

from the people. Mr. Speaker, here are a few of the things that they said:

One woman spoke about the loss of dignity she felt while waiting in line just for water, and many others gave us important stories which I will put into the RECORD at a later time.

#### STORMONT HOUSE AGREEMENT

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

Mr. MCGOVERN. Mr. Speaker, last month the Tom Lantos Human Rights Commission, which I co-chair, hosted a briefing by women from Belfast on the aftermath of the Northern Ireland conflict in which 3,500 people died, 90 percent of them men. Women survived to pick up the pieces.

The 1998 Good Friday agreement that ended the war protected human rights going forward but did not address the past, so the needs of victims of human rights violations committed by both sides are still unmet.

Women in Northern Ireland who have supported survivors have now developed gender principles for dealing with the legacy of the past. The 2014 Stormont House Agreement could help victims and survivors access truth, justice, and reparations.

Mr. Speaker, I urge all those concerned with human rights, peace, and security in Northern Ireland to encourage the British and Irish Governments and the Northern Ireland Assembly to fully implement the legacy parts of the Stormont House Agreement incorporating the gender principles.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, September 7, 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 September 7, 2016 at 9:41 a.m.:

Appointment:  
Evidence-Based Policymaking Commission.

National Advisory Committee on Institutional Quality and Integrity.

United States Commission on International Religious Freedom.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### PROVIDING FOR CONSIDERATION OF H.R. 5063, STOP SETTLEMENT SLUSH FUNDS ACT OF 2016

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

Rules, I call up House Resolution 843 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 843

*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. 5063) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in 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 committee amendment in the nature of a substitute. 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.

□ 1245

The SPEAKER pro tempore. 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 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. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 843, 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 today to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H.R. 5063, the Stop Settlement Slush Funds Act of 2016.

The rule provides for 1 hour of debate equally divided and controlled by the chair and the ranking member of the Judiciary Committee and also provides a motion to recommit.

Additionally, the rule makes in order 7 of the 11 amendments submitted, representing ideas from Members on both sides of the aisle.

Yesterday, the Rules Committee received testimony from the chairman of the Judiciary Committee and the ranking member of the Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law. Subcommittee hearings were held on both H.R. 5063 and on the topic of the Department of Justice's mortgage lending settlements with major lending banks. In May of this year, H.R. 5063 was marked up and reported by the Judiciary Committee. The bill passed the Judiciary Committee after the consideration of several amendments. The Stop Settlement Slush Funds Act went through regular order and enjoyed thorough discussion at both the subcommittee and full committee level.

H.R. 5063 is supported by the Institute for Legal Reform, Americans for Limited Government, and Americans for Tax Reform because it increases accountability for how settlement funds are spent and it helps to restore the balance of power between the branches of government.

The Stop Settlement Slush Funds Act was introduced after the nearly 20-month investigation by the House Judiciary Committee found that the Department of Justice was systematically circumventing Congress and directing settlement money to activist groups. This bill will help address that problem.

The power of the purse is one of Congress' greatest tools to rein in the executive branch and exercise oversight. It is no surprise, then, that this administration would want to find a way around that oversight and grow its authority. In fact, in the last 2 years alone, the Department of Justice has funneled non-victim third-party groups as much as \$880 million.

The Department of Justice does this by collecting money from parties who have broken the law and then use that money to create a slush fund, rather than sending the money to the victims of the illicit activity. The Department of Justice allows the "donations"—if that is what they are called—required under the settlements to count as a double credit against defendants' payment obligations. Interestingly, credit for direct relief to consumers is only counted as dollar for dollar, indicating

the importance the Department of Justice places on directing these funds to non-victim third-party groups.

For example, the Department of Justice negotiated settlement agreements to the tune of millions of dollars with major banks for misleading investors over mortgage-backed securities, well within what they are supposed to do. Then the Department of Justice said that banks, or other parties it has settled with, could meet some of their settlement obligations by making donations to certain groups. The money goes to these groups partially under the guise that those groups would provide services to the aggrieved parties. In reality, this practice directs funds away from victims and allows the Department of Justice to steer money to non-victim third-party groups, usually administration friendly, politically motivated organizations.

Additionally, the parties that receive these funds, these non-victim third-party organizations, aren't a part of the case, they don't represent the victims, and aren't subject to congressional oversight for the funds they receive. Even if most of these groups weren't activist groups, this would be a concerning scenario.

The donations to third-party groups allow the Department of Justice to funnel money to friendly parties outside of the appropriations process and outside congressional approval. Many of these third-party groups are unquestionably political and certainly wouldn't be considered nonpartisan by mutual observers. In fact, the mortgage settlement cases, groups like the National Council of La Raza received more than \$1 million in Department of Housing and Urban Development grants under the settlements.

I don't know about you, but I think that when DOJ requires a settlement, the funds should go back to the victims involved in the case, including victims back home in northeast Georgia. And if the victims cannot be found or if the problem cannot be directly rectified, then the settlement funds should go on to the Treasury so that Congress can appropriately decide how to use them.

