Tragically, we know that many of the individuals who experience suicidal thoughts suffer from some form of mental illness but have not received proper treatment.

Here in the House, we passed landmark legislation to overhaul our Nation's mental health treatment system to make sure these individuals have access to the care they need, and we need to see it across the finish line.

That is why I am here on the floor today to recognize National Suicide Prevention Month and, more importantly, to bring awareness to this tragic problem and recommit our efforts to help our fellow citizens struggling with mental illness.

DYSFUNCTIONAL REPUBLICAN-LED CONGRESS

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, I rise today to call out the dysfunction of this Republican-led Congress.

At every turn, this House has abandoned Americans who are counting on strong action from Congress to protect families. Whether it is Flint, gun violence prevention, or the Zika virus, this Congress has shown its unwillingness to tackle the real issues affecting the American people.

Mr. Speaker, in the United States and its territories, there are now more than 23,000 confirmed cases of Zika. An emergency request for supplemental resources to fight Zika came to this House more than 6 months ago. Similarly, in the 3 months since House Democrats took to this floor to call for a vote on commonsense gun safety legislation, there has not been a single vote.

Mr. Speaker, this Congress' inaction on these issues has dire consequences for many in communities across the country, including the more than 40 men and women who have lost their lives to gun violence in the Virgin Islands this year and the number of unarmed African Americans killed in police shootings. Are they not important?

The water crisis in Flint is the very issue that this Congress should take up.

Mr. Speaker, I call on this Congress to act now to fully fund the President's emergency request to fight Zika, to support the children and families in Flint, as well as bring a vote on legislation to keep our communities safe from gun violence and aggressive police practices.

MOSES LAKE CHAMBER OF COMMERCE

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

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize the Moses Lake Chamber of Commerce in Washington State's Fourth Congressional District as they prepare to celebrate their 75-year anniversary in October.

Moses Lake is truly a vibrant community that has developed as a hub for diverse sectors, including agriculture, aviation, manufacturing, and technology.

This success is no accident. The commitment of hardworking entrepreneurs and local civic leaders has placed Moses Lake on a path of increased opportunity for the residents of the city, in Grant County, and in the entire region.

The growing engagement of Moses Lake businesses in trade and exporting American products overseas shows the importance of access to international markets for the local economy. Moses Lake businesses and leaders know the importance of keeping our ports open and supply chains operating smoothly.

While Moses Lake's natural beauty, freshwater, and recreational and cultural activities attract visitors from all over, its growing economy supports jobs that attract families to stay and call Moses Lake home.

Congratulations to Moses Lake on 75 years of fulfilling its mission to create and maintain a prosperous economy and quality lifestyle.

RELIEF FROM OBAMACARE

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

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise today to encourage my colleagues to support Congressman ADRIAN SMITH of Nebraska's CO-OP Consumer Protection Act which we will vote on later today.

This bill will temporarily exempt from the individual mandate penalty anyone who had a plan under one of the many failed ObamaCare co-ops; 17 out of 23 co-ops have failed since early 2015.

Community Health Alliance was one such ObamaCare co-op based in my district. When it failed last year, 27,000 Tennesseeans were forced to find new plans. This year, Tennesseeans have been faced with even more bad news. Earlier this year, BlueCross BlueShield of Tennessee requested an average 62 percent increase in premium rates. Then just yesterday, BlueCross BlueShield of Tennessee announced that they can no longer afford to offer any ObamaCare exchange plans in Knoxville, Nashville, and Memphis. This will affect over 100,000, including many of my constituents who will now have the option of only one health insurance provider.

Congressman SMITH of Nebraska's bill will provide at least some relief for people who have lost their health insurance because of ObamaCare. I urge my colleagues' support of this very important legislation.

EDEN PRAIRIE: BEST PLACE TO LIVE

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

Mr. PAULSEN. Mr. Speaker, I rise to congratulate Eden Prairie, Minnesota, for being recognized and named as the Second Best Place to Live in America by Money Magazine. It is not the first time that Eden Prairie has been recognized as a great place to live. It has made the annual list several times over the years and even finished number one in 2010.

