Paxton and Hannah. We send them our prayers and thoughts. We will miss Chief Johnson.

#### REAUTHORIZATION OF THE FEDERAL AVIATION ADMINISTRATION PROGRAMS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to applaud the passage of H.R. 302, the Federal Aviation Administration Reauthorization Act of 2018.

This bipartisan legislation includes a 5-year reauthorization of FAA programs that promote safety and American leadership in aviation. It also strengthens consumer voices and invests in our airport infrastructure.

Importantly, the Essential Air Service program was reauthorized for an additional 5 years through fiscal year 2023.

This program is vital for rural America. It ensures taxpayers in small, rural communities are connected to the national transportation system. This program provides links to hub airports at more than 170 locations in 36 States and territories, including three in my

Congressional district, which would otherwise lack commercial air service.

Reliable transportation plays a key role in growing jobs all over the country, and rural America should be no exception.

Additionally, this bill includes important reforms to the Federal Contract Tower Program, which has a proven record of enhancing aviation safety and provides significant cost savings to the taxpayers.

Mr. Speaker, I am pleased the House approved this bill to keep all Americans connected to reliable and safe air transportation.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. BOST) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, September 27, 2018.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 27, 2018, at 11:54 a.m.:

That the Senate passed without amendment H.R. 4854.

That the Senate passed S. 3508.

That the Senate passed S. 3509.

Appointment:

Board of Trustees of the Harry S. Truman Scholarship Foundation.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

□ 1215

PROVIDING FOR CONSIDERATION OF H.R. 6756, AMERICAN INNOVATION ACT OF 2018; PROVIDING FOR CONSIDERATION OF H.R. 6757, FAMILY SAVINGS ACT OF 2018; PROVIDING FOR CONSIDERATION OF H.R. 6760, PROTECTING FAMILY AND SMALL BUSINESS TAX CUTS ACT OF 2018; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM OCTOBER 1, 2018, THROUGH NOVEMBER 12, 2018

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1084 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1084

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill,

as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6757) to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Ways and Means; and (2) 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. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part C of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Ways and Means; and (2) one motion to recommit with or without instructions. The yeas and nays shall be considered as ordered on the question of passage. Clause 5(b) of rule XXI shall not apply to the bill or amendments thereto.

SEC. 4. On any legislative day during the period from October 1, 2018, through November 12, 2018—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

SEC. 6. Each day during the period addressed by section 4 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 7. Each day during the period addressed by section 4 of this resolution shall

not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 8. Each day during the period addressed by section 4 of this resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII.

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 distinguished gentleman from Massachusetts (Mr. McGOVERN), who is my friend and the 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. This rule provides for consideration of H.R. 6760, the Protecting Family and Small Business Tax Cuts Act of 2018; H.R. 6757, the Family Savings Act of 2018; and H.R. 6756, the American Innovation Act of 2018.

Mr. Speaker, just yesterday we had members of the Ways and Means Committee and other Members who came to the Rules Committee. They came to the Rules Committee to discuss before the committee the important aspects of continuing the economic growth that we have currently right now in our lifetime in the United States of America.

What a great time to be an American. Perhaps more importantly, what a great time to look forward to a great future, a future not only where the American Dream becomes available to each and every person, but even if you happen to be on the lowest end of the totem pole, perhaps beginning work today, those are the people who have benefited from not only the tax cut that President Trump, this House, and the Republican Senate made sure that we pass, but, more importantly, giving to the American worker the opportunity to have, not just a sense of accomplishment, not just a job, but potentially a career that moves forward.

What has happened as a result of that is what brings us to where we are here today.

They say that success has many fathers and mothers. In this case, it is aunts, uncles, and all sorts of people, Mr. Speaker, who can proudly look up and say: I am a part of what is probably the greatest economy that so many people can now enjoy.

Instead of being isolated to one section of this economy, it will abound.

You will hear me talk about even people who get up early in the morn-

ing, early risers. I used to be one of those because I threw a paper route. I would have to get up in the morning, and it gave me a lot of time to think about my future as I served what was my paper route, my small business, and my opportunity in second, third, fourth, fifth, sixth, seventh, and eighth grade, as I developed myself as a young man—not just as a Scout, to become an Eagle Scout—but as a person who saw himself growing up in a great country, America.

That is how I developed my American Dream. I developed my American Dream by sitting down with my family at a table and understanding Americanism and opportunity. It was about the free enterprise system. It was about a dream that I would have.

For too long, Mr. Speaker, we have had those in government who controlled our lives. They controlled our lives with high taxes, more rules and regulations, and a demand that Washington knew more about our dream than we did.

No more, Mr. Speaker, because last December there was an opportunity—a historic opportunity—that was seen as political because our friends on the other side did not vote for the bill. Even today they take advantage and talk about what are supposedly its frailties. But the American people know differently, Mr. Speaker.

Mr. Speaker, we have today in America a higher GDP rate than we do unemployment rate. Today we have the opportunity to see that we are going to grow that GDP by asking this Congress to make permanent that which today is in law for only a short 10 years. We believe that what we have done is to give the American people—even people at the lowest end—the opportunity to take part in making America great again. At that same time, we will make their lives so much better.

So, Mr. Speaker, what we are going to do is we are going to talk about this today, and you will see that there are two different visions. One vision wants to go back to higher taxation, rules and regulations, and government control—government control not just in taxation, but also in healthcare—and we are, as a Republican Party and as the free enterprise party, going to stand up and say that we will be there on behalf of all workers and that we believe that the free enterprise system in this country has produced much that has helped so many people.

That is how we pay for Social Security. That is how we pay for Medicare. That is how we pay for Medicaid. It is done through more people working, not through higher taxes, higher unemployment, and more misery.

So, Mr. Speaker, you are going to hear today the argument that is taking place all across this country on the floor of the House of Representatives, and you are going to see that you, Mr. Speaker, and every single Member, will have an opportunity to say that we believe that the economic opportunity

for all Americans is equity. It is opportunity, and it is available at not just a theater near you but in your hometown.

So we are proud of who we are.

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

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

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Texas, my good friend, Mr. SESSIONS, for yielding me the customary 30 minutes.

Mr. Speaker, 9 months ago, as the already unpopular Republican tax scam was making its way through Congress, Speaker RYAN stood in this Capitol and made a bet. He wagered that “results are going to be what makes this popular.”

Today the results are clear, and they are not what the majority and President Trump promised. Big corporations have gotten a windfall. Workers have gotten laid off. Jobs are being shipped overseas, and the richest 1 percent is getting 83 percent of the law’s benefits.

Despite those realities, my colleagues seemed to be surprised recently when a survey commissioned by the Republican National Committee was released in the media. It found that the public believes their tax scam benefits the wealthy and large corporations over average Americans by a two-to-one margin—61 percent to 30 percent.

Let me repeat that before the President tries to tweet that it is fake news. It was a poll conducted for Republicans by a Republican polling firm. That is why we are here today with tax 2.1, Mr. Speaker, because the majority’s bet is turning out to be a losing one.

□ 1230

Nine months ago, the Republicans were assuring themselves their tax scam was good politics. Back then, Senate Majority Leader MITCH MCCONNELL said, “If we can’t sell this to the American people, we ought to go into another line of work.” With polling like this, some Washington Republicans may have to. But first, they are here today with a package of bills that represents their last-ditch attempt at trying to turn the tide before November. And the sequel is as bad as the original in three key ways.

First, the original Republican tax scam added \$2.3 trillion to the national debt to give the wealthy more tax cuts. 2.0 would add another \$3 trillion to the debt. You won’t see its cost on the budget scorecard. Republicans think they can waive a magic wand and hide the costs. But I have news for them: this is Congress, this isn’t Hogwarts. The nonpartisan Tax Policy Center says that this is going to cost \$3.2 trillion.

It is important that people pay attention to this. I have got to give the Republicans credit for their sneaky ways to try to avoid the realities. They

have an amendment that says this massive giveaway to the wealthy magically doesn’t count.

And here is the other thing. We won’t even get to vote on it. It is in the rule. It will be self-executed once the rule passes. So no one has to take any responsibility for adding all this to our debt.

This is at a time when the U.S. Treasury is borrowing money at a rate of \$5.4 billion a day. The Congressional Budget Office recently found that the majority and the Trump administration have blown a \$900 billion hole in the Federal budget. The deficit will increase by nearly 32 percent this year alone, with one of the main causes being the first GOP tax law.

Mr. Speaker, what happened to the Republican Party that claimed to care about fiscal discipline?

This majority is drowning in red ink. And the list goes on.

Second, the original Republican tax scam reduced the Medicare trust fund by 3 years. 2.0 could trigger an automatic 4 percent cut in Medicare. That means hundreds of billions of dollars for this program would be lost.

My colleagues on the other side may stand here today and claim that they want to protect Medicare and Social Security. But don’t believe them. Don’t be fooled. Right after their tax law exploded the deficit, what did the President’s chief economic adviser do? He called for new cuts to Medicare and Social Security.

