

legislation. Enough is enough. Let's do something. Let's not just sit around here and continue to be indifferent. The American people expect more of us than what they have seen.

I yield back the balance of my time.

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

Mr. Speaker, today's rule provides for consideration of an important bill to correct some of the most egregious changes in the Affordable Care Act that affected individuals' ability to save for their own healthcare needs. I was happy to be able to work with Mr. PAULSEN, Ms. JENKINS, and Mr. KIND, who each contributed to the underlying legislation which will be considered by the House following the passage of today's rule.

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

AN AMENDMENT TO H. RES. 793 OFFERED BY
MR. MCGOVERN

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 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. 3. 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. BURGESS. 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 on the resolution.

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 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 5485, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 794 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 794

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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, 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 Appropriations.

SEC. 2. (a) After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 265, line 9. Points of order against provisions in the bill for failure to comply with clause 2 or clause 5(a) of rule XXI are waived except as follows: beginning with "Provided further" on page 122, line 19, through "2012" on page 122, line 22. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph.

(b) No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution, amendments en bloc described in section 3 of this resolution, and pro forma amendments described in section 4 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered 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 except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate.

SEC. 5. 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 recommend with or without instructions.

SEC. 6. Section 1201 of H.R. 5485 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5.

SEC. 7. During consideration of H.R. 5485, section 3304 of Senate Concurrent Resolution 11 shall not apply.

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

Mr. BURGESS. 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. BURGESS. 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 Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 794 provides for consideration of H.R. 5485, the Financial Services and General Government Appropriations Act for fiscal year 2017.

The rule provides 1 hour of debate equally divided between the chair and the ranking minority member of the Committee on Appropriations. The resolution also provides for consideration of 70 amendments to H.R. 5485, and provides the minority the customary motion to recommit.

Mr. Speaker, H.R. 5485, the Financial Services and General Government Appropriations Act for fiscal year 2017, provides \$10.9 billion for the Internal Revenue Service, maintains the current \$2.1 billion level for taxpayer services, and provides a further \$290 million to improve customer service such as phone call and correspondence response times, fraud prevention, and cybersecurity.

For the past several years, the American public has viewed the Federal Internal Revenue Service as one that targets organizations for their political affiliation, slowing down approval for tax-exempt status, and attempting to chill their First Amendment-protected speech. House Republicans have exposed the many violations that have taken place at the Internal Revenue Service, and the bill before us continues to reflect the close eye that Congress continues to have on this agency, reining in their ability to fur-

ther chill speech by manipulating the Tax Code.

To achieve this, the bill includes language that prohibits the Internal Revenue Service from using funds to target specific individuals or groups exercising their First Amendment rights, and further prohibits the White House—under the current administration or the next one, from either political party—from using the Internal Revenue Service to scrutinize their political opponents. This protection of the right to freedom of speech is critical, and, of course, I urge all Members to support it.

The bill also provides \$1.5 billion for the Securities and Exchange Commission, almost an identical figure to last year's request. The bill keeps the Securities and Exchange Commission focused on critical information technology initiatives and methods to help the Commission better serve investors. It also rescinds the balance of what is known as the Securities and Exchange Commission's reserve fund, a slush fund that was created under the Dodd-Frank law that can be spent by the SEC without congressional oversight.

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To assist Congress in its constitutionally obligated checks and balances of the executive branch, the bill includes language to increase the oversight of another creation of the Dodd-Frank Act—the Consumer Financial Protection Bureau. Currently, this agency is wholly unaccountable to the American people as its funding was placed in the Dodd-Frank legislation outside of the yearly appropriations process, leaving little legislative check on that agency.

As it exists today, the Consumer Financial Protection Bureau draws its funds on autopilot directly from the Federal Reserve. This bill would place the CFPB into the regular, annual appropriations process and, in doing so, would increase the transparency and the accountability of its actions and allow for the appropriate oversight from Congress.

Additionally, the bill replaces the single-person leadership structure of the Consumer Financial Protection Bureau with a more balanced, five-person commission that mirrors those of other financial regulators, such as the Securities and Exchange Commission and the CFTC.

The bill also includes \$692 million for the Executive Office of the President, which, in addition to providing funds for White House staff, also includes critical funding for drug control efforts, such as the High Intensity Drug Trafficking Areas and Drug Free Communities Support Programs. In his budget request this year, the President sought to reduce funding for these programs by \$70 million. This bill keeps those important programs intact and actually increases their funding by a \$5 million mark. The bill further includes a provision that requires the Office of

Management and Budget to release information on the expected costs of executive orders and Presidential memoranda.

H.R. 5485 also includes \$725 million as the Federal payment to the Nation's Capital City, the District of Columbia, which includes funding for public safety resources and security costs as well as \$45 million for the Scholarships for Opportunity and Results Act, which is an important program to help children in our Nation's Capital get the education they deserve and to choose the educational path that best fits their needs. The bill includes \$7 billion to the Federal court system, which will improve public safety, bolster the security of courtrooms, and improve the speed and efficiency of processing Federal cases.

The consideration of appropriations bills each year is the core function of the Congress. With the passage of today's rule, the House will be taking another step in completing that responsibility. I urge support for the rule and for the underlying bill.

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

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

I thank and appreciate the gentleman from Texas (Mr. BURGESS) for yielding me the customary 30 minutes. As we all remember, 2 weeks ago, we were not given that courtesy to have 30 minutes to debate the rule. We also had no debate on the underlying bill that was brought up 2 weeks ago. In any event, I appreciate his yielding me the time.

First of all, Mr. Speaker, I rise in strong opposition to this rule, which provides for the consideration of H.R. 5485, the Financial Services and General Government Appropriations Act.

I hope there is a strong bipartisan vote against this rule for, among other things, in the Rules Committee, they denied my colleague, Representative SEAN PATRICK MALONEY, the right to offer his amendment, which would prevent discrimination against lesbian, gay, bisexual, and transgender people.

For the life of me, Mr. Speaker, I cannot figure out why my Republican friends think it is so controversial—or that it is a poison pill—to put in statute language that bars Federal contractors from discriminating against the LGBT community. Yet this amendment, which is perfectly germane, was not allowed to be made in order. I think that that alone should encourage both Democrats and Republicans to vote against this rule.