Eden Prairie is a wonderful place for families and kids because of its excellent schools, great parks, and over 100 miles of terrific walking and biking trails. There are also 17 lakes that add to our high quality of life. The city also has a lot to offer through its economy as well. There are several great local and global brands that are headquartered in town or nearby.

Mr. Speaker, Eden Prairie residents have known this for a long period of time. It is a great place to work, to live, and to raise a family. I am honored to represent such an outstanding community and to call it home myself.

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, September 27, 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 27, 2016 at 9:34 a.m.:

That the Senate agreed to S. 1886.

Appointment: Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

□ 1230

PROVIDING FOR CONSIDERATION OF H.R. 5303, WATER RESOURCES DEVELOPMENT ACT OF 2016; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 892 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 892

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. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, 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 Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-65. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in 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 pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 2. It shall be in order at any time on the legislative day of September 29, 2016, or September 30, 2016, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

SEC. 3. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of September 30, 2016, relating to a measure making or continuing appropriations for the fiscal year ending September 30, 2017.

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

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I would like to believe that you requested this time today after having been with the Rules Committee last night debating this measure.

The rule, House Resolution 892, provides for structured debate of H.R. 5303, the Water Resources Development Act of 2016.

Now, for Members who have been here for more than one term, you are thinking: Didn't we just do a Water Resources Development Act of 2014?

Well, we absolutely did. We were supposed to. This is getting us back on track to—Congress after Congress after Congress—focus on the water resources of our Nation.

In this rule today, we are going to make in order the general debate on the WRDA bill, the Water Resources Development Act, as well as a number of amendments on both sides. But I want to make it clear that the Rules Committee is not done. When Congressman HASTINGS and I finish here on the floor, we will head back to the Rules Committee and we will make even more amendments in order for debate. There are 25 amendments, bipartisan amendments, made in order by the rule that we are debating today. And, again, we will return to committee to make additional amendments in order this afternoon.

It would, no doubt, have been easier to make all the amendments available in one package. But as so often happens, Mr. Speaker, when you have a bill of this magnitude, of this importance, as the Water Resources Development Act is, you have an abundance of interest from across this Chamber. I believe the Rules Committee has received over 90 amendments to improve upon this legislation from Members who have important issues that they would like to see debated. That is why you see a two-rule process for this particular bill today.

For folks who don't have the pleasure of serving on the Transportation and Infrastructure Committee, as you and I do, Mr. Speaker, I will tell you that the WRDA bill authorizes the U.S. Army Corps of Engineers for all of their activities across the spectrum from construction to maintenance. It is the water infrastructure maintenance of harbors and locks and dams of flood control projects and of water supply projects across the Nation, coast to coast.

The underlying bill continues the reforms that this Congress began and that the President signed in the WRRDA bill of 2014 by strongly asserting Congress' authority over Corps activities and, again, restoring the 2-year WRDA cycle that has been missing for far too long.

This return to regular order, Mr. Speaker, I would argue, is going to take the politicking out of these projects and return the WRDA bill to being that bipartisan bill that focuses on Congress' priorities, as spoken by our constituents back home, rather than, as sometimes happens, the Corps taking direction from unelected bureaucrats downtown. I believe that we get a better work product when we collaborate together, again, manifesting the will of our constituency back home.

If you need to see what this return to regular order has meant, Mr. Speaker, just look at the 30 Chief's Reports or the 29 feasibility studies included in this bill. Again, if you don't serve on the Transportation and Infrastructure Committee, Chief's Reports and feasibility studies may not mean much to you. But if you are involved in water infrastructure anywhere in this country, you know that those reports are vital to moving your project forward and you know that the feasibility study is critical to moving your project forward.

Each one of these has been reviewed by the Transportation and Infrastructure Committee in public hearings, just as we had done in the WRRDA bill of 2014. Mr. Speaker, this kind of open and transparent process, I would argue, has given us a better work product in the underlying bill and is going to give us a better rule here today.