It is no wonder that in the Republican poll I referenced earlier, many Americans worry that the tax law would lead to cuts to these vital programs. Make no mistake: under the majority, these earned benefits are on the chopping block so Republicans can give tax breaks to the wealthy.

Third, the original Republican tax scam temporarily limited the State and local tax deduction, undermining funding for priorities like schools, firefighters, and police officers. Under 2.0, that deduction would be made permanent. More than 45 million Americans claim the SALT deduction, including those in Massachusetts, by the way. They will have a harder time doing things like buying a home if this package becomes law, all while State and local governments have a harder time investing in their communities.

Even while making these harmful changes to the Tax Code, the majority apparently couldn’t be bothered to make changes that could actually help Americans who have become victims to natural disasters. In the wake of Hurricane Florence and the largest wildfires in California history, Democrats asked the majority to include an amendment that would provide to all eligible Americans the same type of relief that the chairman of the Ways and Means Committee provided his constituents last year after Hurricane Harvey. That request was denied. It is outrageous that, under the majority, the tax relief Americans get after a tragedy apparently depends on their ZIP Code.

Mr. Speaker, there is a word for doing the same thing over and over and over again and expecting a different result. I think the majority would be hard-pressed to find anyone watching today who thinks doubling down on such an unpaid for and damaging policy is anything other than insanity.

The policies in these proposals are very similar, but there is one key difference worth noting, and that is the process.

The first time around, the majority used special fast-track procedures to provide tax cuts for the wealthy and large corporations. They pulled out all the stops to assure that it became law as quickly as possible. They couldn’t even find time to hold a hearing before voting on it. But now, on a proposal they are claiming is for the middle class, there are no fast-track procedures. There is not even a guarantee that this proposal will even be considered in the Senate.

Every middle-class American watching should realize this: with this majority, the wealthy and the well-connected get a windfall under a special, quick process. Their tax cuts were virtually guaranteed under a rigged system. Your tax cuts aren’t getting that same urgency. There is no special process for you. This plan will be left in limbo on the other side of the Capitol. And we all know that.

The fact is, their procedures give away the whole game. This isn’t about policy. This is about politics. The first tax scam isn’t paying the kind of dividends that the majority anticipated. It is unpopular. So they are trying to pass this to have another talking point on the campaign trail. The public didn’t fall for the majority’s spin with their last tax scam, and I think they will see through this one again.

They will see what this is all about. They will see this for what it is: a proposal that continues the same, old Republican policies at a time when the public is demanding a new direction.

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

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

As my colleague was talking about the dismal results, I turned to my phone here and it is all green up and down on the stock market, because the stock market knows that today we are talking about making permanent the things that work for the American people; things that work well for employers; things that work well for bringing stock market prices, not only back, but understanding that many, many Americans and our seniors across this country have invested in the stock market. It is up 40 percent since we have had an opportunity to pass the tax cut.

The success of the free enterprise system is what my colleagues hate. They want to sell government, they want to sell defeat, they want to sell

the things that are the fear about making progress. The facts of the case are real simple, Mr. Speaker.

Mr. Speaker, I include in the RECORD an article from, of all places, The New York Times, that was dated August 3 of this year. On August 3, The New York Times, who does some inciteful reporting, said, "Workers Hardest Hit by Recession Are Joining in Recovery."

[From the New York Times, Aug. 2, 2018]

**WORKERS HARDEST HIT BY RECESSION ARE JOINING IN RECOVERY**

(By Nelson D. Schwartz and Ben Casselman)

The least educated American workers, who took the hardest hit in the Great Recession, were also among the slowest to harvest the gains of the recovery. Now they are a striking symbol of a strong economy.

The unemployment rate for those without a high school diploma fell to 5.1 percent in July, the Labor Department reported Friday, the lowest since the government began collecting data on such workers in 1992. At the economy's nadir in the summer of 2009, the unemployment rate for high school dropouts hit 15.6 percent, more than three times the peak unemployment rate for college graduates.

Buffeted by technological change and seemingly out of place in an economy where skills and credentials are in ever more demand, this cohort struggled while more educated workers scored jobs and promotions and rose on the economic ladder.

High school dropouts make up 7.2 percent of the labor force, and some experts doubted they and other low-skilled workers would ever fully recover from the effects of the recession, said Betsey Stevenson, a professor of economics at the University of Michigan.

"As economists, we worried these workers would be shut out forever," she said. "But the long duration of the recovery has pulled them back in. As the economy adds more jobs, employers have had to dig a little deeper."

**REACHING FULLER EMPLOYMENT**

Unemployment among the least educated, the group hit hardest in the recession, has been cut by two-thirds since its peak of almost 16 percent in 2010.

The improvement in the fortunes of less-educated workers was a highlight in a jobs report that showed continuing gains across a broad variety of sectors.

Over all in July, employers increased payrolls by 157,000, while the unemployment rate edged downward to 3.9 percent, near the 18-year low achieved in May.

The data echoed other positive economic news recently, including a report last week showing the economy grew by 4.1 percent in the second quarter.

And the headlines about President Trump's tariffs on steel and aluminum and a widening trade war with China seem to have done little to put a damper on hiring. The manufacturing sector, which is particularly sensitive to exports, was robust, adding 37,000 jobs.

Although the payroll increase in July was slightly below what Wall Street was expecting, upward revisions for May and June alleviated fears of a slowdown.

Several economists linked the shortfall to the shutdown of Toys "R" Us, and the loss of 32,000 jobs at sporting goods, book and hobby stores last month.

On Wednesday, the Federal Reserve upgraded its view of the economy's underlying condition from "solid" to "strong." The central bank remains on course to raise interest rates twice more this year, in September and December, to avert overheating.

Other indicators suggest the recovery is finally extending its reach. The Labor Depart-

ment's broadest measure of unemployment, which includes workers forced to take part-time jobs because full-time positions are unavailable, fell to 7.5 percent in July, the lowest since 2001.

All this has translated into better economic opportunities for workers without a college degree, who account for a majority of the work force. It is a contingent that was championed by Mr. Trump during his presidential campaign, and one that both parties want to appeal to in the midterm elections in November.

The White House was quick to note that the economy is in the midst of the longest monthly streak of job growth in history.

And after 94 consecutive months of job creation, bosses and human resource departments are recalibrating their requirements.

"You definitely get the sense that employers are willing to look at workers they haven't looked at in the past," said Martha Gimbel, director of economic research at Indeed.com, the employment website.

Unemployed Americans who might not have put feelers out in the past are also venturing back into the hunt for a job, she said. On Indeed's search engine, much of the growth in queries lately has been for positions like full-time cashier, mobile home park manager, maintenance person and fulfillment associate.

"This is an indicator that low-skilled workers are seeing opportunities for themselves in the labor market," Ms. Gimbel said.

Until recently at Steel Ceilings in Johnstown, Ohio, the company's president, Rick Sandor, insisted on a couple of years' experience in metal fabrication before considering applicants. But he's had a harder time lately finding workers for his company, where shifts run from 5 a.m. to 2 p.m. and temporary positions start at \$14 per hour.

He now settles for candidates who show mechanical skills, like carpentry or heating and cooling repair. Mr. Sandor is willing to waive the requirement for a high school diploma as well and has even hired applicants with what he terms "minor" prison sentences.

"If a person was truly trying to get their life back together, we thought it would be helpful to offer them a job," he said.

Unemployment for less-skilled workers has been dropping for several years, with a pick-up in hiring in sectors like manufacturing, construction and parts of health care. And to be sure, the month-to-month figures for unemployment among high school dropouts are volatile.

But the long-term trend is clear, as is hiring among the sectors responsible for it. Last month, the leisure and hospitality field recorded a 40,000 gain in positions, with half of that coming from restaurants.

For example, Buffalo Wings & Rings, a restaurant chain with 60 locations in 13 states, has been stepping up hiring and opening new restaurants.

Many outlets have seen double-digit sales growth over the past year, and some are up as much as 40 percent, said Nader Masadeh, the company's chief executive. The tax cuts that took effect in January are playing a role, Mr. Masadeh said—most families may have gotten a relatively small tax cut, but it is enough to fuel a few more nights out.

"People feel good. They're going out and spending more money," he said. "In our segment, \$50 feeds you and your family."

Still, the hot economy brings challenges of its own. At an annual gathering of the company's franchisees in June, Mr. Masadeh said, he was bombarded with questions about how to retain talent when workers can readily walk out the door and find another job. And costs are rising throughout his business.

"Right now the economy is great, but we're also seeing higher construction costs,

higher commodity items, shortages of labor, so there's always something that counterbalances something else," he said.

That pressure, however, has not resulted in much fatter paychecks for most workers. The Labor Department said average hourly earnings ticked modestly higher in July, putting the annual rise at 2.7 percent. That's below the pace of inflation in recent months.

