

Now, as Members, we must do our part. We must do what is right and what is just. It is long overdue.

PRESIDENT OBAMA'S FIREARMS PROPOSAL

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

Mr. LAMALFA. Mr. Speaker, time and again this President has noted that we can't change the law without action from Congress. Despite his claimed familiarity with the separation of powers, this week we see the President again trying to go around Congress to enact already-known antigun policies that have already been considered and rejected in the Senate.

The President's plan ignores what any honest observer already knows: limiting the rights of law-abiding Americans doesn't deter criminals and terrorists from breaking our laws.

Forcing Americans to jump through more hoops and spend more money to exercise their Second Amendment rights will, at best, have zero effect on public safety and, at worst, embolden those who already disregard our laws.

Finally, let's look at what the President's proposal boils down to. More Americans would have to pay more to the Federal Government in fees to exercise their constitutional rights. Enforcement of current laws could have a much better effect on that, yet we see very few red flags that are put up by people trying to legally purchase guns that are already felons. More investigations would be held and more people prosecuted if those laws were enforced, yet our attorneys general at the State level and Federal level don't follow up on those red flags.

We have plenty of laws on the books that are not enforced. We don't need more. We certainly don't need executive orders that the President is illegally putting across behind closed doors, which has been emblematic of what the entire Obama administration has been doing for the last several years to our constitutional rights.

REHASHING OLD, TOXIC ATTACKS

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

Mr. POLIS. Mr. Speaker, here we are, the very first day back for the House of Representatives in 2016, and already the House Republicans are rehashing old, toxic attacks on women's access to health care and on working families.

Here in 2016 we were hoping to see a House of Representatives that would look forward, forward to reducing the cost of health care for all Americans and to helping pass the bill that would require pay equity for women. Instead, under the guise of this reconciliation bill, a technical term that is coming before the body this week, this Repub-

lican bill would defund Planned Parenthood, strip away affordable family planning and lifesaving cancer screenings for millions of American women across the country. It would dismantle the Affordable Care Act. In fact, it is the 62nd vote from this body to repeal that act.

The nonpartisan Congressional Budget Office has estimated that the Republican bill before this body this week would take healthcare coverage away from 22 million Americans next year alone. That is not right for the country, it is not right for women, and it is not right for this body. Let's move forward with a pro-woman agenda, a pro-healthcare agenda, rather than the same toxic bills that they have tried and failed to pass over 62 times.

IT IS TIME TO REPEAL AND REPLACE OBAMACARE

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

Mr. YODER. Mr. Speaker, in 2010, Congress silenced the voices of a majority of hardworking Americans and ran roughshod over the House minority and jammed a bill through Congress that would put a wet blanket of mandates, regulations, taxes, and penalties on patients, doctors, hospitals, and small businesses, driving up the cost of insurance and health care for most Americans. Longer lines, less access, less innovation, and higher costs have been the hallmark of this bloated bureaucratic nightmare.

Today the House will give voice to those who had this law and its expense thrust upon them. It is time to repeal and replace ObamaCare and move forward in a bipartisan fashion, passing legislation that will put patients back in control of their healthcare decisions, focus on competition and quality of care, reform our tort litigation system, and invest in innovation and research at the NIH, curing diseases, and reducing healthcare costs.

The House will also defund organizations that engage in the horrific and sad process of dissecting and harvesting aborted baby organs and reinvest that money in organizations that are truly focused on women's health care.

Mr. Speaker, by placing this bill on the President's desk, we have given voice to the defenseless, and we have focused on a better future of health care for every American.

PROVIDING FOR CONSIDERATION OF H.R. 712, SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1155, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BUREAUCRATIC ACT OF 2015

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on

Rules, I call up House Resolution 580 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 580

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, 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 amendments specified in this section and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-37. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, 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 among and controlled by the chair and ranking minority member of the Committee on the Judiciary and the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment

under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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.

□ 1245

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), 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. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on House Resolution 580, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this structured rule forward on behalf of the Rules Committee.

This rule provides for consideration of H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2016, or the SCRUB Act. This is a bipartisan measure that provides a fair and reasonable way to find and repeal outdated and inefficient regulations that are still on the books.

It doesn't target any particular type of regulation or industry, but it prioritizes older, expensive rules that are ripe for improvement or may no longer be necessary.

The needs of our economy, small businesses, and American families aren't the same today as they were 15 or 20 years ago. Thus, we should ensure that the rules governing the way we live and work reflect what is best for our country today, not what agencies thought best decades ago.

I thank my colleague from Missouri for introducing this bipartisan solution and his staff for their hard work on this measure.

If you put a piece of paper in the hand of every single person who lives in my hometown of Gainesville, Georgia, it still wouldn't equal the number of pages in the 2015 Federal Register. In fact, it comes in at a record-setting 82,036 pages. That means there were over 82,000 pages of new rules and regulations proposed just last year.

The Code of Federal Regulations is 235 volumes long, containing 175,000 pages of Federal regulations. Knowing this, it should come as no surprise that Federal regulations impose an estimated burden of \$1.86 trillion. That is roughly \$15,000 per U.S. household and is higher than combined individual and corporate Federal income taxes.

It is difficult to imagine a scenario where there is nothing in those thousands upon thousands of pages that can't be improved, streamlined, or retired. Unfortunately, American businesses and families bear the burden of compliance, even when a regulation is outdated, ineffective, or just plain unnecessary. The SCRUB Act is a commonsense step toward reducing unnecessary costs for families and businesses, leading to more economic growth and job creation.

If you walked into a grocery store and found hundreds of expired and moldy food on the shelves, you would be shocked. You would be even more horrified if you were forced to purchase and eat them.