Mr. Speaker, when we talk about our waterways—I had to write the stats down here; I don't have them committed to memory—they are mind-boggling. Six hundred million tons of cargo are moving on our waterways, Mr. Speaker. That is $230 billion in economic value moving on our inland waterways each year—$1.4 trillion worth of goods moving in and out of our ports each year; $320 billion in Federal, State, and local revenue generated by those ports. Over one-quarter—over one-quarter, Mr. Speaker, of the gross domestic product of the entire United States of America comes from international trade and 99 percent of cargo moves through the ports controlled by this legislation.

Mr. Speaker, we are talking about over 40 million American jobs tied to international trade and, again, supported by this bill brought out of committee in a bipartisan and unanimous fashion.

I am very proud to support the underlying bill. This bill makes in order time for the chairman and ranking member of the Transportation and Infrastructure Committee to debate this bill. I am very proud that the Rules Committee has seen fit to allow those Members who do not serve on the Transportation and Infrastructure Committee to make their voice heard as well.

Mr. Speaker, this is a definition of how we should be doing things in this institution. I am proud to bring this rule to the consideration of my colleagues today. I am proud of the underlying bill that this rule supports. I

hope all of my colleagues will join me in supporting the rural and the underlying bill.

I reserve the balance of my time.

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

I thank the gentleman from Georgia (Mr. WOODALL), my friend, for yielding me the customary 30 minutes.

Mr. Speaker, I rise today to debate the rule.

This legislation historically focuses on the U.S. Army Corps of Engineers and water resources infrastructure, such as dams and levees, serving as a vehicle to update Corps policies and authorize new individual Corps studies, projects, and modifications to ongoing projects.

This legislation could not be more important for our country, specifically my State, with its numerous Army Corps projects and water resources that Florida's diverse environment, ecosystem, and economy relies on.

I was pleased to see that this legislation includes authorization for the dredging of Port Everglades. I have lived with that request for 18 years of my career here in Congress. This is a project that has seen a long road to fruition, and that will be an immense boost to south Florida's economy.

Furthermore, as co-chair of the House Everglades Caucus, my fellow caucus members, relevant stakeholders, and I have for years worked tirelessly to make the goal of Everglades restoration a reality. It is with this goal in mind that I support and applaud the inclusion of the Central Everglades Planning Project authorization in this bill.

This authorization will mean almost $2 billion of Federal and non-Federal money will be put towards vital restoration projects that will help one of the world's most diverse and unique ecosystems thrive once again.

We still have a long way to go to bring the Everglades back to full ecological prosperity, and many challenges remain ahead; but by authorizing this project, we will be able to take a determined step in the right direction, helping Florida's environment and economy.

Mr. Speaker, while I am pleased that this bill includes authorizations for critical water projects important to the State of Florida and for many other States around the country, I am disheartened to see a measure that was reported favorably out of the Transportation and Infrastructure Committee with bipartisan support become shamefully transformed by Republican leadership.

Under the guise of a budgetary point of order, the Republican leadership stripped a provision that would have unlocked the harbor maintenance trust fund to ensure that revenues collected from shippers are used to actually maintain U.S. coastal and Great Lakes harbors.

So after working in a strong bipartisan fashion to craft a bill that all Members could support and after reporting the bill by voice vote, the majority saw fit to sabotage the good faith negotiating and hard work by—and I underscore one Member, a friend of mine—the gentlewoman from California (Ms. HAHN), who has worked on this the entirety of the time that she has been here in Congress, and I am sure serves as a disappointment for her. She will speak to that later.

Mr. Speaker, later today we will be debating a rule for a bill that, once again, attacks the Affordable Care Act. That bill also had two points of order made against it. Yet, the majority provided that legislation with a waiver against those points of order. With these contrasting decisions, the majority has revealed its hypocrisy.

Work in a bipartisan fashion on a major infrastructure bill that gets favorably voice voted out of committee and leadership changes the bill and provides no waiver.