One reason for the lack of big raises is that a substantial number of workers remain on the sidelines, including the less-skilled ones who are now gradually coming back, said Simona Mocuta, senior economist with State Street Global Advisors.

"We are bringing unemployment way below 4.5 percent, which the Fed considers full employment," Ms. Mocuta said. "But we are getting very modest wage inflation. This is an issue not just for the U.S., but in every other developed market."

"Because the labor market is tight, less-educated workers have more of a chance of getting hired," she added. "For people with the highest level of education, it's easier to find jobs even when the economy isn't doing well."

A version of this article appears in print on Aug. 4, 2018, on Page A1 of the New York edition with the headline: Robust Recovery Lifting Laborers Hit the Hardest.

Mr. SESSIONS. All across this great Nation there are people who were tired of the loss of jobs in this country, the movement of jobs overseas, the continuation of a tax policy that did not allow jobs and money that was earned by American companies to come back here. This is what we have created a change in, and this is the essence of the argument: whether we, the free enterprise system, are going to win or whether it will be the government.

I think today it is obvious to the American people that the Republican Party is on the side of the free enterprise system, small business, entrepreneurship, and people who want to be left alone, but make their lives work and make their communities work.

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

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

Mr. Speaker, it is nonsense to suggest that somehow Democrats don't want the economy to work well. The difference here is we want the economy to work well for everyone, not just those at the top. Eighty-three percent of the benefits in their tax scam go to the top 1 percent of this country. The people who are struggling are those in the middle and those struggling to get in the middle.

Mr. Speaker, I include in the RECORD a letter to the Speaker and to the minority leader from Feeding America, which basically says very clearly that the Republican tax bill "... did not prioritize assisting those taxpayers who are most at risk of being food insecure, and as a result the new law provides little direct, tangible benefit to the individuals and families served by Feeding America."



FEEDING AMERICA,  
September 25, 2018.

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

Hon. NANCY PELOSI,  
House Democratic Leader,  
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: We write to share Feeding America's views about "Tax Reform 2.0" and the legislation recently approved by the House Ways and Means Committee. We previously expressed our concerns about the Tax Cuts and Jobs Act (H.R. 1) and its impact on the millions of Americans facing hunger in every community across our country, and do not believe making its provisions permanent would ease the burden on those individuals and families.

As the nation's largest private response to domestic hunger, and the country's third largest charitable organization, Feeding America works to advance public policies that support food insecure individuals and families and that expand the resources necessary for them to access nutritious food. Given that the aggregate annual food budget shortfall for the more than 41 million food insecure individuals in the United States now stands at more than \$21 billion, our highest priority is protecting the federal nutrition programs that help these families access the resources and nutrition needed to succeed.

At the same time, a large percentage of individuals, including children, who struggle with hunger fall outside the public safety net, underscoring the profound need for private food assistance. In 2016, more than a quarter of food insecure individuals nationwide lived in households that earned too much to qualify for most federal nutrition assistance programs. For these working families, the generosity of individuals and corporations makes possible vital food assistance that might not otherwise be available.

Regrettably, H.R. 1 did not prioritize assisting those taxpayers who are most at risk of being food insecure, and as a result the new law proves little direct, tangible benefit to the individuals and families served by Feeding America. According to the Joint Committee on Taxation (JCT) beginning in 2021 taxpayers earning between \$10,000 and \$30,000 per year will see an increase in their average tax rate, a circumstance that will apply to all taxpayers earning less than \$75,000 by 2027.

Additionally, changes to the standard deduction and the availability of itemized deductions have effectively eliminated the charitable deduction for 28.5 million taxpayers, according to JCT. The result will be a decline in charitable giving of more than \$17 billion per year, according to a recent American Enterprise Institute study, with human service charities likely to be especially hard hit. Of the 28.5 million taxpayers expected to no longer file itemized returns, 24.6 million earn less than \$200,000 per year. Donors with incomes below \$200,000 are responsible for 62% of annual charitable giving to all human needs charities.

Simply put, the loss of this century-old giving incentive will have a devastating effect on a wide range of charitable programs and services delivered in communities across the country, including those that provide much-needed food assistance to hungry individuals and families who are not otherwise benefitting from the new tax law.

H.R. 1 represented a missed opportunity to provide relief for the millions of Americans who struggle to put food on the table, and we do not support making its provisions permanent. We do, however, encourage you to undertake Tax Reform 2.0 with the aim of enacting legislation that eases the burdens on

lower-income working families, continues to encourage Americans to give generously to charity, and ensures the government has the resources necessary to meet our collective obligations to provide for the health and well-being of our neighbors and our communities.

We hope to serve as a resource to you as this process unfolds, and we look forward to the opportunity to share with you proposed tax code changes that we believe will have a positive impact on the people we serve.

Sincerely,

Alabama Food Bank Association (AL); All Faiths Food Bank; Arkansas Foodbank (AR); Atlanta Community Food Bank (GA); Blue Ridge Area Food Bank, Inc. (VA); California Association of Food Banks (CA); Capital Area Food Bank (DC/MD/VA); Central California Food Bank (CA); Central Pennsylvania Food Bank (PA); Central Texas Food Bank (TX); City Harvest (NY); Community Food Bank of Eastern Oklahoma (OK); Community Food Warehouse of Mercer County (PA); Connecticut Food Bank (CT); Eastern Illinois Foodbank (IL); Facing Hunger Foodbank (WV/KY/OH); Feeding America; Feeding America Southwest Virginia (VA); Feeding Indiana's Hungry (IN);

Feeding San Diego (CA); Feeding South Dakota (SD); Feeding the Gulf Coast (AL/FL/MS); Feeding Wisconsin (WI); FeedMore (VA); Food Bank Association of New York State (NY); Food Bank Council of Michigan (MI); Food Bank for Larimer County (CO); Food Bank for the Heartland (NE/IA); Food Bank of Central and Eastern North Carolina (NC); Food Bank of Central New York (NY); Food Bank of Contra Costa and Solano (CA); Food Bank of East Texas (TX); Food Bank of Iowa (IA); Food Bank of Lincoln, Inc. (NE); Food Bank of Northern Indiana (IN); Food Bank of Northern Nevada (NV/CA); Food Bank of the Golden Crescent (TX); Food Bank of the Rio Grande Valley (TX);

Food Bank of the Rockies (CO/WY); Food Bank of the Southern Tier (NY); Food Bank of West Central Texas (TX); Food Finders Food Bank, Inc. (IN); Food Lifeline (WA); FOOD Share of Ventura County (CA); Foodbank of Southeastern Virginia and the Eastern Shore (VA); Foodlink, Inc. (NY); Forgotten Harvest (MI); Fulfill (NJ); Georgia Food Bank Association (GA); Gleaners Food Bank of Indiana (IN); God's Pantry Food Bank, Inc. (KY); Good Shepherd Food Bank (ME); Greater Chicago Food Depository (IL); Greater Cleveland Food Bank, Inc. (OH); Greater Pittsburgh Community Food Bank (PA); Harry Chapin Food Bank of Southwest Florida (FL); Harvesters—The Community Food Network (MO/KS); Island Harvest (NY); Kentucky Association of Food Banks (KY);

Long Island Cares (NY); Los Angeles Regional Food Bank (CA); Mid-Ohio Foodbank (OH); Mid-South Food Bank (TN/AR/MS); Montana Food Bank Network (MT); Mountaineer Food Bank (WV); New Hampshire Food Bank (NH); North Texas Food Bank (TX); Northern Illinois Food Bank (IL); Ohio Association of Foodbanks (OH); Oregon Food Bank (OR/WA); Ozarks Food Harvest (MO); Regional Food Bank of Northeastern New York (NY); Regional Food Bank of Oklahoma (OK); Rhode Island Community Food Bank (RI); Roadrunner Food Bank (NM); San Antonio Food Bank (TX); Second Harvest Community Food Bank (MO/KS); Second Harvest Food Bank of Central Florida (FL); Second Harvest Food Bank of Northeast Tennessee (TN); Second Harvest Food Bank of North-west North Carolina (NC);

Second Harvest Food Bank of Orange County (CA); Second Harvest Food Bank of Santa Clara and San Mateo Counties (CA); Second Harvest Foodbank of Southern Wisconsin (WI); Second Harvest Heartland (MN/WI); Second Harvest Northern Lakes Food

Bank (MN/WI); Shared Harvest Foodbank (OH); Southeast Missouri Food Bank (MO); Southeast Ohio Foodbank (OH); Southeast Texas Food Bank (TX); St. Louis Area Foodbank (MO/IL); The Food Bank of Western Massachusetts (MA); The Foodbank, Inc. (OH); The Greater Boston Food Bank (MA); The Idaho Foodbank (ID); Three Square Food Bank (NV); Treasure Coast Food Bank (FL); Tri-State Food Bank, Inc. (IN/IL/KY); Utah Food Bank (UT); Vermont Foodbank (VT); Virginia Peninsula Foodbank (VA); Weld Food Bank (CO); West Ohio Food Bank (OH); Westmoreland County Food Bank, Inc. (PA); Worcester County Food Bank (MA).