In the same way, my constituents in northeast Georgia and men and women all across this Nation are appalled that we don't have an existing process in place to clear duplicative, unnecessary, or ineffective regulations off the pages of the Code of Federal Regulations.

Also, Mr. Speaker, this rule provides for consideration of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015. This legislative package contains the text of H.R. 712 in title I; H.R. 1759, the ALERT Act, in title II; and H.R. 690, Providing Accountability Through Transparency Act of 2015, in title III. Each of these measures were considered and marked up by the Judiciary Committee and are brought to the floor as reported by the committee.

America's small businesses and job creators need relief from the flood of new regulations and red tape from Washington. Small business owners often cite government regulations as the single most important problem they face today.

A heavy contributor to the burden of new regulation is the use of consent decrees and settlement agreements to bind Federal agencies to issue new rules. Regulators often cooperate with pro-regulatory organizations to advance their mutual agendas in this way.

The device agencies use is simple. An organization that wants new regulations alleges that an agency has violated a duty to declare new rules. The agency and the plaintiff work out a deal under the cover of litigation. The

deal puts the agency under judicially backed deadlines to issue the rules.

These deadlines often give the public little opportunity to comment on proposed rules and the White House limited ability to review them. Deals can even require agencies to propose specific regulatory language negotiated by the agency and its regulation-friendly plaintiff.

Those who will be regulated by the new deal typically do not know about these deals until the plaintiffs' complaints and the proposed decrees or settlements are filed in court. By then, it is too late. Frankly, it is just also unfair.

Regulated businesses and individuals are unlikely to be able to intervene in the litigation. The court usually approves the deals before regulated parties have an opportunity to affect whether new regulatory costs will be imposed upon them. These regulated parties could be families, small businesses, farmers, ranchers, or even local governments.

I introduced H.R. 712 to restore transparency, public participation, and judicial review protections to shine a light on one of the worst regulatory abuses in our system today: these "sue and settle" agreements.

The Sunshine for Regulatory Consent Decrees and Settlements Act of 2015 puts an end to the abuse of this practice and ensures that those to be regulated have a fair opportunity to participate in the resolution of litigation that affects them.

The bill respects the basic rights of plaintiffs and defendants to manage litigation between them. As a result, the bill offers an effective and balanced remedy.

We must ensure more transparency and scrutiny of consent decrees and settlement agreements that require new regulations. These commonsense reforms are needed to help control the tide of excessive and costly rules.

It is time we get rid of the welcome mat outside the door of regulatory agencies for these suits, under which they can more easily issue expensive and controversial new regulations—policies that oftentimes could never pass Congress—claiming that "The court made me do it," again bypassing our constitutional system. It is not a good idea.

H.R. 712 addresses the weaknesses in the current system while preserving consent decrees as an important mechanism for settling legal disputes. It accomplishes this by increasing participation of affected regulated entities and coregulators in the negotiation in the consideration of decrees and settlements.

The ability of citizens to hold government accountable is an important part of administrative law, but it must be appropriately carried out with transparency and full public participation.

Importantly, H.R. 712 puts an end to a practice that uses taxpayer dollars to

allow special interests to abuse the system and force regulators to put out even more regulations.

Title II of H.R. 712, the ALERT Act, continues our work to relieve the regulatory burden on American families by requiring agencies to publicly provide information on planned regulations, estimated compliance costs, and other updates so that those impacted by the new regulations have the information they need to make financial decisions and plan for the future.

Title III of H.R. 712, the Providing Accountability Through Transparency Act, is another good governing measure that demonstrates this body's commitment to making life better for all Americans. It requires agencies to publish a brief summary of each proposed regulation online and in plain language.

Agencies do not have the right to conduct their business behind closed doors and hide behind an overly complex regulatory system.

Every regulation impacts every American directly or indirectly, and agencies should be held accountable for the regulations they produce and how they communicate the new requirements to those who will be forced to abide by them.

Mr. Speaker, the Rules Committee met yesterday evening on these measures and heard testimony from the chairman and ranking member of the Judiciary Subcommittee on Regulatory Reform, the chairman of Oversight and Government Reform, and the Government Operations Subcommittee ranking member.

This combined rule makes every amendment submitted to the Rules Committee in order. Seven amendments to H.R. 712 will be debated on the House floor, and 11 amendments to H.R. 1155 will be considered.

For H.R. 712, the rule provides 1 hour of general debate with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform.

For H.R. 1155, this rule provides for 1 hour of general debate equally divided among and controlled by the chairs and ranking minority members of the Committee on the Judiciary and Committee on Oversight and Government Reform.

This rule and the underlying legislation represents regular order at its finest. I am proud to see the leadership of Chairman SESSIONS and Speaker RYAN are reflected in this robust and open process.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Georgia for yielding me the customary 30 minutes.

Over the holidays, like all Members of this body, I was back home and excited about coming back in January to

legislate and move the country forward. I was hoping we could tackle some of the big issues of the day: balance a Federal budget; pass immigration reform and secure our borders; and, finally, deal with the contentious issue of what kind of authorization of military force we want to give to the Commander in Chief.

These are all important issues I was thinking about and reading about and hoping we would deal with when we got back here. Instead, here we are, our first day back in session. And I point out that most Americans, of course, had to go back to work a couple of days ago. We had a few days more to presumably think about what we wanted to do.

And here it is, another attempt to strip health care from over 22 million American families that rely on the healthcare insurance they have today that this reconciliation bill would take away and another attempt to defund Planned Parenthood and strip family planning and cancer screenings away from millions of women across the country, something that ultimately would add to healthcare costs, not to mention the human toll of not diagnosing cancers early, adding to the healthcare costs of this country by having to deal with far too many catastrophic events for what would have been preventable conditions, had they only been identified earlier through access to cancer screenings and family planning services at Planned Parenthood and other locations.