I don't think it is acceptable to shortchange victims to benefit special interests and politically friendly third-party organizations, but that is exactly what the administration has been doing. The administration is trying to usurp the power of the purse through these settlement slush funds and has only gotten more confident that they can get away with it.

Maybe even more troubling, despite repeated requests for more information, the Department of Justice is refusing to provide it. What little information has been provided indicates that groups that stood to gain from the mandatory donations actually lobbied DOJ to include them in settlements.

Mr. Speaker, listen to what that says. Actually, one of the things that we have gained from this is the fact that the groups that stood to gain from

these "mandatory" donations were lobbying DOJ to get the money—not a party to the case, not a party to the victims, but wanting their cut of the pie.

In at least one case, the Department of Justice restored funding to a program that Congress specifically cut. Congress cut funding in half for a Housing and Urban Development program known as the Housing Counseling Assistance Program. But after grant recipients of this program expressed their displeasure at the cuts, they received a helping hand from who else—the Department of Justice.

The DOJ mortgage settlements ensured that, despite congressional action to the contrary, eliminating funding for these groups would be restored. DOJ didn't just stop at circumventing Congress' funding authority in that case; instead, they directly violated the congressional intent. Again, a congressional oversight overstep misused because the agency decided it knew better than the elected representatives of the people.

It is time to reassert congressional authority over this process so that hardworking folks are protected from more executive overreach and the separation of powers is restored. At a Judiciary hearing in May on this bill, Heritage Foundation scholar Paul Larkin testified that "Congress identifies precisely who may receive Federal funds."

That is what we do. I agree with him, but the Department of Justice's settlement process in recent years undercuts that critical function of the separation of powers. That is why we have to act and why the underlying bill is so important.

The Stop Settlement Slush Funds Act prohibits settlement terms that require donations to non-victim third parties. Importantly, the bill clarifies that payments that provide restitution for harm caused are not donations.

Additionally, H.R. 5063 restores the separation of powers by establishing that settlement funds remaining after victims have been compensated are overseen by Congress. Rather than directing money outside the appropriations process, the bill returns the funds to the Treasury to remediate damages after victims have been taken care of.

I urge everyone here today to think about their constituents who one day may be victims looking for restitution. I want to go home and tell those hardworking Georgians that I represent that I am making sure they are put first, not special interests. I hope that others will share that feeling by supporting the rule and 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.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia

(Mr. COLLINS), my friend, for yielding me the customary 30 minutes.

Mr. Speaker, this week, we return from 7 weeks away from the Capitol, the longest summer recess in modern times, and House Republicans continue to delay action on the most pressing issues facing our country, instead focusing on issues that benefit special interests, and issues, quite frankly, that are going nowhere.

I had hoped that after we all spent some time with our constituents over the summer recess, the priorities of this Republican leadership would change to reflect what the American people actually care about, but they haven't. During our 252 days in session—which, by the way, includes 42 pro forma days where no legislative business was accomplished—we have voted on countless bills to repeal the Affordable Care Act, undermine financial protections put in place by Dodd-Frank, and weaken environmental protections. We are back on the floor this week to deregulate Wall Street, take away critical investor protections, and make it easier for those who break the law to get away without paying a financial price.

Today's rule provides for the consideration of a bill that eliminates public interest protections, creates needless litigation and delay, and imposes draconian penalties on Federal officials. It is a misinformed response to a non-existent problem, and just one more corporate giveaway by this Republican Congress. And, again, remember, it is going nowhere.

This isn't leadership, Mr. Speaker. It is like a recurring nightmare. While spending time on efforts that are nothing more than sound bites from my friends on the other side of the aisle to use on the campaign trail, this Republican Congress has repeatedly ignored the calls of our constituents to act on issues they care about—issues that impact our communities, our neighborhoods, and our families.

House Republicans continue to obstruct meaningful action on the greatest public health crisis impacting our country. Almost 17,000 Americans, including nearly 1,600 pregnant women, are currently suffering from the Zika virus. This month, the Centers for Disease Control and Prevention will run out of resources to fight Zika. In the words of Dr. Thomas Frieden of the CDC, "We need Congress to act."

For 7 months, President Obama and Democrats in Congress have urged the Republican leadership to take up and pass the administration's emergency supplemental request. But instead of considering a bipartisan Zika funding bill, the Republican leadership in this House has, once again, caved to the most extreme faction of their conference to produce an inadequate, partisan bill loaded with poison pill off-sets.

This is an emergency. We should treat it as such. But Republicans have spent months making excuses about

why we don't need to provide the full funding that our Nation's public health experts say we need. We have had public health expert after public health expert tell us that we need to act, and yet my Republican friends think they know better. They have brought to the floor legislation to undermine the Clean Water Act under the guise of containing the Zika virus. They have even insisted on poison pill riders that continue the Republican assault on women's access to comprehensive health care, instead of bringing legislation that is focused solely on protecting American families from the terrible impacts of Zika.