In addition, Mr. Speaker, the underlying bill is awful as it undermines key elements of the Affordable Care Act; it undermines key elements of the Dodd-Frank financial reform; it diminishes women's access to legal health services; it meddles in the District of Columbia's internal affairs; it undermines the President's Cuba policy; it prevents the fair treatment of Internet content in order to benefit the interests of a

few large corporations; and the bill rewards tax cheats, not honest, hard-working Americans, by its failing to provide sufficient funding to enforce tax law.

For all of those reasons, I urge my colleagues to vote against the underlying bill as well.

Mr. Speaker, I include in the RECORD the President's Statement of Administration Policy, which says, if presented with this bill, he will veto it.

STATEMENT OF ADMINISTRATION POLICY

H.R. 5485—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017—REP. ROGERS, R-KY

The Administration strongly opposes House passage of H.R. 5485, making appropriations for financial services and general government for the fiscal year (FY) ending September 30, 2017, and for other purposes.

The bill's reductions in funding for the Internal Revenue Service (IRS) exacerbate the damaging reductions inflicted on the IRS since 2010, and irresponsibly cut funding for the agencies charged with implementing Wall Street reform. The bill also underfunds the Federal Trade Commission's efforts to promote economic competition.

Furthermore, the legislation includes highly problematic ideological provisions, including provisions that restrict the IRS's ability to implement the Affordable Care Act (ACA), interfere with important new regulations designed to protect consumers from risky or abusive lending, and undermine the principle of home rule for the District of Columbia. These provisions also prevent the Federal Communications Commission from promoting a free and open internet and encouraging competition in the set-top box market, impacting millions of broadband and cable customers. Furthermore, these provisions would bar Federal agency efforts to reduce the risks and costs of flood disasters. Despite these shortcomings, the Administration welcomes the bill's investments in entrepreneurship and small business financing.

In October 2015, the President worked with congressional leaders from both parties to secure the Bipartisan Budget Act of 2015 (BBA), which partially reversed harmful sequestration cuts slated for FY 2017. By providing fully-paid-for equal dollar increases for defense and non-defense spending, the BBA allows for investments in FY 2017 that create jobs, support middle-class families, contribute to long-term growth, and safeguard national security. The Administration looks forward to working with the Congress to enact appropriations that are consistent with that agreement, and fully support economic growth, opportunity, and our national security priorities. However, the Administration strongly objects to the inclusion of problematic ideological provisions that are beyond the scope of funding legislation.

If the President were presented with H.R. 5485, his senior advisors would recommend that he veto the bill.

The Administration would like to take this opportunity to share additional views regarding the Committee's version of the bill.

Department of the Treasury

Internal Revenue Service (IRS). The Administration strongly objects to the \$766 million reduction in funding for the IRS compared to the FY 2017 Budget request. This reduction would bring IRS funding to FY 1993 levels, in real terms, hindering the agency's efforts to provide robust service to taxpayers, improve enforcement operations, and implement new statutory responsibilities. Furthermore, these reductions would negatively impact efforts aimed at deficit reduction, with en-

forcement revenues in FY 2017 estimated to be more than \$11 billion lower than if FY 2010 staffing levels had been maintained. In addition, the Administration strongly opposes sections of the bill that limit IRS funding and transfers to carry out implementation of the ACA, under which millions of individuals have signed up for coverage through the Health Insurance Marketplaces. The Administration also objects to provisions that unnecessarily encumber IRS operations with burdensome reporting requirements and that would constrain enforcement of tax laws.

Departmental Offices. The Administration appreciates the support for targeted investments in Department-wide cybersecurity enhancements. However, the Administration objects to the bill's defunding of the Department's Systems and Capital Investment Program and is disappointed that the bill fails to permit funding for oversight and administration of the Gulf Coast Restoration Trust Fund to be paid from the Trust Fund. In total, the bill would require a \$27.4 million reduction in funding from the comparable level in the FY 2017 Budget request for core Departmental Offices Salaries and Expenses.

Community Development Financial Institution (CDFI) Fund. The Administration appreciates the Committee's support for the CDFI Fund, which is funded above the FY 2017 Budget request. However, the Administration is disappointed that the bill provides neither the \$22 million requested for the Healthy Food Financing Initiative, which offers financial and technical assistance to expand the availability of healthy food options in distressed communities, nor the \$10 million requested for the Small Dollar Loan Program to expand access to small dollar loans in underserved communities and combat predatory lending. The Administration also appreciates the continuation of the CDFI Bond Guarantee Program, but is concerned about the \$250 million limitation on new commitments, which is below the program's annual average commitment level. This lower level of commitment authority would unnecessarily constrain the provision of long-term capital in low-income and underserved communities.

Office of Financial Research (OFR) and Financial Stability Oversight Council (FSOC). The Administration strongly opposes section 130 of the bill, which would subject OFR and FSOC to the annual appropriations process beginning in FY 2018. This language would hinder the independence of these entities and limit their ability to develop critical market analysis and improve regulator coordination if future funding shortfalls prevent information technology (IT) investments or the hiring of highly-skilled staff. The Administration also opposes onerous new procedural requirements that could effectively prohibit FSOC from formally designating nonbank financial companies whose material financial distress could pose a threat to U.S. financial stability. In addition, the Administration strongly opposes section 129 of the bill, which would require OFR to publish notice 90 days prior to issuing any report, rule, or regulation; research reports are intended to provide independent analysis of the facts, unswayed by public or political sentiment.

Digital Accountability and Transparency Act of 2014 (DATA Act). The Administration appreciates that the Committee fully funded the FY 2017 Budget request for the Bureau of the Fiscal Service for Government-wide implementation of the DATA Act, and urges the Congress to fully fund the FY 2017 Budget request for the Department of the Treasury's own implementation of the DATA Act. This funding supports efforts to provide more transparent Federal spending data, such as updating information technology

systems, changing business processes, and linking financial and Federal award data with the Award ID.

Executive Office of the President (EOP)

EOP Funding and Operations. The Administration objects to section 621 of the bill, which would continue a prohibition on paying salaries and expenses for certain White House staff positions and impinge on the President's ability to organize EOP operations. The Administration appreciates funding for Presidential transition costs but strongly objects to the lack of funding for Unanticipated Needs, which would severely hamper the President's ability to meet unexpected requirements for the furtherance of the national interest, security, or defense. The Administration also objects to the funding level in the bill for the National Security Council, which is \$2.1 million below the FY 2017 Budget request.