□ 1300

This bill that will be brought under one of the rules that is coming forward today would repeal or dismantle the Affordable Care Act for the 62nd time.

Again, I was hoping 2016 we would start something new. Instead, I am seeing the same kind of bill that Republicans have brought forward in 2011; they brought it forward in 2012; they brought it forward in 2013; they brought it forward in 2014; they brought it forward in 2015; and here we are, not only bringing it forward in 2016, but doing it as one of the very first bills in the very first week that this Congress is back.

Look, I rise in opposition to the rule and both of those underlying bills, H.R. 1155, which is called the Searching for and Cutting Regulations that are Unnecessarily Burdensome, or SCRUB Act, and H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act. These bills will make the American people less safe, potentially removing important safety and health regulations that are already in place for a reason.

The gentleman from Georgia says, and I agree, there certainly could be unnecessary regulations on the books. Let's tackle those in a laser-like fashion.

And if the Chief Executive won't do it, then let's do it through a legislative approach that targets the authority for

a specific set of rules that this body agrees are not necessary or are counterproductive, as we have done in a number of instances, and go after it, rather than somehow saying that, for every rule that is added arbitrarily, another rule needs to be eliminated, there is some presumed magic to the amount of words in rules.

The gentleman cited, I think it was 86,000 pages. There is no ideal amount of rules. The least amount of rules and regs that can get the job of keeping the American people safe done is the best, but you never know what that is going to be, and maybe we should strip away 10,000 pages of that, and maybe we need another thousand pages for some new technology and new device that could hurt people if there is not the right safety regulations.

We need an adaptive administrative structure to allow our health and safety agencies to do their job so that when people buy a consumer product at the store, they have confidence it is not going to kill them.

As a father of a 4-year-old and a 1-year-old, when I buy a toy and get holiday presents for our kids, I want to make sure that those products don't have lead or contaminants in them, make sure that my child won't be severely damaged or hurt by the failure of our health and safety agencies to make sure that those products are safe.

That is common sense. I think that is what the American people want out of our health and safety regulators, and these bills would impede their ability to do that.

Thirteen of the 16 Democrats who sat on the Judiciary Committee offered dissenting views on H.R. 712, which read, in part: "This ill-conceived bill imposes numerous new procedural burdens on agencies and courts, intended to dissuade them from using consent decrees and settlement agreements to resolve enforcement actions filed to address agency noncompliance with the law."

Effectively, what that means is this bill would reduce the cost of non-compliance with our regulations and laws. These burdens include the unworkable requirements that agencies solicit public comments on all proposed consent decrees and settlement agreements, and they respond to every single public comment before submitting them to the court.

Now, again, that is an administrative burden that makes it impossible for our eight health and safety agencies to do their job. You might get 100,000 comments on a particular consent decree or settlement agreement, if somebody is ramping up what we call kind of the astroturf side of trying to get people to write in about a particular topic. And to say, somehow, that every single one of those comments has to be responded to before submitting to the court is basically, not just a policy that would slow down this process, but

would deter agencies from ever engaging in settlement agreements and consent decrees because it would be so prohibitive, from a staff perspective, they would effectively be unable to do their job.

Like all antiregulatory proposals that have been brought forth in this Congress, H.R. 712 is another solution in search of a problem. Those in favor of the bill have failed to provide evidence to support their claim that agencies are somehow conspiring with plaintiffs to enter into consent decrees and settlement agreements.

But even if you agree with that claim, this bill wouldn't solve it. All it would do is impose burdensome procedural requirements on agencies and courts that hamstring and prevent the use of consent decrees and settlements which, oftentimes, are a more efficient way for both plaintiffs and defendants to get to a reasonable outcome than interminable processes and legal bills that go on for years and years.

The other bill to be considered under this rule is another example of a bill that would make the American people less safe. It is called the SCRUB Act, which is also a dangerous solution in search of a problem.

Now, every branch of the government already conducts effective oversight through retrospective review of agency rules. And again, if there are rules that this body disagrees with, we should go after them, go after the authority that this body has chosen to give the agency to make health and safety regulations that keep the American people safe.

Each branch of government already conducts oversight and overlooking this array of options that would provide the necessary scalpel for smart regulatory cuts. This is, instead, a meat-cleaver approach that can eliminate health and safety regulations, both good and ill-informed.

Rather than creating jobs, growing the economy or making Americans safer, this procedure would burden agencies with additional red tape and waste valuable agency resources and taxpayer dollars at the expense of the health and safety of the American people.

As my colleagues have alluded to, H.R. 1155's sole purpose is to actually obstruct the safety and regulatory process by burying agencies in endless red tape and extra costs. It would create legal ambiguity that could lead to increased cost for businesses, for local communities that rely on certainty to plan for the future, as well as uncertainty for consumers and American families who don't know that the products or services that they are buying are safe for them or their children.

Now, in principle, it is hard to argue against the notion that agencies should periodically assess whether rules they have implemented should be improved or repealed, and I agree with that concept. That is not in dispute. That is not what this bill is about.

Rather than streamlining rule-making, or eliminating unnecessary

rules, which we all want to do, through a thoughtful, retrospective review process, even if it is required periodically, this bill, instead, would result in years of delays for new and necessary health and safety rules by requiring a new rulemaking process for any rule that is eliminated.

The SCRUB Act would also establish a regulatory review commission to identify duplicative, redundant, or potentially obsolete regulations. Now, not only would the very creation of this commission be at the cost of taxpayers, as would its limitless resources, hours of staff work that the bill mandates, but the authorizing language of the commission binds it to consider only the costs to affected industries, while ignoring the cost to the general public.