Mr. MCGOVERN. Feeding America is the preeminent organization that feeds hungry families in this country. We have a hunger problem in this country. Nothing in this bill today or the bill that the Republicans passed previously does anything to help those people.

So yes, we want the economy to work well, but for everybody. Not just the rich, but we want it to work well for those in the middle and those struggling to get in the middle. We don't want to embrace a tax scam package where 83 percent of the benefits go to the top 1 percent. They may be good contributors, but that doesn't represent the majority of America.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Ranking Member NADLER's bill, the Special Counsel Independence Act. This vital legislation will allow the people's House to demonstrate that we as a body are capable of putting America's interests over partisan politics.

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 Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), the ranking member of the Judiciary Committee, to discuss his proposal.

Mr. NADLER. Mr. Speaker, I stand here because, earlier this week, we were confronted with the threat of Deputy Attorney General Rod Rosenstein's firing.

On Monday, Mr. Rosenstein was summoned to the White House, with rumors swirling that he had resigned or was about to be fired. Today, he was scheduled to meet with the President. But yesterday, the President said he may not fire him. He prefers not to, but he may. And he may meet with Mr. Rosenstein or not.

Mr. Rosenstein is directly responsible for Special Counsel Robert Mueller's investigation into alleged links between the Russian Government and the Trump campaign, as well as other related work, now in the Southern District of New York in the National Security Division of the Department of Justice, that could have a profound effect on the integrity of elections to come.

The fear is that, if the President fires Mr. Rosenstein, a new Acting Attorney General will take steps to end the investigation by Mr. Mueller in order to protect President Trump and his associates. It is unacceptable for a law enforcement project of this magnitude to turn on the employment status of one official.

As we have all seen, President Trump has spent his Presidency undermining every effort to understand what happened during the 2016 elections. He has shown no interest in safeguarding the 2018 elections from ongoing attacks by foreign adversaries. Instead, he attacks the intelligence community; attacks the Department of Justice; attacks career civil servants; and attacks Special Counsel Mueller, complaining about what he calls a “total witch hunt” and calling for the Attorney General to end the investigation.

This is not a witch hunt. In a relatively short period of time, investigators have secured multiple convictions and guilty pleas from key Trump campaign personnel, including the President's campaign manager, his deputy campaign manager, his national security adviser, and others.

But President Trump and his allies in this Chamber are engaged in a broader strategy to undermine the legitimacy of any finding, guilty plea, or any conviction that may come out of the investigation. President Trump will take any opportunity to reign in, suppress, or end the Special Counsel's investigation.

We know this because President Trump has told us so. He told us that he fired the FBI Director because of the “Russia thing.” He is reported to have ordered the firing of Robert Mueller at least twice. He attacks his own Attorney General for quite properly recusing himself from the investigation. His surrogates compare the FBI to the Gestapo, and call for the police to raid the Justice Department.

Fortunately, as a coequal branch of government, we have a way to protect our law enforcement officers from these threats and to protect the country from this barrage of misinformation from the White House.

H.R. 5476, the Special Counsel Independence and Integrity Act, would protect the Special Counsel from being unjustly fired and would allow for the courts to review any political interference. This is bipartisan legislation that has 126 cosponsors and is identical to Republican legislation that has a number of Republican cosponsors.

The Senate counterpart to H.R. 5476 was introduced by Senators GRAHAM, BOOKER, COONS, and TILLIS, and passed the Senate Judiciary Committee on April 26, 2018, by a vote of 14-7.

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

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman from New York an additional 30 seconds.

Mr. NADLER. We have been calling on the chairman of the House Judici-

ary Committee to bring this important legislation before the committee for a vote, but he has refused to act.

Democrats have taken the unusual step of invoking House rule XI, clause 2(c)(2) to force a markup. But other Republicans on the committee have sat on their hands and refused to join in this demand. But for three Republicans, the Judiciary Committee would be forced to consider this legislation.

We cannot wait any longer. The stakes are too great. That is why I offer this proposal.

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

Mr. Speaker, it is not without notice to the American people that the discussion may be on great economic policy that is working for people, we are attacked here in Washington on the floor, and then the subject changes to something else, rather than the overwhelming evidence of how we are doing.

□ 1245

Mr. Speaker, there was a discussion I put in the RECORD, that New York Times article about those at the very bottom who had been left behind before, under the previous administration's tax increase, to where they lost jobs because we lost jobs in America with the massive spending spree that took place by President Obama and the Democratic Party.

I am pleased to report not just what was said on August the 18th by The New York Times, but even today. African American and Hispanic unemployment rates are at some of the lowest rates that they have ever been.

The Bureau of Labor Standards even passed out a report about the weekly unemployment claims. Those are the claims where people who were seeking jobs, we count those up across the country. They are at the lowest rates since 1969. That means, even though we have a larger amount of people in the country, a fewer numberwise—not percentage, numberwise—are seeking unemployment compensation.

Mr. Speaker, it is working. There is success in the marketplace. What Republicans did is so good that we want it to continue, because people who have their jobs tend to want to protect those jobs. But the protection of the jobs is being done by this administration to make sure that we can sell more of our products overseas.

About 40 percent of everything made in this country is made for export. We are for a larger export market. We are for jobs in this country. Over \$50 billion has flowed back into the United States from overseas as a result of what we did last December 18 with the tax bill.

The overwhelming success of people back at home, wherever we are from, is apparent. They are working. They have got an opportunity. Their savings are increasing.

All over my hometown of Dallas, Texas, there are companies after com-

panies after companies after companies that have reinvested in their businesses to make sure that not just ergonomics or new ways to mechanize are employed in their businesses, but, actually, many companies paid, doubling down the amount that they had contributed to a retirement fund or to a 401(k) or to giving company stock or, as in the case of many companies in Dallas, gave a \$1,000 bonus and then said to the employee: For the \$1,000 bonus I give each of the employees, I want you to know we are going to reinvest in making our business up to date and better, too.

So, Mr. Speaker, no wonder—no wonder—the other side, as they come to the table today with an equal opportunity for time, changes the discussion point to something that is extraneous from how successful this tax bill has been. So we will stand here until the end of our time and say: We need to make it permanent because it works.

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

Mr. MCGOVERN. Mr. Speaker, the reason why we are offering this procedural motion is because the Republicans run this House like Putin. We are shut out of everything. So this is our only opportunity to try to get some important business done.

The Republicans can spend every day trying to pass more tax cuts for their wealthy friends and big corporations, but maybe—just maybe—we can do something useful like protecting our democracy.

Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. SCHIFF), the distinguished ranking member of the Committee on Intelligence.

Mr. SCHIFF. Mr. Speaker, the 115th Congress will soon come to an end. There is much work that we will leave undone, but none so consequential to our democracy as the failure to pass legislation to protect Special Counsel Mueller's investigation from further interference by the President. Today may be our last chance to avoid the constitutional crisis that will come should this President fire Mueller or Rosenstein or otherwise act to obstruct justice while we are in recess.

This is our opportunity, our responsibility, to uphold the rule of law and to make clear that no one, even this President—or any President—is above the law.

My colleagues, the fig leaf is gone. If we leave this work undone, after all this President has said and done, if he fires individuals responsible for an investigation into which the President himself may be implicated, no Member of this Chamber can say they did not see it coming.

For months, this President and his allies in Congress have sought to interfere with, obstruct, and manipulate this investigation:

They have selectively leaked or declassified documents;

They have sought to impeach the Deputy Attorney General to give the President cover to fire him;

They have watched in silence as this President has demanded loyalty and public pronouncements of devotion from the Justice Department and law enforcement officials while he has denigrated judges based on their ethnicity, while he has told us that we cannot believe our free press, that we cannot believe what we see and what we hear, but that we can only believe him.

All of this is an affront to the rule of law, and all of it has been met with almost absolute silence from my colleagues in the GOP, with the exception of a few brave people like John McCain.

This is an administration that says the truth is not truth, that they are entitled to their own alternate facts.

There is nothing more corrosive to a democracy than the idea that there is no such thing as truth, that the President is the law, that he is entitled to an Attorney General who will protect him and not the country or our system of justice.

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

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman from California an additional 30 seconds.

Mr. SCHIFF. Mr. Speaker, by defeating this previous question, we can bring to the floor a bipartisan bill to protect the special counsel's investigation.

Wake up, my colleagues. Our democracy, our rule of law, is under assault. Stand up to this President. Do your duty.

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

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Mr. Speaker, I urge my colleagues to defeat this previous question so that we can immediately take up Mr. NADLER's legislation that would protect Bob Mueller's special counsel investigation.