Office of Management and Budget (OMB). The Administration strongly opposes the funding level in the bill for OMB, which is \$10 million below the FY 2017 Budget request. This reduction would significantly diminish OMB's ability to carry out its mission. The Administration also objects to continuation of bill language that would require burdensome OMB cost estimates to accompany the issuance of all Executive Orders, as well as language that requires OMB to submit a report to the Congress estimating the costs of implementing the Dodd-Frank Act, an onerous and duplicative report of limited value.

Information Technology Oversight and Reform (ITOR). The Administration strongly opposes the funding level in the bill for the ITOR account, which is \$10 million below the FY 2017 Budget request. ITOR funds important efforts to improve the most critical public-facing Federal digital services through the application of best practices in product design and engineering by the U.S. Digital Service and its agency partners. The ITOR fund also supports efforts to protect Federal systems through implementation of leading solutions to address new and constantly evolving advanced, persistent cyberthreats, drive value in Federal IT investments, and implement the Federal Information Technology Acquisition Reform Act. The bill's reductions to these initiatives would undermine efforts to secure the Nation's highest value information targets and build on successful reforms to the Federal Government's management of IT resources, which have resulted in about \$3.6 billion in cost savings and avoidance.

General Services Administration (GSA)

Overall GSA Funding. Funding for GSA is an integral part of supporting agencies in their performance of critical missions. The bill's funding level would undermine GSA's ability to deliver services, impacting agencies Government-wide.

Federal Buildings Fund (FBF). The Administration finds the bill's funding level for the FBF unacceptable at nearly \$934 million below the FY 2017 Budget request and the anticipated level of rent collections from other Federal agencies in FY 2017. The bill also denies critical construction funding for the Federal Bureau of Investigation (FBI) Headquarters project and the next phase of the Department of Homeland Security's headquarters consolidation at St. Elizabeths, Washington, D.C. Since FY 2011, the Committee has chosen to fund the FBF at levels billions below what GSA collects in rent from agencies. Underfunding construction and renovation is particularly damaging, as the Government must be a good steward of its own assets, able to take advantage of opportunities to save money over the long term and maintain its buildings adequately

to avoid more costly failures in the future. Further, the practice of chronically underfunding the FBF is unfair to other Federal agencies, who are no longer receiving the space and services that they are paying for, as well as to the other appropriations subcommittees who are providing funds that are never used for their intended purpose.

FBI Headquarters. The Administration strongly urges the Congress to provide the full request in the FY 2017 Budget for the new consolidated FBI headquarters facility. The bill provides only \$200 million, \$559 million below the FY 2017 Budget request for GSA for construction of the new FBI headquarters. In total, the FY 2017 Budget requests \$1.4 billion for the FBI headquarters project—\$646 million for FBI and \$759 million for GSA's Federal Building Fund. Full funding of the FY 2017 Budget request is required for GSA to award a design and construction contract for the project this year. Absent a new, modern, and secure headquarters facility, the ability of the FBI to fully support its critical national security and law enforcement missions may be compromised.

Information Technology (IT) Modernization Fund. The Administration is concerned that the Committee does not provide the requested \$100 million for the IT Modernization Fund (ITMF), part of a larger \$3.1 billion request in the FY 2017 Budget that creates a revolving fund to retire and replace legacy IT systems across Government. Absent funding for the ITMF, the cost to operate and maintain legacy systems, as well as security vulnerabilities and other risks, would continue to grow.

Unified Shared Services Management (USSM). The Administration urges the Congress to support the \$5 million requested in the FY 2017 Budget for the establishment of the USSM, a new organization housed in GSA that would serve as an integration body for the shared services environment. The funding is needed to give the USSM a stable funding source.

Small Business Administration (SBA)

SBA Support for Businesses. The Administration appreciates the strong support for small businesses through the bill's robust funding for the SBA's business loan and entrepreneurial development programs. The SBA's business loan programs would support over \$46 billion in lending to small businesses in FY 2017, and the increased funding for technical assistance and development programs would ensure business owners can effectively deploy capital to grow their businesses and create good jobs. However, the Administration opposes the elimination of funding for Regional Innovation Cluster grants and Growth Accelerators, as these innovative programs help regions leverage their unique assets to create jobs by turning entrepreneurial ideas into sustainable high-growth small businesses.

Disaster Loans Program. The Administration urges the Congress to utilize the disaster relief cap adjustment authorized in the Budget Control Act of 2011 to fund the \$159 million FY 2017 Budget request for SBA's administrative costs associated with major disasters. By not utilizing the cap adjustment, the bill makes unnecessary reductions to other programs to accommodate this line of support to small businesses after a disaster has struck.

Other Independent Agencies

Securities and Exchange Commission (SEC). The Administration strongly objects to the funding level of \$1.55 billion for SEC, which is \$226 million below the FY 2017 Budget request. The bill would hinder SEC's enforcement, examination, and market oversight functions and undercut investor protections strengthened by Wall Street Reform that

benefit both consumers and Main Street. The bill would also shortchange SEC's core programs by mandating that funding for IT initiatives increase by \$50 million over the FY 2016 enacted level and prohibiting authorized IT spending from the agency's mandatory Reserve Fund. Taken together, these provisions would inhibit SEC's ability to improve oversight and examination functions in a way that investors expect and deserve. The SEC is fee-funded and its funding level has no impact on the deficit, nor does it impact the amount of funding available for other agencies.

Consumer Financial Protection Bureau (CFPB). The Administration strongly opposes sections 502 and 503 of the bill that subject CFPB to annual appropriations and politicizes its leadership, which would severely weaken its independence and undermine its ability to serve the most vulnerable consumer populations. In addition, the Administration strongly opposes sections 506, 637, 638, and 639 of the bill that undermine key consumer protections by preventing the CFPB from finalizing or implementing payday lending and arbitration regulations and would amend the Truth in Lending Act to deny borrowers protections from certain high-cost loans. These are problematic, ideological provisions that are beyond the scope of this bill.