So, if an industry, if this commission existed, and they were looking at a regulation around dumping of toxic materials or toys that could hurt kids, the only charge under this statute of that commission would be what are the costs of compliance of this to industry, not what are the savings to American families who won't have to worry about their kid being hospitalized because of a choking hazard for a 3-year-old, or increased cancer rate for a product that contains lead or a carcinogenic agent. They can't look at that side of the equation.

Rather than to do a thorough cost-benefit analysis, this kangaroo commission would rather superficially look at the cost to companies of making sure that their products are not dangerous to the American people. That is the wrong way to go about this.

Simply put, the SCRUB Act is a solution in search of a problem. There are many tools available to each branch of government to conduct effective oversight and make smart regulatory cuts. I think it is a fine criticism of any administration that they haven't done enough in that regard, and they should. And this body should encourage any President to move forward with cutting unnecessary regulations that cost businesses money and don't threaten the public health and safety.

But agencies must adhere to the robust requirements of the Administrative Procedure Act already, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act of 1995, the Paperwork Reduction Act, and the Congressional Review Act, and if some of those can be consolidated, along with new ideas to cut red tape and regulation, you will find strong bipartisan support for that concept.

But that is not what this bill does. This bill ties up the ability of our agencies that this Congress has authorized to help keep the American people and American families safe with additional red tape and regulations. It creates a biased commission that, rather than looking at the costs and benefits of health and safety requirements, only looks at the costs.

Moreover, final regulations are subject to review by Federal courts al-

ready, who are a final backstop to ensure that agencies have not violated the authority that this body has given them, and that they have satisfied all the applicable statutes, and whether agencies have continued input from relevant stakeholders. We have set that process up.

Now, if we have a thoughtful way to improve that process, around encouraging more stakeholder involvement, looking at the authority that we have given each agency in certain areas, by all means, let's discuss those kinds of bills, rather than short-circuiting the very process that Congress has put in place to help reduce unnecessary regulations.

In many cases, Congress not only mandates that agencies issue a rule, they are doing the work that we have required them to do, but we also prescribe the process already by which they must do so.

This bill, if it passes, will continue to waste the government's time, and we are wasting more by even considering this today, as well as this reconciliation bill that would take healthcare coverage away from 22 million Americans.

You would think, Mr. Speaker, that if Republicans were bringing forward a bill to remove healthcare insurance from 22 million Americans, you would think that they would have a plan for those 22 million Americans, but they do not. They simply strip them of their existing health care.

Twenty-two millions Americans will not be able to see their doctor that they have been seeing for years, know that they can go to the hospital if they need it, or have any adequate health insurance under this reconciliation bill.

It defunds Planned Parenthood. It strips affordable planning and life-saving cancer screenings away from millions of women across the country, precisely at the time that those cancer screenings would be more necessary than ever, if the SCRUB Act passed, which would hamstring our own Federal agencies in their ability to prevent carcinogenic agents from being in consumer products and food products that American people consume.

So, again, through these set of bills, the Republicans are saying: We are going to not do the job that we have told our agencies to do in keeping the American people safe; and, at the same time, the results of that lack of safety—more hospital visits, more disease, more sickness, more children choking, more sick kids—we are going to make sure that a lot more of them don't have health care when they need it because of the health and safety regulations that we have removed through tying them up in red tape for years after years.

That is not what the American people want. That is not what my constituents want.

I strongly encourage my colleagues to oppose the rule and the bill, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, as has already been said just a little bit earlier on this floor, here we go again. I guess the straw harvest was good this fall because, like my colleague, I was hoping that there would be some stuff changed. Undoubtedly, it is not, because the straw harvest was good, and it is now time to put up straw men when we talk about regulatory reform, and we are back at it again.

I want to comment in just a moment on regular order and the fact that stuff has been talked about.

We have two separate rules today. This is a rule that deals with the regulatory issues and regulatory reforms, two bills, and we have a rule that is going to come up here in just a little bit that deals with repealing ObamaCare and dealing with the heinous issues of Planned Parenthood. That is a separate bill.

I would want to talk about something else too, instead of the regulatory issues that are here, because they do matter, they do create jobs.

As we look at this, the one thing that always comes across, Mr. Speaker, as we think about this, is a very clear choice, especially from constituents all over the country, in my district, in particular, when I think about this.

One of the main arguments against this is that it will burden the government, so it is bad? The problem is, the government right now, through regulatory process, is burdening small business, is burdening families who simply want to be able to get up, go to work, do their job, and be free of unnecessary burdensome regulations.

Again, we want to talk about throwing up the straw man that the Republicans are out here poisoning the air, bad paint, terrible ideas, killing kids. That is not what we are talking about.

Again, the harvest is ripe; the straw is being developed. And instead of talking about getting rid of regulatory process, we are going to talk about, oh, we are taking away safety.

There is no Republican on this side of the aisle that I have ever heard stand from this place, or from anywhere else, and say: I want dirty water. Give me choking air. Give me paint that is bad. Give me products that are terrible. That is not what is ever said. And when that argument is brought up, it simply cheapens and demeans the process.

Mr. Speaker, one of the things that was just said was that we don't want to have public comments, that you have to answer to public comments, that a government agency would have to answer to public comment. In fact, one of the issues is H.R. 712 actually addresses this because these sue and settlement agreements can take place without the affected party even being in the room or even know it is happening.

Tell me where that is fair. Show me where two people can go in a room and decide what is best for me in a business environment. Show where that is fair. It is not fair and you can't argue that it is.

Public comment to the government is expected, and public comment should be respected before these regulations or these consent decrees are put out.