House Republicans have blocked the full emergency resources needed to combat the Zika virus seven times, and left town for a 53-day recess without committing a dime to address this growing public health crisis. It is shameful.

In addition to shirking our responsibilities on the Zika virus, this Republican leadership has prevented action on other public health emergencies like the opiate crisis and the terrible tragedy in Flint, Michigan, and the epidemic of gun violence plaguing our communities.

Congress passed a bill to address the opiate crisis and it was an important step, but we must do more. We need to pass a strong piece of legislation that actually funds our fight against the opiate crisis and gives State and local partners the resources they need to help so many of our communities that have been hit hard by this epidemic. Passing a bill that has all these nice statements in it and nice goals and not funding it, well, that is just a press release, and that is about the extent of what this Congress has done to deal with this terrible opiate crisis.

For 2 years, 100,000 people in Flint, Michigan, could not access safe water from their own faucets—100,000 people. For 2 years, hardworking Americans were denied the fundamental right of access to potable water. We are not talking about some tiny country halfway around the world. This has been happening right here in the United States of America.

The Families of Flint Act, led by my friend and colleague, Congressman DAN KILDEE, would help the people of Flint, Michigan, recover from this man-made disaster that they are still dealing with; but this Congress is too busy wasting its time to even consider bringing this vitally important, non-controversial bill up for a vote.

Where is the majority leadership on this? Why are they simply sitting back and allowing countless families in Flint to continue to be unable to turn on their faucets and receive the safe water that they need and, quite frankly, that should be a basic right in this country, the very same safe water that Speaker RYAN and so many of us take for granted?

In fact, it was recently discovered that there were elevated levels of lead

in the Cannon House Office Building. Congress has spared no expense in addressing that issue, yet has failed to give the Families of Flint Act a single vote or hearing even in this Chamber.

□ 1300

This Republican Congress has failed Flint by refusing to adequately fund our water infrastructure for years, and we are failing them again by not passing this commonsense legislation.

While we have delayed action on a response to the Zika virus and to the crisis in Flint, Michigan, House Republicans have also refused to act on bipartisan, commonsense legislation to keep guns out of the hands of suspected terrorists and criminals. In fact, House Republicans have voted 24 times to block the no-fly, no-buy measure, which polls indicate is supported by 74 percent of our constituents. They have blocked debate on legislation to expand and strengthen background checks.

If you go to a licensed gun dealer, you have to go through a background check, but if you go to a gun show or if you buy a gun online, you don't have to go through a background check. What sense does that make? Who could be against that? Yet they have voted time and time again to deny us the right to bring that to the floor. They have voted five times against lifting the 19-year-long ban on Federal research on gun violence. What is the Republican Congress so afraid of?

We came back yesterday. I was looking through the press and was trying to figure out if, maybe, the Republican leadership in this House would actually do something about gun violence in order to protect the American people and to make sure that people who have a history of violent crime don't have access to guns or that people who are dangerously, mentally ill don't have access to guns. I thought, maybe, some of their constituents would kind of knock some common sense into their heads while they were on recess.

But we come back, and what do we read? What is the Republican leadership's response to all of this?

They want to bring a resolution to the floor to punish Democrats for having the audacity to raise our voices in protest over the fact that we cannot even get a vote on any of these bills that we think could save lives. They want to punish us; they want to sanction us; they want to condemn us because we said that, in the greatest deliberative body in the world, we ought to be able to deliberate.

Apparently, the Republican leadership is outraged over what they say is a breach of decorum that shut down the Chamber for 25 hours because Democrats had a sit-in here in protest over the fact that we can't bring any legislation up for a debate. They are outraged over that. That is where their outrage is.

My question is: Where is the outrage over the 50 innocent civilians who were killed in Orlando? Where is the outrage

over the 14 people who were killed in San Bernardino or over the 9 people who were killed in a church in Charleston, South Carolina? Is there any outrage over that? Where is the outrage over the 27, mostly children, who were killed in Newtown, Connecticut, or over the 12 people who were killed in a movie theater in Aurora, Colorado, or the outrage over the 6 people who were killed in Tucson, Arizona, where our former colleague, Gabby Giffords, was shot, or over the 32 people who were killed at Virginia Tech?

Since my Republican friends have been in recess, over 4,000 Americans have been shot and killed in gun violence in this country—over 4,000. Where is the outrage? The only outrage that my Republican friends seem to have is over the fact that Democrats have had the audacity to raise this question about maybe we should do something, maybe we can do something to protect our constituents.

I say to my colleagues: We don't need a slap on the wrist from the Republican leadership here. We need to reform our laws to ensure that guns are kept out of the wrong hands.

Over 32,000 people in America die from gun violence each year—about 89 people per day. If this isn't a public health emergency, Mr. Speaker, I don't know what is.