Consumer Product Safety Commission (CPSC). The Administration objects to the total funding level of \$120 million for CPSC, an \$11 million reduction below the FY 2017 Budget request. This funding level would significantly impede CPSC's public safety mission intended to safeguard consumers, particularly children, from hidden hazards that continue to cause death and severe injuries, including its ability to expand the import surveillance program through which CPSC identifies hazardous products that can cause injury or death before these goods can enter the U.S. market. In addition, the Administration objects to section 510 of the bill that would continue to prohibit CPSC from using funds to finalize or implement mandatory standards for recreational off-highway vehicles (ROVs) until CPSC commissions and completes a study with the National Academy of Sciences. This provision could indefinitely delay CPSC's ability to complete rulemaking on ROVs, potentially compromising public safety. The language also would undermine the Commission's statutory independence and authority to write public safety regulations, interfering with its regulatory independence and public safety mission.

Election Assistance Commission (EAC). The Administration urges the Congress to provide the full \$9.8 million requested for EAC in the FY 2017 Budget, including \$1.5 million for the National Institute of Standards and Technology. The \$4.9 million provided in the bill is half of the funding requested in the FY 2017 Budget. Such a significant reduction would severely limit EAC's ability to assist State and local entities administer Federal elections, test and certify voting equipment, and provide information about voting system standards.

Federal Communications Commission (FCC). The Administration strongly opposes the deep reductions to the funding level for FCC, which is \$53 million, or 14 percent, below the FY 2017 Budget request. These reductions unnecessarily force FCC to scale back important work on public safety and wireless spectrum, delay efforts to modernize IT systems, and undermine efforts to save the taxpayers money by consolidating office space and improving oversight of the Universal Service Fund. The Administration objects to the \$106 million cap on auction program funding, which is \$18 million, or 15 percent, below the

FY 2017 Budget request. This would severely harm the FCC's efforts to modernize its auction infrastructure to support the increasingly complex auctions of the future, which have the potential to return tens of billions of dollars to the U.S. Treasury.

FCC, Open Internet Order. The Administration strongly objects to sections 630, 631, and 632 that aim at delaying or preventing implementation of FCC's net neutrality order. The order, which was issued after a lengthy rulemaking process that garnered input from four million Americans, ensures a level playing field that is increasingly vital to the future of the Nation's digital economy and online competition. For almost a century, U.S. law has recognized that companies who connect Americans to the world have special obligations not to exploit the monopoly they enjoy over access in and out of Americans' homes or businesses. It is common sense that the same philosophy should guide any service that is based on the transmission of information—whether a phone call, or a packet of data. The FCC's rules recognize that broadband service is of the same importance, and must carry the same obligations as so many of the other vital services do. These carefully-designed rules have already been implemented in large part with little to no impact on the telecommunications companies making important investments in the U.S. economy, and would ensure that neither the cable company nor the phone company would be able to act as a gatekeeper, restricting what Americans can do or see online. The appropriations process should not be used to overturn the will of both an independent regulator and millions of Americans on this vital issue.

FCC, Set-top Rule. The Administration opposes section 636 that aims at delaying the FCC from adopting or enforcing new rules to open the video set-top box market to additional competition. Currently, 99 percent of cable and satellite TV consumers rent set-top boxes directly from the cable providers, costing households an average of \$230 per year. The FCC is already committed to a lengthy, thorough rulemaking process that would establish a robust record of comment and analysis from companies, non-profit organizations, and academics. The current provision unnecessarily interferes with these long-established processes by requiring a delay of at least 270 days, and probably much longer, and a redundant, potentially costly study.

Federal Trade Commission (FTC). The Administration is concerned that the Committee is underfunding the efforts by the FTC and the Department of Justice's (DOJ) Antitrust Division to protect American consumers from criminal cartel practices—such as price fixing, fraud, and currency manipulation—and anticompetitive mergers. Since 2010, the number of proposed \$1 billion "mega mergers" reviewed annually by the FTC and DOJ's Antitrust Division has more than doubled. Anticompetitive mergers can harm American consumers significantly by raising prices, reducing quality, limiting output, restricting consumer choice, and stifling innovation in markets such as healthcare and pharmaceuticals, defense contracting, energy and petroleum, cable television and internet, cell phones and service, airline travel, appliances, and common food items. The bill provides \$317 million for the FTC, \$25 million below the FY 2017 Budget request.

United States Postal Service. The Administration strongly opposes new language in the bill that would roll back cost saving measures implemented by the Postal Service over the last four years. The Administration is also disappointed that language under the Payment to the Postal Service Fund account

would prohibit the Postal Service from modifying its delivery schedule to better adapt to its current business environment. Each year, the President's Budget has proposed balanced reforms to provide the Postal Service with the operational flexibility to continue to meet its universal service obligation and implement structural changes that would help put it on a sustainable trajectory. While the Congress has failed to act, the Postal Service has undertaken significant administrative reforms under existing authority to reduce expenses. Despite these efforts, since FY 2012 the Postal Service has been forced to default each year on scheduled payments to reduce its unfunded liability for retiree health benefits and is expected to default on an additional \$5.8 billion due during FY 2016. The Postal Service estimates that reversing four years of service changes would increase its operating deficit by roughly \$1.5 billion annually and impose an additional \$500 million in one-time costs.

Privacy and Civil Liberties Oversight Board (PCLOB). The Administration objects to the funding level of \$8.3 million in the bill for the PCLOB, which is \$1.8 million, or more than 17 percent, below the FY 2017 Budget request. The funding level provided would impair PCLOB's ability to maintain sufficient staff to independently and robustly assess the multi-billion dollar counterterrorism enterprise's efforts to balance privacy and civil liberties. The Congress and the Executive Branch have asked the Board to analyze a number of complex issues that are subject to ongoing public debate, including electronic surveillance. The impact of the funding reduction on the Board's staffing would hinder its ability to satisfy these requests.

Udall Foundation. The Administration opposes the elimination of funding requested in the FY 2017 Budget for the Udall Foundation, which provides education and research resources to American Indians and Alaska Natives. In addition, through the U.S. Institute for Environmental Conflict Resolution, the Foundation provides mediation services for conflicts involving Federal agencies or interests. The Administration urges the Congress to fully fund the Udall Foundation at the \$5 million level included in the FY 2017 Budget request.

District of Columbia (D.C.)