□ 1315

We all have various roles. The executive branch has their role, and there are places where they meet. And we are appreciative of the work that is done. What is being talked about in these bills is, let's make it more efficient and let's make it better because what we have in Washington is, I would rather see this body take up the policy argument, this body discuss the billions of dollars in costs that are being implemented on businesses, and not the agencies who have no answerability to the public. So when we look at this, these are just the small things. We want to talk about what is actually coming to the floor.

I have the privilege of sharing the Rules Committee with my friend from Washington State, who is going to speak. I yield such time as he may consume to the gentleman from Washington State (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Speaker, I thank my colleague from Georgia, a fellow member of the Rules Committee, for yielding me time to speak on this important topic. I am very pleased to be able to contribute to this conversation.

Mr. Speaker, as you probably know, I am a farmer. I can tell you that growing crops, cultivating crops, can teach you a lot about a responsible regulatory process. That may sound like a strange statement, but let me just say I primarily grow hops and grapes, two crops that require a trellis system. Neither of these crops would be successfully grown without a good, strong trellis system that gives them structure, direction, and support. However, on the flip side, if the trellises aren't constructed properly, if they are not maintained and kept in good working order, the crop growth would be affected. It would be stunted, and production in the end would suffer.

Our regulatory process is very similar, Mr. Speaker. Congress passes laws intended to provide a progrowth structure for our economy. Regulatory agencies build out and fill in the details based on the directions from us, from Congress. However, sometimes agencies provide regulations that can significantly harm people and harm businesses and the jobs they are supposed to be supporting. Many times these regulations exceed or are in contravention to the discretion or authority provided by Congress. Many times it seems as if the regulators write these regulations for the sake of regulations with little regard for the consequences to those that are forced to comply.

Mr. Speaker, I rise today in strong support of this rule and the underlying legislation, as these bills will provide Congress and the American public with

new tools to ensure that regulations truly have the public's best interest in mind and do not hinder economic expansion and growth.

For example, H.R. 712 will prevent what are called the sue and settle tactics that are used to circumvent the normal rulemaking process. It has been well documented that, on numerous regulations, the administration has intentionally dragged its feet and failed to propose a regulation in a timely fashion. So what happens then, they can be sued and ultimately settle on the terms decided solely by the court, by the administration, and by the plaintiff.

This tactic has removed the cost-benefit analysis required for many economically significant regulations. But more importantly, it has eliminated stakeholder engagement in the regulatory process as well as the public's right to comment on dozens of regulations with compliance costs totalling in the hundreds of millions to the billions of dollars.

This legislation also includes other commonsense measures, such as requiring agencies to post on the Internet in plain language 100-word summaries detailing what a regulation does. Few individuals or small businesses have either the time or the fleets of lawyers needed to pore over hundreds of pages of regulations and be expected to comment or comply.

I was also proud to cosponsor H.R. 1155, which this rule also provides for consideration. It is estimated that the current Federal code spans more than 175,000 pages. This important legislation will enact a commission to review the regulatory code and make recommendations on which regulations are necessary, which are overlapping, and which are duplicative or obsolete. Wouldn't it be a refreshing change, Mr. Speaker, if, for once, Washington, D.C., could actually cut red tape instead of creating new barriers to economic growth?

Too often regulations have begun to have costs that far outweigh their benefits, seriously harming those they were intended to regulate, help, and protect. Regulations resulting from sue and settle are often impossible to comply with, and the public is removed from the rulemaking process. We can and we must do better. These commonsense reforms in H.R. 712 and H.R. 1155 will help reverse the trend of regulations stunting growth and stalling production and restore the progrowth-oriented structure and direction that Congress has intended.

Again, I thank the gentleman for yielding to me.

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

The gentleman from Georgia mentioned that sometimes affected parties aren't in the room during consent decree or settlement discussions. That is a far cry from having to respond to potentially hundreds of thousands or millions of public comments one on one.

So, again, if there is a problem that they are trying to solve, let's look at who is in the room and who the affected parties are in making sure they are part of the process, not preventing any meaningful effort for consent decree or settlement from even going forward by putting a completely impossible requirement to fulfill, given the staff that they have, of having to reply to every public comment when we all know that public comments can be artificially ginned up through an Astroturf process to deliberately bog down a process that otherwise could more expeditiously settle a dispute than years and years of legal fees on both sides.

I yield 2½ minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) to further discuss today's effort to strip away health care from 22 million American families and to remove the ability of hundreds of thousands of American women to have access to cancer screenings across our country.

Mrs. WATSON COLEMAN. I thank the gentleman for yielding time to me.

Mr. Speaker, it is a brand-new year, but you wouldn't know it if you look at what we will be voting on this week.

Across the investigations of three separate committees in this body, eight States, and four Federal court cases, not a single shred of evidence has been found indicating that Planned Parenthood has broken any laws. In fact, the Oversight and Government Reform chairman, JASON CHAFFETZ, has admitted that he found no evidence that Planned Parenthood did anything wrong.

My colleagues on the other side of the aisle continue to ignore the facts here. Planned Parenthood is a healthcare organization serving 3 million Americans each year. In the course of their lifetime, one in five Americans will receive care from Planned Parenthood. Despite arguments to the contrary, there are simply not enough health centers to fill the gap.

If we defund Planned Parenthood, we will be denying care to millions of families. We will be taking away options from underserved communities across the country—rural, urban, and otherwise. We will be saying to women, once again, that how and when they get health care is not their choice; it is the choice of a body overwhelmingly run by men.

When I got to Congress last January, I thought I would be voting on legislation that would improve the lives of my constituents, Mr. Speaker, giving them better wages, jobs, stronger education, and an economy that started at a level playing field. Instead, I have been on the floor more times than I want to count urging my colleagues on the other side to give up the attacks on women's health.

It is a new year, Mr. Speaker. We have a new Speaker. Enough is enough. I urge my colleagues to vote against this rule and the underlying bill.