Attack the Affordable Care Act in a red meat political messaging bill for the extreme right and leadership allows a waiver of the point of order so the bill may move forward.

Mr. Speaker, I am also disheartened to see that this legislation does not have any funding to help the people of Flint and that my good friend, the Member who represents the city of Flint in this House, Congressman KILDEE, did not have his amendment, which would have provided much-needed relief to the citizens of Flint, made in order.

□ 1245

I am sure, if time permits, he will speak to the issue as well. Congressman KILDEE sought this waiver of the rules so that his amendment could be made in order. This request was denied.

Mr. Speaker, the majority grants waivers of points of order all the time. I have had the good fortune of being on the Rules Committee, both in the majority—perhaps, not often enough, in my mind—and in the minority. This Congress alone, as when Democrats were in charge, made waivers when they felt like doing so. My Republican friends have granted 249 waivers; yet they denied a waiver to address a critical public health crisis. There is plenty of blame to go around as to the cause of this crisis.

I said last night that I understand the implications of the State and the local governments' responsibilities, but I also feel, when children are poisoned, that the Federal Government has an immense responsibility. To me, women, children, and the elderly becoming ill because of lead-tainted water is an ''everybody'' problem, and this body has a political and a moral responsibility to help the people of Flint right this wrong.

Simply put, Mr. Speaker, if we can't get a waiver of the rules after this House works in a truly bipartisan way to address the issues of our country or to help children who have been drinking poisoned water in their hometowns, then when can we get a waiver?

I reserve the balance of my time.

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

My friend from Florida is very earnest in his comments. One of the reasons I enjoy working with him so much on the Rules Committee is we get to work on issues that affect people's lives—that make a difference for folks back home. Even though we are here debating the WRDA bill, I would be remiss if I let the reference to the CO-OP bill, coming later on today, pass as being an attack on ObamaCare or even pass as being a waiver of the budget rules.

Mr. Speaker, if you have had a chance to look at that, what you know is that, when U.S. citizens were forced out of the insurance policies that they liked and into the ObamaCare system and when those ObamaCare policies they were forced into failed midyear and they lost the insurance that they were forced into after having already lost the insurance that they had chosen for themselves, the law said we are now going to come and tax you—penalize you—once again because you have let your insurance policy lapse.

This is the absurdity of having lost your insurance policy because the law took it from you, of having the law force you into a second insurance policy, which then collapses under its own weight because it cannot support itself, and then of you, the American taxpayer, having to be on the hook. So the budget point of order, which is absolutely waived, waives the absurd proposition that the Federal Government was entitled to tax American citizens who have been twice failed by ObamaCare because we were expecting them to pay a penalty for having lost their care midyear.

This is something that unites us. This is not something that divides us. We have an opportunity in the next rule that comes up—in the next bill that comes up—to step in for those American families who, again, lost the insurance they wanted, who lost the insurance they were forced into, and who are now being faced with an IRS penalty for their troubles. I think this is something that our constituents have sent us here to do, and I am glad we are going to be taking action on that later today.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. DEFAZIO. I thank the gentleman for yielding.

Mr. Speaker, the gentleman mentioned in his opening remarks one of the greatest disappointments. This bill did come out of committee unanimously—bipartisan—in a very fiscally responsible manner, which is that we

levy a tax on all goods that are imported into this country. Every American pays a little bit more for any imported good he buys under the premise that that money will be used to maintain and construct our harbors and critical port facilities.

Unfortunately, every year, the Republicans have seen fit to divert $400 million to $500 million of that tax into something else. They spend it somewhere else. They pretend they are reducing the deficit—whatever. We do not know. Meanwhile, our harbors are silting in; our jetties are failing; and many major projects are delayed. In fact, we are going to authorize a bunch of new projects here—billions of dollars worth of projects. Unfortunately, the Corps already has authorized—but yet has unconstructed and unfunded—$68 billion worth. They are saying we can't use the tax dollars—that we can't use the dollars which Americans are paying a little bit more of for all of their imported goods—for the purpose for which the law was intended: dredging our harbors. Here are just two examples.