But you come back, and this is what we are going to be debating on the House floor? Oh, my God. This is it? I mean the outrage, quite frankly, from the American people against the leadership of this House is over the fact that the Republican leaders have turned this place into a Congress in which trivial issues are debated passionately and important ones not at all. Enough. Let's do the people's business. We are not doing it today, and I hope that my colleagues will reconsider their agenda for the time we are back here and will actually do something meaningful.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Let me just clarify, Mr. Speaker, why we are here. This is a rule for H.R. 5063, the Stop Settlement Slush Funds Act. One clarification as to what was just mentioned is that this bill does not allow any company to get off the hook. They are going through the process, and they are paying their fines. What we are trying to let off the hook here is the Department of Justice, which believes that it is the arbitrator of the world to their own pet projects.

Let's get back to the basics of this bill. If we want to pontificate on the world, fine, then we can pontificate on the world; but let's get back to the rule for today, for this moment, and do not tell stories that don't exist. Congress—both sides—should decide that the Department of Justice should not be having a settlement of mandatory donations to pet groups because they don't get enough funding. How about they

just go get another job instead of living off settlements from others when they are not the victims?

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I just say to my friend from Georgia that I am not pontificating; I am just expressing frustration over the fact that we are not doing anything of any consequence here on the House floor. This legislation that we are dealing with today—in fact, the legislation that we are going to deal with later in the week—is going nowhere. Yet we have a Zika crisis; we have a crisis in Flint, Michigan; and we have a crisis of people who are dying from gun violence in this country. For some reason, the Republicans who run this House can't find the time to spend even 1 day talking about those things.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I thank the gentleman from Georgia, and I thank the gentleman from Massachusetts.

Mr. Speaker, I am glad you had a little reference here: don't allow companies or corporations to avoid their responsibilities. I want to speak to that issue. I think it is very, very, very critical.

Mr. Speaker, let's not beat around the bush. We are on the floor today debating H.R. 5063 under the guise of "ensuring responsibility." I mean, who would be against that? That is like apple pie. However, this bill is nothing more than a political exercise void of real reprimand for these practices, reforms to the system, or redress to actual victims. If that is what it did, I would be here supporting it.

We have known for years of instances where deferred prosecution agreements have gotten out of hand. You don't remember those days? I will bring them back to you.

When I tried to make modest reforms to improve the transparency of these agreements, I was rebuffed by Members on the other side of the aisle. They have short memories. They have selective memories. Where was this outrage when I was screaming about seven deferred prosecution agreements with large medical device companies that were negotiated by New Jersey's former United States Attorney Chris Christie? There is a name.

One of the settlements allowed Bristol-Myers Squibb to avoid prosecution for securities fraud in exchange for a \$5 million donation to Mr. Christie's law school alma mater; and I am listening to preaching over here and pontificating about what is going on today about these groups that are lined up to get their money from the Justice Department. I didn't hear one word—not one word. In fact, if the gentleman has a word to interject, I will hold on for 10 seconds and listen.

Mr. COLLINS of Georgia. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman.

Mr. COLLINS of Georgia. Mr. Speaker, the chairman of the Judiciary Committee has brought this issue up already. If the gentleman does not know this, he needs to go back, and he can see it. That is why this is a bipartisan issue. We can be together on this.

Mr. PASCRELL. Reclaiming my time, Mr. Speaker, in all of the settlements, Chris Christie appointed political allies and supporters as monitors to oversee corporate compliance, which the gentleman is talking about, which netted those allies tens of millions of dollars. These allies then served as major donors to a political campaign account.

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

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

Mr. PASCRELL. Now, these arrangements were so problematic that they prompted the Department of Justice—we have selective memory—to issue a new guidance limiting prosecutors' discretion in reaching such agreements, and the Judiciary Committee held an oversight hearing in 2009.

When Democrats tried to highlight the issue of using a public office to funnel large legal fees to cronies who then turned around and bankrolled campaigns, those on the other side said they did not see it for what it was—crony capitalism. They have heard the term before. Rather, they bent over backward to praise Mr. Christie and accused Democrats of grasping for ways to embarrass a "rising Republican star." Now that time has passed and a different administration is in charge, we are now hearing a different story, but very real issues with these practices still remain.

I agree that we need reforms, my friend from Georgia. I agree. I hope that my colleagues will take a look at the deferred prosecution agreements reform legislation that I, Mr. PALLONE, and Mr. COHEN have introduced.

The issue here is not the government forcing companies to use deferred prosecution agreements to potentially divert funds away from helping victims when it comes to corporate malfeasance. The more egregious issue is that firms have avoided prosecution to begin with. The little guy gets it in the neck, and the banks and the corporations are never held accountable. The other side knows. The gentleman, my friend, has opened up a can of worms here—and I mean that sincerely.

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

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

Mr. PASCRELL. We are on a roll here.