I thank the gentleman for giving me this opportunity.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN), a member of the Oversight and Government Reform Committee and my good friend.

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise in support of this rule and the bills that this rule brings to the floor, and I thank the gentleman from Georgia for yielding me this time. I primarily want to talk for a couple moments, though, about health care.

In the mid 1990s, I went to a reception, and the doctor who delivered me came and brought my records. I asked him how much he charged back then. He said he charged \$60 for 9 months of care and the delivery, if they could afford it.

I recently read an article by a woman who wrote that you have to be over 50 now to remember a time when health care was affordable. And it used to be affordable, Mr. Speaker, for almost everybody. But then the Federal Government got into it.

Several years ago, I asked the administrator of a hospital in Knoxville how much medical costs would go down if you could get the government out of health care. His estimate was that it would come down 50 percent overnight and another 50 percent over the next 6 months so that costs would then be only about 25 percent of what they are now.

When the Federal Government got so heavily into health care, costs just exploded. A few people in companies got filthy rich, but almost everyone else got screwed. Now only a few billionaires can afford the costs of a major illness.

We need to make health care affordable again. We can't do that by making it even more bureaucratic than it already is.

The bill this rule brings to the floor is an attempt to give patients more control over their healthcare dollars and give the Federal Government less control and to stop making a very few rich off of the system because they know how to work the system. It is an effort to help bring down some of these ridiculous and exorbitant costs.

We can't get the government out of health care entirely. But thank goodness we don't pay for other necessities, like food, clothing, and housing, like we do for medical care. Thank goodness there is still primarily a free market for other necessities. If we paid for food the same way we pay for medical care, we would see crazy prices for steaks and other types of food. Or if we paid for cars the same way we paid for medical care, most people wouldn't have even been able to afford a Yugo.

We need to move in a new direction, a less bureaucratic direction, and a more affordable direction. This bill is an important first step in that better direction.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, last year, newly elected Speaker RYAN made a New Year's resolution that the House would once again consider serious legislation for the benefit of the American people. Yesterday was the very first day of our legislative session, and the bill we are considering is not a serious proposal. Yes, we are voting on repealing the Affordable Care Act for the 62nd time this Congress and attacking women's health for the 11th time, and we are, in fact, going to have the 5th vote on the defunding Planned Parenthood.

Now, we know that Speaker RYAN is a committed athlete. In fact, his favorite workout is the P90X. It is based on repetition. An exercise repeating the same action over and over again can lead to success. I am sure we all admire Speaker RYAN's commitment to a healthy lifestyle. Normally, doing additional reps builds muscle mass, but the one muscle Republicans aren't exercising is their brain. Repeating the same, tired repeal and defund bill does not lead to more healthy laws. It just makes the American people tired and sore at the waste of taxpayer money.

American women are scratching their heads thinking: Why does the Republican leadership hate us so much? Why is it they want to take away our rights? Why is it they want to take away the very services that actually protect life? Planned Parenthood protects life by providing more than 900,000 cancer screenings a year, and millions more receive services through Planned Parenthood. Why are Republicans trying to deny us from accessing this very vital health care?

It is time for the Republicans to stop shoving these unhealthy, wasteful bills down our throats. Put down the political equivalent of a giant plate of nachos and exercise the hard job of governing.

Mr. Speaker, I urge my colleagues to vote against this flabby rule.

Mr. COLLINS of Georgia. Mr. Speaker, I just want to remind those who are here that the rule's focus here is dealing with helping regulatory reform burden. I do appreciate the opportunity of Republicans too to take the burden off of individuals.

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

□ 1330

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DELBENE) to further discuss the Republican efforts in our very first week back to take health care away from 22 million Americans and remove resources that women have in place to engage in lifesaving cancer screenings and other affordable family planning services.

Ms. DELBENE. Mr. Speaker, I rise in strong opposition to this bill.

I wish I could say I am surprised that House leaders are kicking off 2016 the same way they spent 2015—attacking women's health—but I am not. For

anyone who has forgotten, let me refresh your memory.

Last year, the House voted 10 times to attack women's health. That included voting to restrict reproductive health care in private insurance, enact a sweeping 20-week abortion ban, and allow employers to discriminate against workers for using birth control.

Now we are voting to defund Planned Parenthood for the fifth time, even though three House committees tried and failed to uncover any evidence of wrongdoing. What is worse, today's vote takes place before the Republicans' taxpayer-funded select committee to investigate Planned Parenthood has even held its first meeting. It is shameful. Americans expect us to focus on facts, not ideology. So far, there are no facts to justify defunding a healthcare provider that 2.7 million Americans rely on.

Here is what we do know: Planned Parenthood provides nearly 900,000 cancer screenings each year; 78 percent of Planned Parenthood patients are low-income; and the services provided by Planned Parenthood help prevent more than 500,000 unintended pregnancies every year.

With each passing week, it becomes clear this Chamber isn't interested in the facts. It is only interested in pushing an extreme ideological agenda designed to take away women's constitutional right to choose.

I urge my colleagues to vote "no."

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

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

Here we are, week one of 2016 and we have a multifaceted Republican attack on women's health. On the one hand, we are removing the abilities of our safety agencies from making sure that products that are sold are safe. Whether that is shampoo or soap or makeup or a toy for your child, we rely on our health and safety regulators to make sure that nothing that can hurt the American people is put forward. Oftentimes, when there is some kind of litigation around that, we have a process that allows that to be settled to keep dangerous products off the marketplace.

In setting up this commission that would only be able to look at the cost of regulation rather than savings from a health and safety regulation, you are deliberately putting in place a process that will lead to additional costs going forward because it doesn't look at both sides of the equation.