D.C. Local Budget Autonomy. The Administration does not object to the one-year shutdown exemption in section 816 of the bill, which would allow D.C. to spend local funds in the event of a lapse in appropriations in FY 2018. However, the Administration strongly objects to section 817 of the bill, which repeals the D.C. Local Budget Autonomy Act of 2012. The residents of the District and their elected leaders deserve to have the same ability as other U.S. residents and elected leaders to determine how to use their local revenues. Such authority is fundamental to a well-functioning democracy and the denial of such authority is an affront to the residents and leaders of the District. The Administration urges the Congress to adopt provisions included in the FY 2017 Budget request that would permanently allow the District to use local funds without congressional action.

Restrictions on the District's Use of Local Funds. The Administration strongly opposes language in the bill that bars the elected leaders of the District of Columbia from determining how to use local revenues. Specifically, the Administration strongly opposes section 810 of the bill, which prohibits the District from using both Federal and local funds for abortion services for low-income women. Longstanding policy prohibits Federal funds from being used for abortions, except in cases of rape or incest, or when the

life of the woman would be endangered, but restrictions on the District's use of local funds for abortion services is contrary to the principle of home rule. In addition, the Administration strongly opposes the restriction in section 809(b) of the bill on the use of both Federal and local funds for regulatory or legislative activity pertaining to recreational use of marijuana, which was approved by D.C. voters. The Administration urges the Congress to adopt the provisions in the FY 2017 Budget request that limit the abortion and recreational marijuana restrictions to Federal funds.

D.C. Syringe Services Program. The Administration strongly opposes the restriction in the bill on the use of Federal funds for the District's syringe services program. This is contrary to current law, which prohibits the use of Federal funds for syringe services programs only in locations where local authorities determine such programs to be inappropriate.

D.C. Education Funding. The Administration strongly opposes the \$20 million funding level in the bill for the Tuition Assistance Grant Program (TAG), which is \$20 million below the FY 2017 Budget request level. TAG provides grants of up to \$10,000 per year to District residents to cover the difference between in-State and out-of-State tuition at public colleges and universities and helps to make college affordable for many low-income District residents. In addition, the Administration opposes the \$30 million funding level in the bill for D.C. public schools, which is \$10 million below the FY 2017 Budget request, and the Administration strongly opposes the additional \$12 million the bill provides for the Opportunity Scholarship Program (OSP), a private school voucher program. The Administration appreciates the bill's support for evaluation and administration of OSP and will continue to use available OSP funds to support students returning to the program until they complete school, but strongly opposes additional funding for more vouchers. The Administration remains focused on improving the quality of public schools for all children rather than supporting a handful of students in private schools.

D.C. Water and Sewer Authority. The Administration opposes the bill's lack of funding for D.C. Water and urges the Congress to provide the \$14 million included in the FY 2017 Budget request for ongoing work on the combined sewer overflow project.

Mr. MCGOVERN. Here we are again, Mr. Speaker, for the third time, talking about a rule to consider a bill that is going nowhere. We are doing this at a time when a vast majority of our constituents want us to do something about preventing more gun violence in this country. Mass shootings have become unacceptably commonplace in the United States of America, and we have a responsibility to do more to keep guns out of the wrong hands. The shooting in Orlando was the largest mass shooting in our country's history. This is a moment of truth, and we cannot have another moment of silence without some action.

We are pleading with the Speaker of the House, and we are pleading with our Republican colleagues to allow us to bring two bipartisan bills to the floor for consideration so that we can debate them and vote on them. One is the no fly, no buy legislation. If you are too dangerous to fly on an airplane because you are on the terrorist watch

list, according to the FBI, then you are too dangerous to buy a gun. It shouldn't be controversial. The second is to eliminate the loopholes in our background check system, which says that you have to go through a background check if you go to a licensed gun dealer but that you can get around that by going to a gun show or by buying a gun online.

Overwhelming numbers of Democrats and Republicans, according to the latest public opinion polls, think both of these ideas are smart, commonsense approaches. The only thing that is standing in the way is the Republican leadership in this House.

Mr. Speaker, please schedule these bills for a vote. No, we will not be satisfied with the NRA bill that you want to bring to the floor this week that, basically, is nothing but a press release but will not keep guns out of the hands of people who are suspected of being terrorists.

Mr. Speaker, I hope that we can reach some sort of accommodation with our Republican friends. We are not going away. This issue is too important, and it is about time we acted. Silence and indifference can no longer be tolerated in this Chamber.

If we defeat the previous question, I will offer an amendment to the rule to bring up no fly, no buy. It is bipartisan legislation that will give the Attorney General the authority to bar the sale of firearms and explosives to those who are on the FBI's terrorist watch list.

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

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMPSON) to discuss our proposal.

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Speaker, I want to reiterate what it is we are trying to do by defeating the previous question and bringing up commonsense, pro-Second Amendment, gun violence prevention legislation.

We don't think that terrorists, criminals, or the dangerously mentally ill should have easy access to firearms. We believe that we should do everything possible to make sure that terrorists, criminals, and the dangerously mentally ill can't get their hands on firearms. That is why it is so important to pass the no fly, no buy and to pass the background check legislation.

We know that background checks work. Every day, 170 felons are prevented from buying a gun because of the background check, and 50 domestic abusers are prevented from buying a gun because of the background check. That is every day. The bill that we are talking about expands the background checks to include all commercial sales.

As the gentleman from Massachusetts just explained, there are loopholes. In some States, you can go online and buy a gun without having a background check. In some States, you can go to a gun show and buy a gun without having a background check. That is absolute foolishness.

Now, we are not talking about requiring family members to do background checks. We are not talking about requiring your next-door neighbor to do a background check. We are not talking about requiring your hunting buddy or your shooting buddy to get a background check.

We are talking about gun sales through commercial sales—gun shows, newspaper ads, online sales—because we know it works. It is our first line of defense against the criminals, terrorists, and the dangerously mentally ill from being able to easily access firearms.

It was once explained that the Federal Government set up a system to screen these folks to make sure that the criminals, the terrorists, the domestic abusers, and the dangerously mentally ill didn't get firearms. What they said is, if you buy it from a licensed dealer, you have to have a background check, but if you buy it from a gun show or if you buy it online, you don't have to have one.