The rule of law right now is under attack by a wrecking-ball President who does not respect it, who has fired his investigator and, as we speak, seeks to hire a judge who would protect him.

But Bob Mueller, despite the attacks that I hear in this Chamber, is making progress. His investigation started in May 2017. Since May 2017, he has obtained a lot of guilty pleas and indictments.

October 5, 2017: a guilty plea against General Michael Flynn, campaign adviser and national security adviser to Donald Trump;

December 1, 2017: the statement of offense from Michael Flynn detailing what he had done;

October 5, 2017: statement of offense and guilty plea from George Papadopoulos, senior adviser to candidate Trump;

February 2, 2018: indictment against Richard Gates, adviser to the President;

February 23, 2018: guilty plea from Richard Gates;

February 12, 2018: guilty plea from Richard Pinedo;

February 16, 2018: guilty plea from Alex van der Zwaan;

Indictment, February 16, 2018, against 16 Russians for weaponizing social media to help the Trump campaign, including the Internet Research Association, directly tied to Vladimir Putin;

February 22, 2018: superseding indictment against Paul Manafort, campaign chairman for Donald Trump and Richard Gates;

February 23, 2018: guilty plea from Richard Gates;

June 6, 2018: superseding indictment against Paul Manafort, chairman to Donald Trump, and Konstantin Kilimnik, associated with the Russian intelligence services;

September 14, 2018: guilty plea, campaign chairman Paul Manafort, just about 1 month after he was found guilty on a number of counts by a jury of his peers;

And, finally, July 13, 2018: 12 Russians indicted for the hacking and stealing of Donald Trump's opponent's emails.

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

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman an additional 30 seconds.

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

Mr. SWALWELL of California. Mr. Speaker, the special counsel is making progress. The best thing we can do to uphold the rule of law in this country, to allow him to continue to investigate who attacked us, who worked with the Russians, and to make sure we know all we can do to protect this great democracy is to protect that investigation, to not allow the President to threaten it, and to do our job: protect our great democracy.

Mr. SESSIONS. Mr. Speaker, I appreciate the opportunity for all the lawyers in the House on the Democratic side to come down and argue their case, but I would politely disagree with them.

The way you save this great democracy is by making it economically sound and powerful and prepared so that we can pay for this government, so that we can understand that America's greatest days lie in our future, so that we can understand it is the American people who want and need to make success, that they want their dream to succeed, not just the government.

What we are hearing today is they have abdicated this debate today from what was an economic debate all the way to a political debate. Economics, you see, has that side of it where people can see what works and what

doesn't work, and that is why they have abdicated this fight today on the floor. The fight that they thought they were bringing is not about the success or failure of this; it is about another issue.

Mr. Speaker, the bottom line is that America is economically stronger. We have more people working today than in the history of the country. There are companies that are making money, and there are employees who are making money, and there are employees who are successful.

When that happens, Mr. Speaker, you get an increase in take-home pay, and that is also what Republicans understand about what we have done: an increase in the amount of take-home pay to where the American people gain benefit not just for their hard work, but for their families; to pay for their families to be able to go to a Boy Scout outing; to make sure they are prepared to send their children to school, so that they can pay themselves, not looking to the government to make the payment for them; not looking for a hand-out, but, rather, making sure that people have the dignity of work, the dignity of opportunity, an honest day's work, an honest day's pay, an opportunity for the free enterprise system, the American Dream, to work.

That is what we are talking about today. We are talking about the success and the limiting success. And the limiting success is, if we make these tax policies permanent, it creates an opportunity for wiser choices, wiser decisions, wiser long-term attributes of success, not for the government, but for the American people.

□ 1300

And that is what the debate is on this side: helping the middle class of this country to achieve a strong footing to where they can make their American Dream work not only for them, but for their children and grandchildren.

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

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

Mr. Speaker, with all due respect to my colleague from Texas, tax cuts for the rich and big corporations aren't going to protect this country from another attack by the Russians on our elections and on democracy.

But here is the deal: You can do both. You can debate your tax scam 2.0 for the rich, and if you vote to defeat the previous question, we can also vote to protect the Mueller investigation.

So we can do both, and I hope my colleagues will vote to defeat the previous question.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Mrs. TORRES), a distinguished member of the House Rules Committee.

Mrs. TORRES. Mr. Speaker, the GOP tax scam has been nothing but a giveaway to millionaires and corporations. This Republican majority is adding trillions—trillions—of dollars to our

national debt, debt that our children and grandchildren will have to pay for for years to come, trillions in debt that will put Medicare and Social Security at risk.

Already, we can't provide the minimum funding to the ACA, making it harder for our constituents to get health insurance and access to care.

Now, how are the Republicans trying to pay for this debt? By attacking—by attacking—the hardworking taxpayers like those that I represent in the great State of California. That is right, so millionaires and corporations can have a tax break. I call that welfare for the most affluent people and corporations in America at the cost of the hardworking taxpayers in California.

And let me say that again. Millions of Californians will see their taxes increase with this GOP tax scam.

Now, today, as if we haven't already done enough, the Republican majority is voting to make this tax increase permanent, a permanent tax increase to our hardworking taxpayers.

California is the fifth largest global economy.

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

Mr. MCGOVERN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from California.

Mrs. TORRES. Mr. Speaker, California is the fifth largest global economy and a donor State. We should be trying to make every other State more like the great State of California.

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

Mr. Speaker, the frailty of the arguments from my opponents is staggering. The newest report out, "the ACA healthcare market stabilized nationwide for most customers," and yet we are told we are not even funding it. It is funded by the government. It is mandatory spending. But the good part is that they now have an idea of who is in the marketplace and what those correct rates are, and it is stabilizing.

It is stabilizing because what we have done is made the opportunity available for people to have a job to pay for their healthcare. And the ability to have a job means that you not only have a chance to pay for your car, your home or apartment, your daughter or your son's college, but you also have an opportunity to pay for your own insurance, your own healthcare, your own needs to take care of your own family.

This is where we see America, right now, has the largest number of people who are employed in America. Every single economic and social indicator indicates that more people at the highest level are employed. More people at the highest level are having an opportunity to get up and go to work, a chance to make their lives and their family better.

This is the essence of what we are talking about today: making life better for people, giving them a better opportunity back home to have a job that is available.

In Dallas, Texas, where I am from, last week, 2 weeks ago, we had a seminar whereby people talked about and demonstrated what this economy is doing. I had several employers who stood up and said to the media, that was never reported:

We have 10 jobs that are available at a starting salary of \$60,000, but you have to be able to pass a drug test and you have to come to work every day. We will train you. We will do the training. We don't need the government or someone else to do that, but you have to do two things: You have to be able to pass the drug test, and you have got to come to work every day, and you have got to be able to go be willing to be a part of a team that is about your success and theirs also.

What a great deal the free enterprise offers today. Instead of us begging for jobs and wishing they were here, they abound, Mr. Speaker. It is called great economics. It is called making America great again. That is why we want to make it permanent.

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

Mr. MCGOVERN. Mr. Speaker, if I can inquire of the gentleman from Texas how many more speakers he has on his side?

Mr. SESSIONS. Mr. Speaker, I have one.

Mr. MCGOVERN. Mr. Speaker, I kind of figured, if this was so popular, that there would be tons of Republicans down here.

Mr. Speaker, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, hallelujah. Let the Republican majority tell it. The American people are just going to be so thrilled with tax scam 2.0 where we permanently lock in obscene tax advantages for corporations and the wealthy, where we lock in inequality, where we directly threaten Social Security, Medicare, and Medicaid.

Now, Mr. Speaker, the American people are just going to be bereft of this economic security and retirement security, but they are going to spontaneously break out in a Depression-era George Gershwin opera, like I did on the stage of North Division High School:

I got plenty o' nuttin',  
And nuttin's plenty for me.  
I got no car, got no misery.

Meanwhile, the folks with plenty of plenty are getting 80 percent of this tax cut, increasing the debt by another \$3 trillion in just 3 years' time.

Mr. Speaker, no singing, no dancing, no tax scam. My constituents want our country's wealth back.

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

Mr. Speaker, there is a lot of song and dance on the floor, but it is revisionist history. What some of our colleagues have forgotten is that the African American unemployment during President Obama's Presidency was 15.5 percent. It was called misery. It was called no job. It was called unemployment. It was called more government

assistance. It was called, unfortunately, demise.

Mr. Speaker, what we have done by passing the tax cut is to make sure that employers had an opportunity to hire employees. All across this country, there is a marketplace available to people who were ready and willing to come to work, and they have. The figures are, to us, as Republican, normal and regular.

We were told by President Obama and Ms. PELOSI: "We can't get the 4.2 percent GDP rate." That is right. You can't get to 4.2 because your policies and procedures won't let the country do that. We are going to be stuck in the ones.

But, Mr. Speaker, what happened is that a new energy abounded in this country, and it is called optimism and opportunity and success and redevelopment of ideas to bring the American spirit back to the top. And that was, instead of Uncle Sam telling us what to do, we are getting that opportunity to have the success back home.