Mr. Speaker, the Financial Crisis Inquiry Commission made recommendations to the Department of Justice to criminally prosecute top executives at several large financial institutions, but we have yet to see a major Wall Street executive be criminally charged. That

is criminal. You want to know what "criminal" is? That is criminal. So we come here today, and I urge my colleagues to oppose this bill.

I don't question the motivations of the sponsor, by the way. That is not my motive. We learned in March that the Financial Crisis Inquiry Commission—I will repeat—recommended that the Department of Justice criminally prosecute. Nothing has been done. I have also written a letter to the chairman of the Judiciary Committee. By the way, this is not partisan. Our own Justice Department hasn't done anything either.

I am being fair about this, but they have to look into this. They can't come before us and tell us they are trying to save the little guy or the victims when they allow this and permit this to go on day in and day out when the banks never were held accountable. No one has ever been brought before a court. Eight years later, and we are here.

Rather than wasting time on this fishing expedition, if the House really wants to ensure punishment is carried out and that the actual victims receive compensation, we need to actually address the root cause of the problem.

Mr. Ranking Member, my friend from Georgia, we have to address the root problem.

□ 1315

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman from New Jersey. I think the interesting thing is that I have listened to him—as he said, he is on a roll—and I think we are probably in more agreement than we are disagreeing here.

I wasn't here to—in fact, you said to "turn a blind eye." This is a problem, and it doesn't matter who is there. If it is a Republican, it is wrong; if it is a Democrat, it is wrong, Mr. Speaker. That is why we are here.

I agree with the outrage. It shouldn't happen, especially when you get into the fact that the Department of Justice is actually taking money and putting money to departments and programs that this Congress had cut funding from. That is not right. I don't care who the administration is; I don't care who the President is.

I agree with the gentleman from New Jersey. He makes a passionate argument. Maybe you just need to come over here and help me out. We are making the right argument here.

So the question now becomes—no matter where it comes from—and the interesting issue here is this shouldn't be taking place, no matter who is over it. The problem is, and what I would love to ask is: Where has the Department of Justice been for the last 7 years on any issue, for the most part? It has been very frustrating to both sides of the aisle. On this one, I actually think we can find more agreement than we can find disagreement.

I appreciate the gentleman from New Jersey's remarks because, frankly, this

is what this does. It doesn't let them off the hook. It just simply goes back to looking at these mandatory donations which, again, party is irrelevant. This is not a role for the Department of Justice.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, can I inquire of the gentleman from Georgia (Mr. COLLINS) how many more speakers he has who want to speak on this bill on his side? I know the demand has been really great.

Mr. COLLINS of Georgia. Mr. Speaker, they have been pulling at my coat-tails, but I think at this time they are going to hold back.

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

Mr. Speaker, let me put this in perspective for everybody. We can have this conversation here and maybe people can do press releases after we have a vote on it, but I think we all know that this bill is going nowhere, and it is going nowhere fast. So we are essentially wasting our time, we are wasting taxpayer dollars, and we are doing so at a moment when we have some serious challenges and serious crises facing our country.

I mentioned gun violence. My friends don't want to do anything about that; although, according to the press, they want to bring a resolution to slap our wrists. That is their outrage over all the gun violence that we have seen, the massacres that we have seen in this country. I find that stunning, quite frankly. I mean, it takes my breath away that, in the aftermath of all that has gone on, that that is the best they can do. Nonetheless, that is their solution, and it is another waste of time.

We have a crisis in Flint, Michigan, where people still can't turn on their faucets. We are not talking about a country halfway around the world. We are talking about a community here in the United States of America where clean water ought to be a right, and yet we can't seem to schedule the time to do anything to help solve that problem.

We passed a bill that had some good goals in it with regard to the opiate crisis that we are facing, but we haven't passed any funding for it yet. So people can go back home and say, "Oh, we did something," but really they didn't, because a bill that sets out nice goals that doesn't have any funding really is nothing more than a press release. We are not talking about funding for any of those priorities to deal with the opiate crisis.

Then there is the Zika crisis, which is getting worse and worse and worse, and yet we can't find the time this week to do anything about it. I find that appalling.

Mr. Speaker, I am going to urge my colleagues to defeat the previous question. If we defeat the previous question, I will offer an amendment to the rule to bring up legislation that fully funds the administration's efforts to mount a robust and long-term response to the growing Zika crisis.

The administration requested funding 7 months ago, and the Republican majority has refused to consider legislation that would adequately address the seriousness of this situation. Due to Republican inaction, the administration has been forced to repurpose nearly \$600 million dedicated to other pressing public health needs to stem the growing tide of this disaster. Guess what. That money is about to run out, and there are now nearly 17,000 cases of Zika in the United States and territories. As CDC Director Frieden said, "The cupboard is bare." The time for half measures and political posturing has long since passed. The time to act is now.

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. In conclusion, Mr. Speaker, I again appeal to the leadership of this House: Do something. Do something that will help somebody in this country.