I would be supportive, as would many Democrats, of a thoughtful approach to a red tape reduction commission, to a regulatory reform commission. What should it look like? It needs to have both industry at the table, as well as consumer health advocates, as well as thoughtful leaders to make up the balance of that committee to side with either side based on the merits. Importantly, their charge needs to be to look

at the costs and benefits measured through economic measurements that the staff will be charged with doing, the costs and benefits of reforms, to find out and eliminate regulations that cost more than they benefit and to make sure that we improve and enhance regulations where we can have more savings and more benefit to the American people at a lower cost.

It is all about health and protecting the American people and economic efficiency, and the commission can accomplish that. But not the dangerous attack on women's health through this commission in this bill, coupled the very same week with defunding Planned Parenthood, taking low-cost cancer screenings away from hundreds of thousands of Americans, telling 22 million American families you no longer have health insurance, sending a cancellation notice in the first week of the year to 22 million American families that you can't go see the doctor, you can't go to the hospital or you are going to be bankrupt. That is not the kind of progress the American people want.

Thankfully, Mr. Speaker, guess what. Neither of these bills are going to become law. President Obama stated he will veto these bills. These bills that hamper the ability of our agencies to protect the health of the American people, these bills that defund Planned Parenthood, this reconciliation, they will be vetoed.

Therefore, the first week back, while the Republicans are trying to cancel healthcare insurance for 22 million American families, while they are trying to prevent low-income women from having access to cancer screenings, while they are trying to remove the ability of our health and safety agencies to keep our American people safe, they will not succeed. They are wasting time. Therefore, these bills come at a serious opportunity cost to the American people.

The American people want us to use their time and their money to address real problems: to fix our broken immigration system and restore order and security to our border, and to help the millions of Americans suffering under an unlivable minimum wage by increasing it. They want us to tackle reforming our archaic Tax Code by getting rid of special interest tax loopholes and giving the American people lower tax rates in return, rather than allowing Americans to avoid taxes by putting assets in overseas shell corporations.

When I was back in my district over the holidays, I didn't have a single constituent say that they wanted to remove or go after the process of creating health and safety regulations. They wanted to hear what we are going to do to create an environment that allows the private sector to create jobs. For that to occur, the American people need to have confidence that the products and services they buy are not going to injure or kill them.

But instead, what is on the docket so far? Bills that would actually increase red tape and disable agencies from generating meaningful rulemaking by burying them in having to do mandatory responses, not just to the affected parties, but to every member of the public that wants to comment on a particular settlement or consent decree; and it hands out special interest goodies through the regulatory review process by a commission that would fully be under control of those who have a vested interest in preventing even the most commonsense health and safety regulations.

This may be a new year, but it looks like we are playing the same political games.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation that would close a glaring loophole in our gun laws allowing suspected terrorists to legally buy firearms.

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

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, this bill that we would like to bring forward, if we can defeat the previous question, would help keep the American people safe. The bill would bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

On this day, today, Mr. Speaker, there are Americans that can't legally fly because we don't trust them to be in the cabin of an aircraft and are on the no-fly list, but they can quietly assemble an arsenal of deadly weapons fully legally. In what world does that make sense? With the increased risk of terrorist threats, with the occurrences in France, and with what happened in San Bernardino, how can we possibly stand by and say we don't trust somebody because of what we know about them through law enforcement and through the authorized practices that this body has set in place to investigate terrorism? We know enough about them to know that they shouldn't be on an airplane; but if they want to quietly assemble an arsenal of dozens of deadly weapons, that is fine, why not let them do it?

We can fix that. By simply defeating the previous question, we can bring forward that bill. I am confident it would have overwhelming support. We can pass it. It is a bipartisan bill. Rather than strip health care from 22 million Americans, rather than risk the health of American families by removing the health and safety processes that we want to put in place to make sure that products and services are safe, rather than defunding Planned Parenthood and preventing hundreds of thousands

of American women from having low-cost access to cancer screenings and reproductive health services, instead, let's make sure that those who represent a terrorist threat to our Nation are not able to quietly assemble deadly arsenals to commit terrorist acts.

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

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

As this debate has come forward, I want to just point out, as a member of the Rules Committee talking about rules bringing forth the process for which debate will happen, I want to commend Chairman SESSIONS and the Rules staff and also leadership—the chairman has done a great job of leadership under Speaker RYAN and others—who have brought forth two rules today. I know in the last, probably, about an hour, that has become a little conflated, but this rule deals with regulatory burden. This rule deals with the issue of jobs and job creation.

I, like my friend from Colorado, have had many conversations with many folks in my district, and, yes, it does come around to job creation. One of the ways that you can do that, and one of the ways that we are looking to be able to do this, is to free them up.

According to research that came out from the American Action Forum, the savings from these bills that we are talking about under this rule can save a total of \$48 billion annually and save 1.5 billion paperwork hours. If you want to make—and I have run small businesses, just as others in here have. If you want to make your employees more effective, have better contact with customers, come up with new ideas, and do creation, then let them do their jobs and not have to be burdened with government intrusion. This is a savings here.

Now, again, it has been stated over and over again, and we are at the point now we are not going to be able to overcome this, so here is the way. Mr. Speaker, just understand these are the parameters in which we speak.

When Republicans want to stand up, this Republican majority wants to stand up for businessowners and families who get up every day taking care of their families, who go to work, find jobs, get good employment. When we bring up ways that, unfortunately, as the other side characterized it, burdens government, then we are portrayed as wanting to ruin the environment, kill the babies, kill the toys, whatever it is that they want to come up with. This is just a false narrative that needs to cease.