We have Savannah—a major project. We have to deal with the post-Panamax ship. Unfortunately, we are going to have a $15 million-a-year deficit in terms of maintaining that project once it is constructed. We also have the Port of Charleston—$5 million a year short. Now, if that $400 million were not being diverted by the Republican majority to other purposes, those projects and others around the country could be fully funded.

I have been working on this provision for 20 years, starting with Bud Shuster, the dad of the current chair of the committee. It came out of committee unanimously with support on the Republican and Democratic sides; yet the Rules Committee stripped it out. They stripped it out because they want to keep playing with that money and diverting it away from critical needs.

Then one other thing. We are talking about critical infrastructure and the huge backlog. There is an earmark in this. Earmarks are banned. Technically, they kind of get around that. There is a $520 million earmark for a project that has had no cost-benefit analysis, that has not been approved by the Corps of Engineers but that, in fact, will include such critical infrastructure as a splash park, a swimming pool, ball fields, et cetera. Harbor maintenance tax dollars will be spent on these projects in a $520 million boondoggle that has never had a cost-benefit analysis because one member of the Appropriations Committee managed to slip it into an appropriations bill years ago. Then, with a little sleight of hand, he said: ''Oh, well. Yeah. It was never authorized, never evaluated; but if we tweak it a little bit and say, 'Well, we are modifying it,' then we can say, 'Oh, it is okay.'''

This is not exactly on the up-and-up here today, folks. We are diverting precious tax dollars away from critical infrastructure to whatever kind of special things the Republicans have somewhere else that they want to fund, and we are funding boondoggles and earmarks to the tune of a half a billion dollars.

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

Mr. HASTINGS. I yield the gentleman from Oregon an additional 1 minute.

Mr. DEFAZIO. To just get back to the core of this, other than that, it is a pretty good bill.

It is critical that we maintain our ports and our infrastructure, and it is critical for our competition—the world economy; but we need to stop hoodwinking the American people. If you are not going to spend the tax for the purpose for which it was collected—harbor maintenance and construction—then lower the tax, because every American is paying a little bit more for every imported good. Besides that, they are paying a lot more because the ships are way out to sea, in line, because they can't access our ports, again, because of deferred maintenance at portside facilities.

We have got that money. We are collecting the tax. Let's spend the tax in the way in which it is authorized under the law of the United States of America, and let's stop playing games.

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

I say, in broad terms, that I support what the gentleman from Oregon has just said. I served with him on the Transportation and Infrastructure Committee. I was one of the folks who supported the bill that unanimously left committee. The great State of Georgia is dependent on the Port of Savannah, about which the gentleman from Oregon has just laid out the critical funding infrastructure needs.

The question with the harbor maintenance trust fund, I want to be clear, is not one of the diversions of those resources. We often talk about trust funds as if someone is dipping his hand in and taking money out of the trust funds, and there is not a single person who works at a single port in the great State of Georgia who believes that is true—because it is not. The trust fund still sits there. The gentleman's point is that we should be spending the money in the trust fund, and he is absolutely right about that. Correct any misunderstanding. No one is spending those resources elsewhere. Those resources are still in the trust fund, and they ought to be spent.

The question then becomes for this Chamber: Are we going to delegate that authority, as we do time and time again, to the administration, and the administration will spend that money any way the administration sees fit; or will we, utilizing the constitutional powers not given to this body but required of this body, spend those dollars as our constituents see fit—in an accountable fashion, not by unelected bureaucrats, but by folks who are elected and who stand for election every 2 years?

These dollars need to go out the door. The Port of Savannah is critical because it is so big. The Port of Brunswick, in Georgia, is even more challenged by dredging that hasn't happened but that should have happened. The project that my friend from Florida mentioned, the Everglades, is not a local port project in Florida; that is a project of national significance. We all stand for the restoration that needs to happen there in the Everglades, a national environmental and natural treasure. We have failed in making those decisions, and if we delegate this authority in its entirety to the administration, I tell you that we will have failed our constituents again.