That is why the largest number of African Americans ever in the marketplace or, thereto, the largest number of women, the largest number of Hispanics in the marketplace today. This is yet another reason, Mr. Speaker, why Republicans are on the floor talking about the economy and my friends are talking about another issue.

Mr. Speaker, we need to be very clear about this. I will be asking all 435 Members of Congress, for them to see the reality and the truth of what is available back home, and that is opportunity can abound for a longer period of time with more success and more opportunity.

The next chance to make sure that the contract that is won by their company or the next successful quarter or the next opportunity that they get to get a pay raise can come because we are making sure that the free enterprise system is sound and secure for the future.

And that is how you save Social Security, Medicare, and Medicaid: by working today and protecting American jobs. It is an effort that the Republican Party has had, will have, has today, and we can't wait to see the vote to see who is for the free enterprise system of seeing that success.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH), the distinguished ranking member of the Committee on the Budget.

Mr. YARMUTH. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, just 8 months ago, the Republicans jammed through their massive, unpaid-for tax cut. Not a single Democrat voted for that bill, and for good reason. Nonpartisan experts told us that the tax cut would overwhelmingly benefit the wealthy and big corporations while threatening our fiscal and economic health. It would



add more than \$1 trillion to the Nation's debt. And the newest reports on the impact of the tax law further confirm those dire warnings: Corporate profits have soared, along with stock buybacks, while working-class wages remain stagnant and income and wealth inequality continue to grow.

Yet today, Republicans want to go even further, pushing their tax cut 2.0 legislation. It is not a surprise that they are extending the provisions of their tax bill. The expirations were always gimmicks to hide the true cost of the tax cut and evade the constraints on reconciliation bills.

This new legislation, once again, benefits the wealthiest Americans and adds trillions of dollars more to the Nation's debt in decades to come, further jeopardizing the Nation's already rocky long-term fiscal outlook.

This new tax cut 2.0 package, just like the one before it, is being rushed through the House with no hearings and no input from the American people. The Republican tax cut 2.0 legislation is another irresponsible tax cut for the wealthy that threatens our long-term fiscal and economic health, and we know how that story ends.

As Republicans have often demonstrated, they are committed to cutting more taxes for the rich, fretting when deficits rise, and then attacking crucial programs American families rely on, such as Medicare and Social Security, to pay for the debt increase.

Let's not add more to this three-step process. This is not the time to rush through another round of tax cuts. The rule before us would allow for passage of this irresponsible legislation, and I urge my colleagues to oppose the rule.

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

Mr. Speaker, the American Dream should be available to everybody: young, old, African American, Hispanic, Native American, even those people who have come to our shores. To make America work, American business has to work.

Making American business work—which is why we have business schools, why we have college-educated people, why we have entrepreneurship, why we have small business owners, why we have people who dedicate themselves to that free enterprise system—comes about as a result of their opportunity to work within a series of rules, regulations, and tax policy that is balanced.

A balanced tax policy would tell you that, if you have the highest taxes in the marketplace, your opportunity levels diminish. Likewise, it would say and tell you that, if you do not pay an honest day's work for an honest day's pay, you would not have employees and would be searching to try and make up that deficit another way.

□ 1315

Today, American business and American workers have more work than we can get done in 1 day, and numbers of orders and opportunities for our future

abound. That is what we are here about also.

We are here about the youngest of people who we have in our midst who are second, third, fourth, fifth, sixth grade. We are about those people who are in college, who are studying hard because they want to be a part of a workforce. They want to be part of making their dream better.

But if there are no jobs, that is an indictment on this body. That is an indictment of elected officials and of an administration, many of them unelected, but who have a policy that fits their political ideology, rather than what is intended for success of people back home.

Today, I am going to ask every Member of this body, and I will do it right now, to please understand that you will have an opportunity to vote to make what we have today even more successful for a longer period of time; and to grow the amount of GDP; to grow the amount of investment; to believe in the American worker; to expect the opportunity for there to be an equal marketplace share, where the employer and the employee can both gain, not only in the ability to pay their own bills, but the ability to sustain what we do.

Mr. Speaker, let's not show the short side of this and talk about the negatives or the frailties or the things that really, I don't think, will come to bear, but let's talk about the success. The success is that we are going to move our stock market, as it is doing today, with the evidence that they have that we can, as a body, move our business.

Just this week, we had an opportunity to do what hadn't been done for 21 years. Those pesky Republicans in the House and the Senate and our President are going to sign a bill funding 80 percent of the government to avoid not just a continuing resolution, but to get it done on time, expecting this government, in their balance, to do their job that we have entrusted them with.

Today, we are taking part on the other part of that equation, to the free enterprise system saying: Keep producing jobs. Keep doing the things that small business does; whether you are in Weatherford, Texas, and own a car dealership, and you sell your product and make it available to customers back home, and you expect them to pay and your product to sell and win, or whether we expect to produce products that we sell overseas.

Mr. Speaker, it is the other half of the equation. This same week that we gave 80 percent of the government, including the military and Health and Human Services, the things that they have asked for and need to produce, today, we are asking the other side of the equation, the American people, to continue fighting, continue working, continue believing, not only in your American Dream, but continue to believe that the future of this country is bright and going to be successful for you and your family.

They can drown out the detractors. They can drown out people who brought a different idea to the table, because that brought us 15 percent unemployment for African Americans when we had a President who claims he was there for equality also. Equality is a job and an opportunity.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I am here to urge this House to defeat the previous question so that we can hear H.R. 5476, a bipartisan bill to protect the Special Counsel, Mr. Mueller.

It is important for democracy and for the rule of law for which we are respected around the globe that Mr. Mueller's investigation goes on and not be impeded by the firing of Mr. Rosenstein and the imposition of somebody who is inimical to Mr. Mueller's investigation.

I want to quote Bill Frist, former Republican majority leader in the Senate. "Congress must never abandon its role as an equal branch of government. In this moment, that means protecting Mueller's investigation. We're at our best as Senators and Republicans when we defend our institutions. But more than that, it's our best face as Americans."

"People around the world admire not just the material well-being of the United States but our values, too. The rule of law is something many die trying to secure for their countries. We can't afford to squander it at home."

Defeat the previous question. Protect Robert Mueller.

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

Mr. MCGOVERN. Mr. Speaker, if I could just inquire of the gentleman from Texas one more time, just to make sure there is nobody else who wants to speak.

Mr. SESSIONS. Mr. Speaker, as a matter of fact, the gentleman is correct. I will be closing for us, so anytime the gentleman chooses to do that, he may expend his time.

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

Mr. Speaker, the Republicans have so diminished this House of Representatives. We are being told that tomorrow may be our last day in session before the election, that the Republicans will adjourn 2 weeks early so they can go home to try to convince voters that they deserve to be reelected.

What we are doing today, this tax scam 2.0, is a joke, because they know it is going nowhere in the Senate. They are frightened by the fact that their original tax bill is so terribly unpopular, and rightfully so, because the American people object to a tax bill where 83 percent of the benefits go to the top 1 percent. That is just not fair. People understand things like fairness.

Mr. Speaker, we are asking people to defeat the previous question to protect

the Mueller investigation. Since we are adjourning most likely tomorrow, this may be our only time to do it. You can vote to defeat the previous question. You can still vote for this tax scam bill, but you also can vote on whether or not to protect the Mueller investigation. We ought to do that.

But there is another thing I want Members of both sides to appreciate, as this may be the last rule we bring to the floor.

What we are considering today is record-shattering. The majority broke the record for the number of closed rules in Congress earlier this year. The record they broke, by the way, was their own.

This restrictive process has often shut out debates here on the House floor that the American people desperately want this Congress to have, on issues like gun safety, protecting the Dreamers, and lowering the cost of prescription drugs.

Now, today, the majority is taking is the most closed Congress in American history to a whole new level because, tucked inside this measure, is the majority's 99th, 100th, and 101st first closed rules of this Congress. There has never ever been a moment like this in American history, more than 100 closed rules in a single Congress.

This isn't some arcane legislative matter. Consider what the majority has brought under closed rules, things like their first tax scam and their disastrous healthcare repeal bill.

There are still months to go before the 116th Congress begins. Who knows what other disasters the majority of President Trump will dream up next.

Now, Mr. Speaker, I am not suggesting that everything that the House considers should be under an open rule. There are times when a closed rule might be necessary. But more than 100 closed rules? There is no justification for that.

Now, I don't know who will run this place in January, but if Democrats are trusted with the majority, we will have a more accommodating process. This place will be run like professionals. Ideas will be allowed to come forward, and the House of Representatives will actually debate again.

But we don't have to wait until next year to force a more open process. We can start right here today. My Republican colleagues have voiced frustration with their majority's closed process. Well, we have the chance here to do more than just talk. We can vote.