The juxtaposition has been made that this is a lot like setting up a screening system after 9/11 that says that all passengers have to go through a metal detector so they don't bring guns, knives, and explosives on the airplane, but only 60 percent of you have to do that. The other 40 percent can go around—you can get on the airplane with whatever you have in your pocket. Then you choose which one goes in the 40 percent line and which one goes in the 60 percent line.

It doesn't make sense. We need to have background checks to make sure that criminals, that the dangerously mentally ill, that domestic abusers, and that terrorists don't get their hands on weapons.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. THOMPSON of California. Mr. Speaker, I can't believe that our friends on the other side of the aisle want criminals, terrorists, and the dangerously mentally ill to have easy access to firearms. As a matter of fact, there was an amendment on this floor that beefed up the funding for the system that checks on the background checks, and 76 Republicans voted to increase the funding by \$20 million—a \$20 million funding augmentation to the NICS system. Now you are telling us, "Well, we supported the funding, but we don't want people to use the system." That is an out-and-out waste of taxpayer money.

Not bringing these bills up is an out-and-out shameless ordeal on the part of the leadership. You need to bring these

bills to the floor. We need to have a vote. We need to do everything we can to make sure our constituents are safe—safe in places of worship, safe in the movie theater, safe in school. We need to make sure that we do all we can to keep our constituents safe. Bring it up for a vote.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY. Mr. Speaker, people who are watching may wonder: What are these folks talking about? They are talking about a rule. What is this about? If you just tuned in, I will tell you what it is about.

One hundred thousand Americans have died from guns in the last 3½ years, and this body—this House of Representatives, this U.S. House of Representatives, the people's House—has done nothing, nothing at all, not one little thing. The time has long passed for marking the deaths of Americans by guns when we could help to prevent them. The time has passed for moments of silence. We need to take action, and the action needs to be now because, while we wait, Americans die.

What makes the news are the mass shootings. Sadly, they are becoming more horrific. Every single day, Americans are dying in small towns, in big cities. They are dying in bedrooms, dying in domestic violence arguments, dying on the streets of Hartford and Chicago. It often doesn't even make the news, but, believe me, those families know their loved ones are gone. Their friends know—their friends at church, those in the neighborhood.

It is in the ripple of those deaths that we could do something that has us here—that has us here all day, that had us here all night 2 weeks ago. We will keep raising our voices because the American people depend on us to not just talk but to take action, and that is within our power.

□ 1715

Ninety-three percent of the American people support background checks. Ninety-three percent. That is more probably than like chocolate ice cream. We can do this. More than that support, keeping guns out the hands of terrorists, there is nothing controversial about these proposals.

It seems to have become an article of faith that, if the gun lobby is opposed to it, that it is too dangerous for politicians to act.

I will tell you what is too dangerous. It is too dangerous to our constituents for us not to act. It is too dangerous for them to have this institution not listen to their cries, to their weeping, to their pleading.

It is time for us to be strong, to be resolute. And whether it is the gun lobby or whatever it is that keeps you from protecting American lives with passing bipartisan commonsense legis-

lation, it is time to let go of those fears because the fears of the American people depend on us relieving them, and we can only do that by taking action. We are the body that is elected to do that. And the States are trying, but they can't get the job done without our help.

It is up to us to do what our sworn duty is to do, to protect and defend the American people. We can't defend them from all harms, but we can do our job with this.

Background checks work. They save lives. They save uniform police officers. They save folks in domestic violence situations. It is time for us to do our job.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, I rise to oppose this rule and to speak about a critical issue. We must stop the senseless gun violence in this country.

Last Wednesday, at my SpeakOut to stop gun violence, a courageous young man stood up to tell his story. Josh Stepakoff here was the victim of a mass shooting when he was 6 years old and miraculously survived it. He was finishing a game at his home away from home, the North Valley Jewish Community Center in Los Angeles. He assumed that the strange man in front of him was a construction worker and that what he held at his hip was a power drill.

How could he know that this man was a neo-Nazi carrying a semiautomatic weapon and hundreds of rounds of ammunition intent on killing as many people as he could?

Two of those bullets hit Josh, barely missing his spine and vital organs. The physical and mental damage changed Josh's life forever, and now he and his mother have devoted their lives to stopping gun violence.

The NRA is saying that the way to keep people safe is by making more guns available to everybody. If this is the solution, the U.S. would be the safest place in the world. Instead, we face danger from guns everywhere, even movie theaters, elementary schools, and churches.

Enough is enough. We must pass commonsense gun violence prevention laws now. Now is the time to pass no fly, no buy and the comprehensive background check bills.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I am in strong opposition to the rule, to this flawed financial services bill, but that is not why I have risen to speak.

I have risen to speak today because the American people are crying out. They are crying out for a vote on legislation that makes a real impact on the

epidemic of gun violence in our country.

Last week, in my district, Stratford, Connecticut, I stood in front of the Victoria Soto School, demanding commonsense gun violence legislation.

When the gunman began firing at Sandy Hook Elementary, Vicki Soto hid her students in the closet. She died protecting them. The AR-15 was on the floor by her body. She was a hero. She committed her time, her effort, and her life to protecting and caring for children.

The school is a fitting tribute to Vicki and her life's work. There, children can be children. But it is also a stark reminder of the real and heart-breaking cost of gun violence, and it is a visible reminder of what is at stake and why we need comprehensive gun violence legislation now.

We must take action for Victoria, for the Soto family. I watch how her parents suffer and her siblings suffer every single day, but we need to do that for the Soto family and for every family like them who know grief most of us will never understand.

We must now act for the families in Aurora, the families in Newtown, the families in San Bernardino, the families in Orlando, and the families of those who are killed every single day on the streets of every city in this Nation.

You know, we cannot heal the hole in their heart, but what we can do is what we have been charged to do in this institution, and that is to vote on public policy that makes a difference in the lives of the people that we have sworn to serve to uphold their rights.

That is why I urge commonsense gun legislation; universal background checks; and no fly, no buy. Let's keep guns out of the hands of terrorists.

I would go further. I would ban assault weapons. I want to see gun violence prevention research done. I want to see the mental health services that we need additionally to protect people in this Nation from gun violence. But I think that what we can conclude is that not one more death.

While moments of silence are good things to do, we cannot just have one more moment of silence. The American people deserve real, concrete gun violence prevention legislation. That is what our job is to do. We can do it. That is what we have been elected to do.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. CLARK), my colleague.