I get it. Elections are coming up, and everybody is engaged in political posturing. You know, we were elected to actually try to help people and help solve problems.

I have to tell you, by any objective measure, the leadership of this House has failed. I mean, it has failed on Flint. It has failed on the Zika crisis. It has failed on gun violence. It has failed on confronting this opiate crisis. I can go on and on and on again. I can point to 70-plus times that we voted to repeal the Affordable Care Act. All of these messaging bills that were written in the basement of the Republican Congressional Campaign Committee, I guess you go back home and brag about those things, but at the end of the day, you haven't done anything.

I hope that in these few weeks that we are back before we recess again that maybe some common sense can prevail on the Republican side and we can actually do something, something that will help all of our constituents, especially with this Zika crisis. This is a crisis. If that doesn't compel everybody to do something to provide the funding necessary to combat it, I mean, given what we have seen, then I don't know what will move my Republican colleagues.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question, and then vote "no" on this rule to consider a bill that, quite frankly, is going nowhere and is a waste of our time.

I yield back the balance of my time.

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

It is fairly amazing to me that we can actually find agreement, that we agree that this should not be hap-

pening. The gentleman from Massachusetts made this statement several times, and he said "this bill is going nowhere." I would just ask him, Mr. Speaker, why not? If we want to find agreement and move forward, then, why not?

Why wouldn't a bill brought forward by this Congress that addresses a bipartisan issue of Republican and Democrat abuses to a Department of Justice settlement program, why shouldn't it move forward? Instead of saying it is a waste of time, instead of saying it is something we are just doing to get along and to not address real issues, this is a real issue. Why don't we move it forward? Instead, we will posture. We will vote "no," and we will complain about what we don't want to have. Why not move it forward?

We have heard from my friends across the aisle, the ones who came, two witnesses, that we agree on this. It should not be happening. Instead, this is a big issue. In fact, I believe it is the one issue right now that is percolating not only in our Presidential elections, but in our congressional elections. It is in our Senatorial elections. It is in our State elections.

It is this understanding of the American people that right now government is not working. Government is broken, the government that they grew up going to school with. As school has started back over the last month in Georgia—my home State, Mr. Speaker, and yours—up to New York where it starts tomorrow, they go to social studies and they learn about the Founders and they learn about the Constitution and they learn about three branches of government and how Congress does the bills and the appropriating and how the executive branch carries those instructions out and how the judiciary comports that to the constitutionality of what we do.

I cannot think of a better way than to live within those Founders' framework and to say, "Why isn't this bill going somewhere?" instead of Congress sitting back and letting the executive branch do whatever it wants to do, however it wants to do it just because they throw a tantrum because they don't get their way.

The bill does not protect people from getting away from the law. The bill does not keep people from being prosecuted. The bill does not keep punitive damages. Just go through the long list of what they have said, the list of horrors, that this would not do. It does not. It simply says you can't stroke your pet projects with money from "mandatory donations," either side, Republican or Democrat.

So tell me again, Mr. Speaker, why shouldn't this bill go forward? We will have time to debate the rest. Well, why shouldn't this bill go forward? Because it hits at the very frustration of the American people right now because what they see is not what they learned in those classrooms years ago. What they see is an executive branch that

does whatever it wants to do, sometimes under both parties. They see a Congress that doesn't stand up for itself.

As far as I am concerned, this Member will stand up for this institution and for the role that the Founders laid out for us. So H.R. 5063, the Stop Settlement Slush Funds Act, does what it says it will do, and I am proud to co-sponsor this bill.

There are many things we get a chance to vote for. We can complain or we can vote. My recommendation is vote to move this forward. Vote "yes" on this rule. Vote "yes" on the underlying bill. Instead of saying it ain't going anywhere, then grab a hold of the shovel and say let's try and make something work in this country.

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

AN AMENDMENT TO H. RES. 843 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. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. 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 Appropriations and the chair and ranking minority member of the Committee on the Budget. 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. 5044.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 231, nays 177, not voting 23, as follows:

[Roll No. 481]  
YEAS—231

Abraham	Grothman	Paulsen
Aderholt	Guinta	Pearce
Allen	Guthrie	Perry
Amash	Hanna	Pittenger
Amodei	Hardy	Pitts
Babin	Harper	Poe (TX)
Barletta	Harris	Poliquin
Barr	Hartzler	Pompeo
Barton	Heck (NV)	Posey
Benishek	Hensarling	Price, Tom
Bilirakis	Herrera Beutler	Ratcliffe
Bishop (MI)	Hice, Jody B.	Reed
Black	Hill	Renacci
Blackburn	Holding	Ribble
Blum	Hudson	Rice (SC)
Bost	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Roby
Brat	Hultgren	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurd (TX)	Rogers (KY)
Brooks (IN)	Hurt (VA)	Rohrabacher
Buchanan	Issa	Rokita
Buck	Jenkins (KS)	Rooney (FL)
Bucshon	Jenkins (WV)	Ros-Lehtinen
Burgess	Johnson (OH)	Roskam
Byrne	Jolly	Rothfus
Carson (IN)	Jones	Rouzer
Carter (GA)	Jordan	Royce
Carter (TX)	Joyce	Salmon
Chabot	Katko	Sanford
Chaffetz	Kelly (MS)	Scalise
Coffman	Kelly (PA)	Schweikert
Cole	King (IA)	Scott, Austin
Collins (GA)	King (NY)	Sensenbrenner
Collins (NY)	Kinzinger (IL)	Sessions
Comstock	Klione	Shimkus
Conaway	Knight	Shuster
Cook	Labrador	Simpson
Costello (PA)	LaHood	Smith (MO)
Cramer	LaMalfa	Smith (NE)
Crawford	Lamborn	Smith (NJ)
Crenshaw	Lance	Smith (TX)
Culberson	Latta	Stefanik
Curbelo (FL)	LoBiondo	Stewart
Davidson	Long	Stivers
Davis, Rodney	Loudermilk	Stutzman
Denham	Love	Thompson (PA)
Dent	Lucas	Thornberry
DeSantis	Luetkemeyer	Tiberi
Diaz-Balart	Lummis	Tipton
Dold	MacArthur	Trott
Donovan	Marchant	Turner
Duffy	Marino	Upton
Duncan (SC)	Massie	Wagner
Duncan (TN)	McCarthy	Walberg
Ellmers (NC)	McCaul	Walden
Emmer (MN)	McClintock	Walker
Farenthold	McHenry	Walorski
Fincher	McMorris	Walters, Mimi
Fitzpatrick	Rodgers	Weber (TX)
Fleischmann	McSally	Webster (FL)
Fleming	Meadows	Wenstrup
Flores	Meehan	Westerman
Forbes	Messer	Westmoreland
Fortenberry	Mica	Williams
Fox	Miller (FL)	Wilson (SC)
Franks (AZ)	Miller (MI)	Wittman
Frelinghuysen	Moolenaar	Womack
Garrett	Mooney (WV)	Woodall
Gibbs	Mullin	Yoder
Gibson	Mulvaney	Yoho
Goodlatte	Murphy (PA)	Young (AK)
Gosar	Neugebauer	Young (IA)
Gowdy	Newhouse	Young (IN)
Granger	Noem	Zeldin
Graves (GA)	Nunes	Zinke
Graves (MO)	Olson	
Griffith	Palmer	

NAYS—177

Adams	Butterfield	Connolly
Aguilar	Capps	Conyers
Ashford	Capuano	Cooper
Bass	Cárdenas	Costa
Beatty	Carney	Courtney
Becerra	Cartwright	Crowley
Bera	Castor (FL)	Cuellar
Beyer	Castro (TX)	Cummings
Bishop (GA)	Chu, Judy	Davis (CA)
Blumenauer	Cicilline	Davis, Danny
Bonamici	Clark (MA)	DeFazio
Boyle, Brendan F.	Clarke (NY)	DeGette
Brady (PA)	Cleaver	Delaney
Brownley (CA)	Clyburn	DeLauro
Bustos	Cohen	DeBene
		DeSaulnier

Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster

Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Loeb sack  
Lofgren  
Lowenthal  
Lowe y  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Quigley

Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—23

Bishop (UT)  
Boustany  
Brown (FL)  
Calvert  
Clawson (FL)  
DesJarlais  
Duckworth  
Gohmert

Graves (LA)  
Johnson, Sam  
Lieu, Ted  
Lipinski  
McKinley  
Nugent  
Palazzo  
Price (NC)

Reichert  
Ross  
Rush  
Russell  
Sanchez, Loretta  
Sinema  
Valadao

□ 1346

Mr. MOULTON, Mrs. DINGELL, and Mr. ELLISON changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. GRAVES of Louisiana. Mr. Speaker, on rollcall No. 481, I was detained discussing flood recovery efforts in Louisiana. Had I been present, I would have voted “yes.”

Mr. VALADAO. Mr. Speaker, on rollcall No. 481 I missed the vote because my meeting with constituents about very important transportation, agriculture, air quality, and grant issues went longer than scheduled. Had I been present, I would have voted “aye.”

Stated against:

Mr. CARSON of Indiana. Mr. Speaker, during rollcall Vote No. 481 on the previous question, I mistakenly recorded my vote as “yea” when I should have voted “nay.”

□ 1345

(By unanimous consent, Mr. GRAVES of Louisiana was allowed to speak out of order.)

## MOMENT OF SILENCE FOR VICTIMS OF LOUISIANA FLOODS

Mr. GRAVES of Louisiana. Mr. Speaker, for the last 2 weeks, many across our Nation have been preparing

the children for school. They have been preparing to end their summer vacation.