So when a closed rule goes down, Speaker RYAN will actually have to start upholding his promise of a more open, more inclusive, more deliberative, and more participatory process.

It would be better late than never. While calling for a more open process, virtually every Republican voted for every closed rule we have considered. The rank and file Republicans are part of the problem.

Mr. Speaker, if they are not going to take a stand on the 101st closed rule,

will they ever be able to back up their talk with their vote?

So I ask the majority, as we stand on the doorstep of this dubious distinction, join us in voting against this record-shattering closed rule.

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

Mr. SESSIONS. Mr. Speaker, before I start, could you please advise me on how much time remains for me.

The SPEAKER pro tempore (Mr. WILLIAMS). The gentleman from Texas has 2½ minutes remaining.

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

Mr. Speaker, the opportunity that we have to be on the floor today is about one thing. They want to make it about something else, and that is within their purview and their decision.

What it is about is whether we are going to continue to have the highest rates of employment in this country; the highest and best opportunity for people to continue take-home pay increases; the opportunity for American jobs, workers, and business to have more work than we have employees for; the opportunity to take and have, all across this country, the opportunity for reinvestment; the opportunity for people to be successful; the opportunity for people who are in school today to look up and know they see a bright future.

That is the way the world sees it, at least I think we do here in America, not in Washington. We might be a drug-free work zone up here, but what we have is the ability for this majority to keep pushing its opportunity for success for the American people.

So this week, we took care of making sure we fund, on time, perhaps a little bit early, the government for next year. But we are also going to fund the American people and the free enterprise system.

So, Mr. Speaker, what a fun day, what a great opportunity for people all across schools, and in schools, and people who work to say, one party is going to vote for me and one party is going to vote against me.

I am asking every Member to do it, so that we get together on economic outlook and view. I urge my colleagues to support the rule.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to speak out against H.R. 6760, the Protecting Family and Small Business Tax Cuts Acts of 2018, along with the two other bills packaged into what is being called Tax Reform 2.0. H.R. 6760 is a continuation of the GOP's Tax Cuts and Jobs Act that was pushed into law in December 2017. This 2017 tax law is a scam on the American public, and the legislation before us today is more of the same. The fundamental problem with the Tax Cuts and Jobs Act is that its goal was never to help the average American. Instead, it helps out large corporations and wealthy individuals by dramatically decreasing their tax rates. H.R. 6760 doubles down on these regressive policies, doing nothing to even the playing field for millions of working Americans struggling to enter or stay in the middle class. Like

the Tax Cuts and Jobs Act, H.R. 6760 continues to favor high-income individuals over middle- and working-class Americans.

To make matters worse, H.R. 6760 adds to the large debt we have as a nation. According to the Congressional Budget Office, H.R. 6760 alone would increase the deficit by \$631 billion over the next ten years. At a time when the deficit is already too high, we need to start figuring out ways to stop the deficit from growing, not adding to it. A growing deficit only means that critical benefits that Americans use every day, like Social Security, Medicare, and Medicaid will be diminished or demolished as a way to pay for this unfair and flawed tax legislation. Ending crucial benefits that Americans rely on every day is another attack on the very people who sent us here.

Instead of continuing to hurt Americans, Congress must come together to create a tax code that is fair for all American workers and the middle class. I urge my colleagues to create a tax code that evens out the playing field for American workers, strengthens working families, and helps our economy benefit all Americans.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to H. Res. 1084, the rule governing debate for H.R. 6756, the American Innovation Act of 2018," H.R. 6757 "Family Savings Act of 2018," and H.R. 6760 "Protecting Family and Small Business Tax Cuts Act of 2018".

I must oppose this rule and urge the defeat the previous question, not because we do not support innovation for our small businesses and entrepreneurs, but because defeating the previous question will enable this House to consider and pass H.R. 5476, the "Special Counsel Independence and Integrity Act".

This is an opportunity we do not want to misuse.

For the last sixteen months, our nation has watched as the Special Counsel investigating the attack on our democracy during the 2016 election has returned dozens of indictments against foreign actors suspected of interfering in our democracy.

Tellingly, the investigation has also returned a series of guilty pleas, including: allocutions from the President's former personal lawyer; his campaign chairman; his deputy campaign chairman; his first national security advisor; a top foreign policy advisor, and many more.

Americans have come to the conclusion that the 2016 election was a crime scene.

The 2018 election could be one too.

While the Special Counsel—appointed by officials from the Trump Administration—has been diligently returning pleas and indictments, and unearthing the extraordinary efforts that a hostile foreign power had on our election, the President has been busy berating the effort, and those whom he believes are assisting in attempts to get at the truth of what transpired in the 2016 election.

Yet, beyond guilty pleas and indictments, the Special Counsel has also been performing an essential service for the American people: he has been telling the American people a story of how our democracy is susceptible to outside influence.

He has done this by sharing certain, critical facts such as:

the President's son, son-in-law and campaign manager attended a meeting with

agents of the Russian government promising to have “dirt” on the President’s 2016 opponent, Secretary Hillary Clinton;

we also learned how Russians funneled money through stalwart Republican-leaning organizations to influence our campaign; and

we learned that Russians selectively leaked and indeed weaponized stolen emails in order to influence our electorate.

Alongside this parade of developments, the American people have watched as this president has tried to wrestle control—either functionally or formally—of the investigation into the Russian interference in the 2016 campaign, and whether and to what extent the effort was aided and abetted associates of the Trump Campaign.

For good reason, Americans are suspicious of this president’s ability to abide by longstanding norms to which all prior American presidents have adhered: the need to abstain from interfering in law enforcement investigations.

Most infamously, the President breached this norm when he fired the former director of the Federal Bureau of Investigation, James Comey in May 2017.

Between that date and now, the President has:

ridiculed the Attorney General, who recused himself from overseeing the Russia investigation and, in the process, drew the ire of the president;

terminated or forced the retirements of several senior law enforcement officials; and

has threatened or attempted to take extraordinary steps—like the selective dissemination of classified information—for the purposes of tainting the investigation into his possible criminal activity.

Along the way, House Republicans have refused to exercise even the slightest amount of oversight on this president or this president.

One significant way the Congress can do this is by protecting the Special Counsel and his investigation.

This has long been a concern of mine.

This is why, alongside the JERRY NADLER, the Ranking Member of the House Judiciary Committee, I introduced H.R. 5476, the Special Counsel Independence and Integrity Act.

If enacted into law, H.R. 5476 permits a terminated Special Counsel to challenge his termination in court and would stay the investigation pending the challenge.

The Special Counsel would be given a notice stating the reasons for the removal.

The matter would be heard by a three judge panel who would determine whether the removal was for misconduct, dereliction of duty, incapacity, conflict of interest, or other good cause.

If it is, the removal is affirmed.

If it is not, the Special Counsel is reinstated.

In the face of this president’s bellicosity towards the law enforcement institutions investigating him, the Special Counsel Independence and Integrity Act is a measure of oversight we can place on this president, who increasingly feels emboldened to flout longstanding norms in the name of covering up his past conduct.

This is an Article I moment—it is time for all in this chamber and across the Capitol in the Senate to seize it.

Through their elected representatives, the American people must harness the constitutional apparatus created by the Framers and

provide oversight on a president sorely in need of it.

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

AN AMENDMENT TO H. RES. 1084 OFFERED BY  
Mr. MCGOVERN

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

SEC. 9. 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. 5476) to ensure independent investigations and judicial review of the removal of a special counsel, 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. 10. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5476.

#### 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 im-

plications 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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 227, nays 189, not voting 12, as follows:

[Roll No. 409]

YEAS—227

Abraham	Brat	Conaway
Aderholt	Brooks (AL)	Cook
Allen	Brooks (IN)	Costello (PA)
Amash	Buchanan	Cramer
Amodel	Buck	Crawford
Arrington	Bucshon	Culberson
Babin	Budd	Curbelo (FL)
Bacon	Burgess	Curtis
Balderson	Byrne	Davidson
Banks (IN)	Calvert	Davis, Rodney
Barr	Carter (GA)	Denham
Barton	Carter (TX)	Diaz-Balart
Bergman	Chabot	Donovan
Biggs	Cheney	Duffy
Bilirakis	Cloud	Duncan (SC)
Bishop (MI)	Coffman	Duncan (TN)
Bishop (UT)	Cole	Dunn
Black	Collins (GA)	Emmer
Blum	Collins (NY)	Estes (KS)
Bost	Comer	Faso
Brady (TX)	Comstock	Ferguson

Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Handel  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa

Lamborn  
Lance  
Latta  
Lesko  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita

Rooney, Francis  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NAYS—189

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleave  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Cummings

Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Engel  
Español  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)

Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)

Nadler  
Napolitano  
Neal  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen

Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Smith (WA)  
Soto  
Speier  
Suozi

## NOT VOTING—12

Barletta  
Blackburn  
Blackshears  
Ellison  
Eshoo

Harper  
Jenkins (WV)  
Jones  
Lujan Grisham,  
M.