Ms. CLARK of Massachusetts. Mr. Speaker, there is an African proverb that says: "When you pray, move your feet."

But this Congress meets our gun violence crisis with only deadly silence. Forty-nine people massacred on a dance floor, silence. First graders and their teachers shot in their elementary

school, silence. Students and professors shot in their college classrooms, silence. Parishioners shot after Bible study in their church, silence. Social workers and disabled clients shot at a holiday party, silence. Moviegoers shot watching a film, silence. Our colleague shot while meeting with constituents, silence. Neighborhood sidewalks and parks transformed into blood-soaked memorials, silence.

Over the past 12 years, gun violence has claimed more American lives than war, AIDS, and illegal drug overdoses combined. Since Newtown, tens of thousands of lives have been lost to this deadly crisis.

Yet the number of bills that have been debated and passed by this Congress to help prevent such deaths, to put an end, to start to slow this violence: zero.

Inaction is a choice. Inaction is costing lives, and that is why I am asking this House to have a vote that we perform our basic responsibilities as Members of Congress and members of our communities. Let's debate and vote on two commonsense measures to curb gun violence. Let's vote on expanding background checks and preventing suspected terrorists from being able to buy a gun.

Why is this so paralyzing? It is widely supported by the American people. Why is the only proposal scheduled for a vote drafted by the NRA?

Does House leadership really believe that our Constitution and liberties are so fragile that we have to tolerate carnage like we saw in Orlando rather than risk a vote?

These proposals are widely supported by people of all types of political ideologies. The American people get it. They understand we could protect our constitutional rights and take reasoned steps to reduce gun violence.

Moments of silence should be where the action begins. Sadly, in this Congress, it is the only action ever taken.

No more silence. I urge us to bring up these two practical proposals for a vote. Our communities and our democracy deserve that.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, about 10 days ago, something extraordinary happened on this House floor. Members violated the rules, and they sat in.

Some folks asked me the question: "Peter, why did you do that? Why did you join in that?"

I had to think hard about it because it is not something that should be done in anything close to normal circumstances.

The reason was that, since Newtown, when there have been one mass shooting after another—San Bernardino; Orlando the most recent—Congress has responded with a moment of silence followed by complete and utter inaction.

Congress is not doing its job. The issue of what gun legislation we should pass is debatable.

Why won't we debate it? Why won't Congress face the fact that the job of Congress is to come up with policies that are going to provide protection to American citizens from this gun violence?

There is legislation out there. Two things that are very sensible: if you are on a terrorist watch list, you can't buy a gun; if you are subject to a background check, you can't evade it by all the loopholes. We should debate those. And then those of our citizens who disagree with us, they can vote against us or they can vote for us.

What we have no right to do is to fail to do our job, so I joined with other Members of Congress sitting here basically saying: Let's debate, let's discuss, but let's act. Let's not run the other way in cowardly disrespect of our responsibilities in the expectation that our citizens who sent us here rightly have that we address the issue of gun violence and be held accountable by them for at least making an effort, honestly, to do the job they have given us to do.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I, too, rise in strong opposition to the rule, but I would like to speak to the two pieces of legislation that we are imploring our colleagues to bring to the floor: the no fly, no buy and universal background checks.

Since the House adjourned on June 23, at least 522 more Americans have been killed in incidents of gun violence just since we adjourned; men, women, children, sons, daughters, fathers, and mothers. We dishonor the lives of those we have lost to gun violence with this NRA-written bill that we are taking up this week rather than the two commonsense gun safety proposals pending before the Congress.

Just in case anyone doesn't understand, we have a gun violence epidemic in this country, different from every other country in the world. We kill each other with guns at a rate 297 times higher than Japan, 49 times higher than France, and 33 times higher than Israel, just to give you an example.

So far this year, more than 6,300 people have been killed and more than 13,000 wounded in incidents of gun violence, and that includes 1,600 children. On average, 31 Americans are murdered with guns every single day and 151 are treated for gun assaults in an emergency room.

This issue of making sure terrorists or suspected terrorists don't have access to guns and making sure there are universal background checks is not controversial anywhere else in America except in Congress. It is widely supported by the American people, 85 and

90 percent. These are commonsense proposals to keep guns out of the hands of people who shouldn't have them.

Behind each of the numbers I just mentioned, each of those statistics, are real families who have been crushed and heartbroken by gun violence. Let's do the right thing. Bring these bills to the floor, debate them, make your arguments, and take a vote.

□ 1730

Mr. BURGESS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, we lose over 30,000 people a year to gun violence. We must never forget that that number is made up of thousands of individual stories: a family grieving over the death of a child, a teenager missing a friend at school, a son who must get used to spending holidays every year without a parent.

One of my constituents in Sacramento lost her cousin and her cousin's son to gun violence right before Christmas. She wrote to me and said, "I would like to see a world where such crime is minimized . . . if not erased. Gun control is an important and essential step in the path toward non-violence."

We must listen to these stories that have become all too common. Just over the weekend, another person in my community was shot and killed. Every moment we don't act matters. Must we feel vulnerable in our churches, sending our children to theaters or to the schools?

We are not going to accept this bloodshed any longer. We must disarm the hate and vote on real solutions for the American people. Democrats are calling for a vote on two pieces of bipartisan, commonsense legislation. We must not wait any longer to answer the call for action.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Hampshire (Ms. KUSTER).

Ms. KUSTER. Mr. Speaker, I rise to oppose the rule, but I also want to join my colleagues in urging the Speaker to bring forward a vote on these two commonsense gun reforms.

I took an oath of office to uphold the Constitution and to protect my constituents. And while we were home over the holiday recess, going to parades and celebrating our independence and celebrating our history, time after time I spoke with constituents from all different backgrounds. I am from a rural district. Hunting is important to us. People hunt for their food. They want to protect their family. I respect the Second Amendment, and I respect their right.

But the question that I got is people do not understand why we cannot have a debate in this hallowed Hall about

protecting our constituents. People watched as an entire community was massacred simply going out to dance and enjoy the evening. The American people watched as children died in schools, as one of our colleagues was shot in a shopping center, as people died in a church. We should be able to go to Bible study; we should be able to go to the movies; we should be able to go to the shopping centers; and certainly, our children should be able to go to school.