Mr. Speaker, you were with me and the chairman last night in the Rules Committee. Chairman SHUSTER wants to solve this problem. Chairman SHUSTER wants what I want, and I want what Mr. DEFAZIO wants; and what Mr. DEFAZIO wants is for us to live up to our obligation to maintain America's critical port and waterway infrastructure—we can and we should and we will—but delegating it to the administration does none of those things. That, we should not do. We have an opportunity to do it the right way.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. HAHN).

Ms. HAHN. I thank my colleague, Representative HASTINGS, for yielding, and I thank the gentleman earlier for recognizing my work on this issue since I have come to Congress.

Mr. Speaker, I rise in opposition to the rule for this bill. My colleagues and I, first of all, have been fighting for much-needed funding for the children who have been poisoned in Flint, Michigan. This bill should have included help for them. These families have waited too long, and it is inexcusable that we have not passed legislation on their behalf. I am also opposing this bill because an important provision that would take the harbor maintenance trust fund off budget was stripped from this bill after we passed it out of committee unanimously—with true bipartisan support.

When I first came to Congress 5 years ago, I didn't think we were talking about our Nation's ports enough, and I started the bipartisan Congressional Ports Caucus, which now has over 100 members, both Democrats and Republicans. Some are in the caucus who don't even have a port that they represent; but, together, we have brought new attention to the problems that are facing our Nation's ports and the impact that they have on our economy.

One of our caucus' priorities has been taking the harbor maintenance trust fund off budget so that Congress cannot use these funds for any other reason or keep them in a surplus that is not going to the purpose for which they were intended. Shippers have been paying billions of dollars into this fund for

the purpose of maintaining our ports so that we can continue to have goods movement and the international trade industry be at the core of our economy in this country.

□ 1300

We had a $9 billion surplus at one point. That is criminal to have that money just sitting here not going back to our ports. In fact, over the last decade, less than 60 percent of the revenues that we have collected have been used to maintain and dredge our ports. This is unacceptable. Money that is collected at our ports, for our ports, should go back to our ports.

Jo-Ellen Darcy, the head of the Army Corps of Engineers, told me that if she had the appropriate funding—which means we should take the harbor maintenance trust fund off-budget—all of our ports in this country could be dredged in 5 years. Not only would this create jobs, it would prepare ports across the country for the larger ships coming through the expanded Panama Canal.

We made great headway on this issue in 2014 by passing a bipartisan WRRDA bill that established annual spending targets that led to the full use of these revenues by 2025.

However, less than 2 months after that was passed, I was back here on the floor with my colleague, Representative HUIZENGA, fighting for the appropriations funding that matched what was set in our water bill, and we have had to keep fighting for that ever since.

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

Mr. HASTINGS. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California.

Ms. HAHN. Mr. Speaker, my colleagues and I in the Transportation Committee, both Democrats and Republicans, decided to address this injustice in May when we passed a bipartisan bill that included the provision to finally take the harbor maintenance trust fund off-budget. However, much to my shock and dismay, this provision was stripped out after we passed the bill out of committee.

We cannot continue to neglect our port infrastructure and put at risk job growth, our economy, and global competitiveness. For these reasons, I cannot support this rule and WRDA in its current form, and I encourage my colleagues to do the same.

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

Mr. Speaker, it has to be said the gentlewoman from California (Ms. HAHN) is an amazing advocate for the harbor maintenance trust fund. She represents a critically important port infrastructure. It is critically important not just for her area, but to the entire United States of America.

I do the same on the Eastern seaboard, the port in Savannah, Mr. Speaker, is the fastest growing container port in the country. It is not a catalyst for growth in Georgia; it is a catalyst for growth across the United States of America, particularly in the Southeastern portion.

The gentlewoman was absolutely right, we made some great progress in 2014. We came to an agreement that we need to do more. We have the ability to do more, and we need to do more. That is not the question today, Mr. Speaker. You will not find any reference made by any member of the Transportation and Infrastructure Committee suggesting that they don't want to do more.