Newhouse  
Nolan  
Rooney, Thomas  
J.

□ 1352

Messrs. SUOZZI, KIHUEN, and Ms. KUSTER of New Hampshire changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

## RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 226, noes 189, not voting 13, as follows:

[Roll No. 410]

## AYES—226

Abraham  
Aderholt  
Allen  
Amodei  
Arrington  
Babin  
Bacon  
Balderson  
Banks (IN)  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blum  
Bost  
Brady (TX)  
Brat  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Cloud  
Coffman  
Cole

Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
Curtis  
Davidson  
Davis, Rodney  
Denham  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert

Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Handel  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)

Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lesko  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Noem  
Norman

Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster

Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

Adams  
Aguilar  
Amash  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleave  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Cummings

Español  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.

Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)

Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)

Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas

Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wasserman  
Schultz

Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

# NOT VOTING—13

Barletta  
Blackburn  
DesJarlais  
Ellison  
Eshoo

Harper  
Jenkins (WV)  
Jones  
Lujan Grisham,  
M.

Newhouse  
Nolan  
Rooney, Thomas  
J.  
Walz

□ 1401

Mr. JOHNSON of Georgia changed his vote from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## AMERICAN INNOVATION ACT OF 2018

Mr. BUCHANAN. Mr. Speaker, pursuant to House Resolution 1084, I call up the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to House Resolution 1084, the amendment recommended by the Committee on Ways and Means, printed in the bill, modified by the amendment printed in part A of House Report 115-985, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 6756

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

### SECTION 1. SHORT TITLE.

This Act may be cited as the “American Innovation Act of 2018”.

### SEC. 2. SIMPLIFICATION AND EXPANSION OF DEDUCTION FOR START-UP AND ORGANIZATIONAL EXPENDITURES.

(a) IN GENERAL.—Section 195 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and by striking all that precedes subsection (d) (as so redesignated) and inserting the following:

#### “SEC. 195. START-UP AND ORGANIZATIONAL EXPENDITURES.

“(a) CAPITALIZATION OF EXPENDITURES.—Except as otherwise provided in this section, no deduction shall be allowed for start-up or organizational expenditures.

“(b) ELECTION TO DEDUCT.—

“(1) IN GENERAL.—If a taxpayer elects the application of this subsection with respect to any active trade or business—

“(A) the taxpayer shall be allowed a deduction for the taxable year in which such active trade or business begins in an amount equal to the lesser of—

“(i) the aggregate amount of start-up and organizational expenditures paid or incurred in connection with such active trade or business, or

“(ii) \$20,000, reduced (but not below zero) by the amount by which such aggregate amount exceeds \$120,000, and

“(B) the remainder of such start-up and organizational expenditures shall be charged to cap-

ital account and allowed as an amortization deduction determined by amortizing such expenditures ratably over the 180-month period beginning with the month in which the active trade or business begins.

“(2) APPLICATION TO ORGANIZATIONAL EXPENDITURES.—In the case of organizational expenditures with respect to any corporation or partnership, the active trade or business referred to in paragraph (1) means the first active trade or business carried on by such corporation or partnership.

“(3) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after December 31, 2019, the \$20,000 and \$120,000 amounts in paragraph (1)(A)(ii) shall each be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2018’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

If any amount as increased under the preceding sentence is not a multiple of \$1,000, such amount shall be rounded to the nearest multiple of \$1,000.

“(c) ALLOWANCE OF DEDUCTION UPON LIQUIDATION OR DISPOSITION.—

“(1) LIQUIDATION OF PARTNERSHIP OR CORPORATION.—If any partnership or corporation is completely liquidated by the taxpayer, any start-up or organizational expenditures paid or incurred in connection with such partnership or corporation which were not allowed as a deduction by reason of this section may be deducted to the extent allowable under section 165.

“(2) DISPOSITION OF TRADE OR BUSINESS.—If any trade or business is completely disposed of or discontinued by the taxpayer, any start-up expenditures paid or incurred in connection with such trade or business which were not allowed as a deduction by reason of this section (and not taken into account in connection with a liquidation to which paragraph (1) applies) may be deducted to the extent allowable under section 165. For purposes of this paragraph, in the case of any deduction allowed under subsection (b)(1) with respect to both start-up and organizational expenditures, the amount treated as so allowed with respect to start-up expenditures shall bear the same ratio to such deduction as the start-up expenditures taken into account in determining such deduction bears to the aggregate of the start-up and organizational expenditures so taken into account.”.

(b) ORGANIZATIONAL EXPENDITURES.—Section 195(d) of such Code, as redesignated by subsection (a), is amended by adding at the end the following new paragraphs:

“(3) ORGANIZATIONAL EXPENDITURES.—The term ‘organizational expenditures’ means any expenditure which—

“(A) is incident to the creation of a corporation or a partnership,

“(B) is chargeable to capital account, and

“(C) is of a character which, if expended incident to the creation of a corporation or a partnership having an ascertainable life, would be amortizable over such life.

“(4) APPLICATION TO CERTAIN DISREGARDED ENTITIES.—In the case of any entity with a single owner that is disregarded as an entity separate from its owner, this section shall be applied in the same manner as if such entity were a corporation.”.

(c) ELECTION.—Section 195(e)(2) of such Code, as redesignated by subsection (a), is amended to read as follows:

“(2) PARTNERSHIPS AND S CORPORATIONS.—In the case of any partnership or S corporation, the election under subsection (b) shall be made (and this section shall be applied) at the entity level.”.

(d) CONFORMING AMENDMENTS.—

(1)(A) Part VIII of subchapter B of chapter 1 is amended by striking section 248 of such Code

(and by striking the item relating to such section in the table of sections of such part).

(B) Section 170(b)(2)(D)(ii) of such Code is amended by striking “(except section 248)”.

(C) Section 312(n)(3) of such Code is amended by striking “Sections 173 and 248” and inserting “Sections 173 and 195”.

(D) Section 535(b)(3) of such Code is amended by striking “(except section 248)”.

(E) Section 545(b)(3) of such Code is amended by striking “(except section 248)”.

(F) Section 545(b)(4) of such Code is amended by striking “(except section 248)”.

(G) Section 834(c)(7) of such Code is amended by striking “(except section 248)”.

(H) Section 852(b)(2)(C) of such Code is amended by striking “(except section 248)”.

(I) Section 857(b)(2)(A) of such Code is amended by striking “(except section 248)”.

(J) Section 1363(b) of such Code is amended by adding “and” at the end of paragraph (2), by striking paragraph (3), and by redesignating paragraph (4) as paragraph (3).

(K) Section 1375(b)(1)(B)(i) of such Code is amended by striking “(other than the deduction allowed by section 248, relating to organization expenditures)”.

(2)(A) Section 709 of such Code is amended to read as follows:

#### “SEC. 709. TREATMENT OF SYNDICATION FEES.

“No deduction shall be allowed under this chapter to a partnership or to any partner of the partnership for any amounts paid or incurred to promote the sale of (or to sell) an interest in the partnership.”.

(B) The item relating to section 709 in the table of sections for part I of subchapter K of chapter 1 of such Code is amended to read as follows:

“Sec. 709. Treatment of syndication fees.”.

(3) Section 1202(e)(2)(A) of such Code is amended by striking “section 195(c)(1)(A)” and inserting “section 195(d)(1)(A)”.

(4) The item relating to section 195 in the table of contents of part VI of subchapter B of chapter 1 of such Code is amended to read as follows: “Sec. 195. Start-up and organizational expenditures.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred in connection with active trades or businesses which begin in taxable years beginning after December 31, 2018.

### SEC. 3. PRESERVATION OF START-UP NET OPERATING LOSSES AND TAX CREDITS AFTER OWNERSHIP CHANGE.

(a) APPLICATION TO NET OPERATING LOSSES.—Section 382(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(4) EXCEPTION FOR START-UP LOSSES.—

“(A) IN GENERAL.—In the case of any net operating loss carryforward described in paragraph (1)(A) which arose in a start-up period taxable year, the amount of such net operating loss carryforward otherwise taken into account under such paragraph shall be reduced by the net start-up loss determined with respect to the trade or business referred to in subparagraph (B)(i) for such start-up period taxable year.

“(B) START-UP PERIOD TAXABLE YEAR.—The term ‘start-up period taxable year’ means any taxable year of the old loss corporation which—

“(i) begins before the close of the 3-year period beginning on the date on which any trade or business of such corporation begins as an active trade or business (as determined under section 195(d)(2) without regard to subparagraph (B) thereof), and

“(ii) ends after September 10, 2018.

“(C) NET START-UP LOSS.—

“(i) IN GENERAL.—The term ‘net start-up loss’ means, with respect to any trade or business referred to in subparagraph (B)(i) for any start-up period taxable year, the amount which bears the same ratio (but not greater than 1) to the