My constituents, Mr. Speaker, who are gun owners, who care about protecting their families and their homes, who care about their right to enjoy hunting with their families, my constituents are asking, Mr. Speaker: Please bring these two commonsense issues to the floor so that we can protect our families.

When someone has taken an oath of allegiance to ISIS and has evil intent in their heart, help us to protect our constituents.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, first of all, I urge all of my colleagues to vote against the rule—the underlying bill is terribly flawed—but I also urge my colleagues to work with us to try to bring two commonsense pieces of legislation to the floor. The first is the no fly, no buy legislation. If you are on a terrorist watch list and you are too dangerous to fly, then you ought to be too dangerous to buy a gun.

Just so my colleagues understand this, according to the Government Accountability Office, since 2004, nearly 2,500 suspects on the FBI terrorist watch list have successfully purchased weapons in the United States. Ninety-one percent of all suspected terrorists who attempted to purchase guns in the last 12 years walked away with the weapon that they wanted. That should trouble every single person in this Chamber.

The other piece of legislation is to strengthen our background checks so we get rid of these loopholes so that everybody who wants to buy a gun goes through a background check; they can't escape going through a background check by going to a gun show or buying a gun online.

That is it. That is all we are asking for.

Mr. Speaker, we had 9 people murdered in Charleston, 12 in Aurora, 14 in San Bernardino, 26 in Sandy Hook, and 49 innocent people murdered in Orlando. Maybe the numbers are getting too big for some of my colleagues to fully comprehend how horrendous this all is. Sometimes I feel that with all these numbers that some of us are losing the human ability to feel what is happening here. These people had families. These people's lives were cut short for no good reason.

We can do something about it. The legislation that we have proposed here

is not going to solve everything, but if it could save one life, then it is worth it. But inaction and indifference and silence can no longer be tolerated. We will not have business as usual in this House until we address some of these issues.

The American people want us to do this. They are waiting for us. Please, Mr. Speaker, schedule these pieces of legislation for debate and vote. No, we are not going to be satisfied with the NRA bill that will come up to the floor under a closed rule that you want us to take. That is just unacceptable. Give us a vote on this legislation. I urge my colleagues to defeat the previous question so we can have that vote.

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

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I would remind Members that today's rule provides for the consideration of the Financial Services and General Government Appropriations Act for the fiscal year 2017. This is an important piece of legislation to fund the Federal Government. I urge support for the rule and the underlying bill.

Ms. NORTON. Mr. Speaker, I rise in strong opposition to this rule and bill. The rule and bill are assaults on the District of Columbia's right to govern itself. This bill contains three undemocratic, harmful, big-government riders that prohibit the D.C. government from spending its local funds, consisting of local taxes and fees, as it deems necessary. In addition, the Republican-led Rules Committee has allowed Representative GARY PALMER to offer an amendment to block D.C. from spending its local funds to enforce a local employment non-discrimination law, the Reproductive Health Non-Discrimination Act.

The bill repeals D.C.'s budget autonomy referendum, which allows D.C. to spend its local funds after a 30-day congressional review period. Astonishingly, House Republicans appear to be so afraid of a local jurisdiction spending its local funds without the approval of a federal body, the U.S. Congress, that they will be voting for a second time in a little over a month to repeal the referendum. I will offer an amendment to strike the repeal of the referendum.

However, the Rules Committee prevented me from offering my amendments to strike the provisions in this bill that prohibit D.C. from spending its local funds on taxing and regulating marijuana sales and on abortion services for low-income women.

Four states have legalized the possession of marijuana for recreational use, and they either have set up a tax and regulatory system or are in the process of doing so. While recreational use is legal under D.C. law, Congress has uniquely prohibited D.C. from spending its local funds to set up a tax and regulatory system.

This rider has been referred to as the Drug Dealer Protection Act. As one marijuana dealer told the press, the rider is "a license for me to print money." Regulating marijuana like alcohol would allow D.C., instead of violent drug gangs, to control marijuana production, distribution, sales and revenue collection.

Every state has authority to spend its own funds on abortion services for low-income

women, and 17 states fund these services. This rider effectively prevents low-income women in D.C. from exercising their constitutional right to abortion by depriving them of necessary funds.

Remarkably, this bill could have been even more harmful to the District of Columbia. Three amendments were filed to block D.C. gun safety laws, but they were not made in order. There was no way the Republican leadership could bring these deadly amendments to the floor so soon after Orlando. Representative Thomas Massie filed two amendments. One would have allowed handguns, shotguns and rifles to be carried, openly or concealed, on the streets of the nation's capital. The other would have blocked D.C. from enforcing its enhanced penalties for carrying a gun in schools and other places where children congregate. Representative DAVID SCHWEIKERT filed an amendment that would have allowed people to get a concealed carry permit without demonstrating a "good cause" for needing one.

These amendments presented a threat not only to D.C. residents, but also to the millions who visit the nation's capital and the high-ranking federal officials and foreign dignitaries who travel around the city daily.

Republicans claim to support devolving federal authority to state and local governments. That support should not end at the D.C. border. The Constitution allows, but does not require, Congress to legislate on local D.C. matters. The Rules Committee had a choice to allow me to offer my amendments on the floor to strike the D.C. marijuana and abortion riders, as well as to block the Palmer amendment. In our American democracy in the 21st century, that choice should not have been difficult.

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

AN AMENDMENT TO H. RES. 794 OFFERED BY
MR. MCGOVERN

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

SEC. 8. 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. 9. 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. BURGESS. 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 8 of rule XX, further proceedings on this question will be postponed.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 30, 2016.

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 June 30, 2016 at 3:01 p.m.:

That the Senate relative to the death of Pat Summitt S. Res. 516.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

PATIENT ACCESS TO DURABLE
MEDICAL EQUIPMENT ACT OF 2016

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5210) to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5210

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 "Patient Access to Durable Medical Equipment Act of 2016" or the "PADME Act".

SEC. 2. INCREASING OVERSIGHT OF TERMINATION OF MEDICAID PROVIDERS.

(a) INCREASED OVERSIGHT AND REPORTING.—(1) STATE REPORTING REQUIREMENTS.—Section 1902(kk) of the Social Security Act (42 U.S.C. 1396a(kk)) is amended—

(A) by redesignating paragraph (8) as paragraph (9); and