In our home State of Louisiana, nearly 500,000 of our citizens have been affected by a 1,000-year flood event, causing extraordinary ruin for our families and businesses, everything inundated. Everything that people own—family heirlooms, photo albums, hard disk drives, and generations of work—has been destroyed. We lost 13 of our fellow citizens, at least, with more perhaps to be found.

Today, hundreds of thousands across south Louisiana are sifting through what remains of their belongings, facing imminent and extraordinary financial decisions and life-altering decisions. We stand here in this Chamber today, as their representatives, and ask you to join us in a moment of silence and to keep them in our prayers.

The SPEAKER pro tempore. Members will stand for a moment of silence.

Without objection, 5-minute voting will continue.

There was no objection.

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

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

## RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 178, not voting 22, as follows:

[Roll No. 482]

AYES—231

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Barr  
Barton  
Benishke  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Burgess  
Byrne  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Culberson  
Curbelo (FL)

Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper

Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer

Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nunes  
Olson  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Poliquin

Pompeo  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Ros-Lehtinen  
Roskam  
Rothfus  
Rouzer  
Royce  
Russell  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik

## NOES—178

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr

Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Nadler  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe y  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney

Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz

Wasserman Schultz	Watson Coleman Welch	Wilson (FL) Yarmuth
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## NOT VOTING—22

Barletta	Hurt (VA)	Rooney (FL)
Boustany	Johnson, Sam	Ross
Brown (FL)	Lieu, Ted	Rush
Bucshon	McKinley	Sanchez, Loretta
Calvert	Nugent	Sinema
Clawson (FL)	Palazzo	Waters, Maxine
DesJarlais	Price (NC)	
Duckworth	Reichert	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1355

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROONEY of Florida. Mr. Speaker, on rollcall No. 482, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. BUCSHON. Mr. Speaker, on rollcall No. 482, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall Vote No. 482 On Agreeing to the Resolution Providing for consideration of H.R. 5063, the Stop Settlement Slush Funds Act of 2016. Had I been present, I would have voted "yes."

#### AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 131) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

## H. CON. RES. 131

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On September 30, 2016, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 31st annual District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the "event") may be run through the Capitol Grounds to carry the Special Olympics torch to honor local Special Olympics athletes.

#### SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

#### SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

#### SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### STOP SETTLEMENT SLUSH FUNDS ACT OF 2016

## GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5063.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 843 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5063.

The Chair appoints the gentleman from Utah (Mr. STEWART) to preside over the Committee of the Whole.

□ 1400

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5063) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, with Mr. STEWART in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Two years ago, the House Judiciary Committee commenced a pattern or practice investigation into the Justice Department's mortgage lending settlements. We found that the Department of Justice is systematically subverting Congress' spending power by requiring settling parties to donate money to activist groups.

In just the last 2 years, the Department of Justice has directed nearly \$1 billion to third parties entirely outside of Congress' spending and oversight au-

thorities. Of that, over half a billion has already been disbursed or is committed to being disbursed. In some cases, these mandatory donation provisions reinstate funding Congress specifically cut.

The spending power is one of Congress' most effective tools in reining in the executive branch. This is true no matter which party is in the White House. A Democrat-led Congress passed the Cooper-Church amendment to end the Vietnam War. More recently, bipartisan funding restrictions blocked lavish salary and conference spending by Federal agencies and grantees. This policy control is lost if the executive gains authority over spending.

Serious people on both sides of the aisle understand this. A former Deputy Assistant Attorney General for the Office of Legal Counsel in the Clinton administration warned in 2009 that the Department of Justice has "the ability to use settlements to circumvent the appropriations authority of Congress."

In 2008, a top Republican Department of Justice official restricted mandatory donation provisions because they "can create actual or perceived conflicts of interest and/or other ethical issues."

Any objections to this bill would be unfounded. Whether the beneficiaries of these donations are worthy entities is entirely beside the point. The Constitution grants Congress the power to decide how money is spent, not the Department of Justice.

This is not some esoteric point. It goes to the heart of the Constitution's separation of powers and Congress' ability to rein in executive overreach in practice.

Nor does the bill restrict prosecutorial discretion. That discretion pertains to the decision to prosecute. Setting penalties and remedial policy is the proper purview of Congress.

Opponents' central concern is that there may be cases of generalized harm to communities that cannot be addressed by restitution, but this misses the fundamental point. The Department of Justice has authority to obtain redress for victims. Federal law defines victims to be those "directly and proximately harmed" by a defendant's acts.

Once those victims have been compensated, deciding what to do with additional funds extracted from defendants becomes a policy question properly decided by elected Representatives in Congress, not agency bureaucrats or prosecutors. It is not that DOJ officials will always be funding bad projects. It is that, outside of compensating actual victims, it is not their decision to make.

Rather than suspend the practice of mandatory donations in response to these bipartisan concerns, the Department of Justice has doubled down. In April 2016, a major DOJ bank settlement required \$240 million in financing and/or donations toward affordable housing.