The regulatory nation that we have become, apart from the constitutional process that is set forth by Members elected from their districts to come forward and put forth ideas, give those to the executive branch to carry out, not make up new laws or to enter into

consent agreements without the litigation standing party available, is wrong. It is not about anything but fairness. It is about cleaning up government. It is about limiting government. It is about keeping our airways safe. It is about having clean water. It is about having clean air. It is about doing the things that government should be doing in a limited process, not simply a jobs program inside the beltway.

When you have regulators who regulate banks who have never worked in a bank and never gave a loan, that is not right. When you have folks who never get outside of a cubicle but yet are able to, without input many times, decide how farmers who have worked their land for many years are to react, that is not right. This rule today lets us go toward a forward step of doing just that. You see, it is about real people. It is not about bureaucracies.

It is about real people, like Mr. Puckett from Columbus, Mississippi. He has been creating jobs for over 100 years in his family. He has a family-owned brick company. Mr. Puckett attributes the success of his business to hardworking employees and loyal employees. Unfortunately, when I met Mr. Puckett, the conversation was not so optimistic. He testified in the Judiciary Committee in 2014 because his company had just lost 50 jobs as a result of two regulations crafted behind closed doors.

In a nation of over 300 million, 50 jobs may not seem like a lot, but in the town of Columbus, Mississippi, it is the difference between 50 families having food on the table or going hungry. Every State, every congressional district has their Mr. Pucketts. No business has been untouched by the toll of costly and overly burdensome regulations.

This probably, Mr. Speaker, is one of the greatest times to be here and to speak about this because the choice is clear. And you can try to conflate it and talk about other things, but this rule deals with these bills that deal with real jobs, such as Mr. Puckett. It deals with the real priorities of the Republican majority, saying we want to put people back to work, we want to make business more efficient, and we want to have rules and regulations that are smart, sensible, and safe. To say otherwise is not fair for the American people. In fact, it is just a coverup for a society or a governing philosophy that says: Bureaucracy knows best; government knows best; let us just continue to grow.

□ 1345

In fact, it was said earlier today that we have all of these executive orders and all of these other rules that are designed to help streamline regulatory burdens. If that is what they are supposed to be doing, then they are failing because all we do is keep growing and adding costs everywhere we go.

I can also understand my friend's concern about the government having

to answer public comments because I guess the EPA didn't want to have to answer to itself when the EPA broke the law with the social media push for the water rules that the GAO just nailed them on.

You can't have it both ways, Mr. Speaker. You can't not want to answer to the American public and then, when you want to influence your own regulatory agenda, send out false narratives and break the law. This is not DOUG COLLINS' opinion or anybody else's. As reported in *The New York Times*, it is the GAO's.

I understand that is why the system is broken, and that is why the system needs to be fixed. That is why the vote is a "yes" on this rule, on bipartisan legislation, by the way, and on legislation that has been bipartisan. This is what we are talking about in this rule.

Make no mistake, Mr. Speaker. When Members come to the floor for this rule, they are voting for a government that becomes more efficient, they are voting for a government that is responsive to those who are being affected, they are voting for those who are responsible for actually being able to do what they are being gifted to do in their communities. That is what this rule does, Mr. Speaker.

In just a few moments, my friend from Georgia will talk about getting this country back in shape and will talk about some other bills we are offering today to free up the American people.

But in this rule, the question is: Are we standing for the Mr. Pucketts of the world, the individuals and the businesses of the world, or, as has been said on the floor today, are we more concerned about burdening a government agency?

I think I know what the answer of the American people is: Government, do what you are supposed to do. Do it within a limited form. Let us be the generation of wealth and income in this country. Let us be the capitalist system that we have brought this country into.

When we do that, then we are doing what we are supposed to be doing. That is what this Republican majority is fighting for. That is what this rule is. I would ask that everyone vote for this rule.

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

AN AMENDMENT TO H. RES. 580 OFFERED BY
MR. POLIS OF COLORADO

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall

not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled

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

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

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

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

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

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

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3762, RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 579 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 579

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on the Budget or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees. The previous question shall be considered as ordered on the motion to adoption without intervening motion.

SEC. 2. Section 3(b)(1) of House Resolution 5 is amended by striking "the first session of".

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

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time

as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 579 provides for the consideration of the Senate-amended version of H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

Mr. Speaker, you will recall that, on October 23 of last year, the House passed our reconciliation bill, which went through the process, which went through regular order. The Senate amended that bill in December. It is now back in the House for further consideration.

This rule today also provides an extension of deposition authority, Mr. Speaker, for staff members who serve the Committees on Energy and Commerce; Financial Services; Science, Space, and Technology; and Ways and Means.

Mr. Speaker, this is a great way to start 2016. There is a new sheriff in town, as you know, who has a commitment to regular order, and the process we have today is regular order at its finest.

We are here today on a reconciliation provision that came from the United States Senate. It came from the United States Senate because it was first passed by the United States House. It was passed by the United States House because, for the first time in over a decade, we had a conferenced budget agreement coming to balance, to govern these United States of America.

Mr. Speaker, for 5 years, I have been in this institution. For 5 years, I have served on the Budget Committee. For 5 years, I have served on the Rules Committee. Never before has this House considered a reconciliation measure that will, with its passage today, go to the President's desk tomorrow.

Mr. Speaker, I do not care where you are on the policy. This is an issue of repealing the President's healthcare bill and the damaging impact it has had on my constituents across the district. I doubt seriously there is a Member in this body who has not made up his or her mind on where he or she is on this issue.

I will try to persuade no one on the merits today. What I will do, Mr. Speaker, is tell you that, when you get the process right, you have an opportunity to get the policy right, too.

This bill eliminates the penalty for noncompliance with the individual mandate, that individual mandate that changed the nature of the relationship between the governed and the governing. This bill would eliminate the penalty for noncompliance with the employer mandate.