The question is: Will we do what we do so often, and that is to decide that Congress cannot be trusted with these decisions and let's just punt to the administration?

Now, I will tell you what that means for Savannah since we saw a banner up here earlier on the floor talking about the Savannah port. What that means for Savannah is that while the Corps of Engineers says that we can get this port fully operational for Panamax ships within 6½ years, providing taxpayers the maximum bang for their buck—the administration funded it not over 6½ years. They didn't provide enough funding for it to get done in 10 years. They didn't provide enough funding for it to get done in 20 years—the funding that was recommended by the administration stretched the construction out over two decades.

Who wins in that? Who wins in that?

I will tell you that an advocate for the port system, as the gentlewoman from California is, would not spend taxpayers dollars that way. I would not spend taxpayer dollars that way and you would not spend taxpayer dollars that way.

Is this institution at fault for not maximizing the utility of the harbor maintenance trust fund?

Yes. Yes.

Will this institution compound that fault by delegating the authority away to the administration?

The answer is yes.

I would say to my friends that the nature of a trust fund is that it is there when we need it most. What the gentlewoman from California described is the spend-up program that was going on over a decade recognized that. It recognized that there is going to be a rainy day here where we are going to need to dip in, where the revenues won't be what we expected. The nature of a trust fund is not to spend it to zero every year. The nature of a trust fund is to have it there when you need it.

We are working together to do more here, Mr. Speaker. But when the objection is made—and I will read it in part. Section 108 is the provision that we are talking about being stripped, and it allows the Corps to use the funds available in the harbor maintenance trust fund without further appropriation by Congress.

Mr. Speaker, in the 1960s, when you looked at the Federal budget, about one-third of that Federal budget was on autopilot, just going right out the door every year primarily for income support programs. Two-thirds of that budget was investing in the United States of America, growing the United States of America, focused on our kids, focused on our ports, focused on our schools, focused on our parks, focused on innovation and infrastructure.

Today, that same chart has been flipped. Two-thirds of the Federal budget is on autopilot, and only one-third is left to the discretion of this institution.

I say to my friends that I think more of us as a body than to say that we can't get this done. Fair enough if folks want to look back at history and say: But, ROB, we have been trying to get this done and we haven't gotten it done right yet.

I can see that is true. We have come closer together than we have ever come before. More than 50 percent of this body has been here 6 years or less. More than 50 percent of this body does not know of the failures. They only know of their desire to succeed, and that is why we have come closer than we have ever come before. Let's not punt today. Let's not concede failure today. Let's not decide that the President, whoever he or she may be next cycle, is going to know better than us tomorrow, better than our constituents tomorrow. Let's just do the job that we were sent here to do, and we have never been closer to celebrating that success together. I hope we will get there.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 2½ minutes to the distinguished gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), my very good friend who also is an appropriator.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS)—who I concur is my very good friend—for his leadership on behalf of Florida and particularly in protecting our beloved Everglades.

While I support the underlying bill because of the critical investments the Army Corps of Engineers will make at Port Everglades and in restoring the Everglades, I, unfortunately, rise today in opposition to the partisan fashion in which the Water Resources Development Act, or WRDA, has been brought to this floor.

I am proud the Central Everglades project, which is authorized by this bill, will provide over a billion dollars in Federal and non-Federal funds to continue the essential work of restoring the Florida Everglades.

The Everglades, which we call affectionately the River of Grass, is home to thousands of rare species and its survival relies on the flow of water and a high standard of water quality throughout our State of Florida.

Restoring historic water flow is not only critical for the Everglades and for its ecosystem, but it also boosts critical freshwater supplies that are essential to the daily lives of millions of

Floridians and the very future of a Florida we call home.

Additionally, I am proud that WRDA includes authorization for the Port Everglades—not the same—the Port Everglades harbor dredging project. This has been an almost astounding 20-year planning process. It shouldn't have taken that long, and we are thrilled that we are finally here.

The deepening and widening of the channels at Port Everglades will allow south Florida to receive cargo from larger ships, the post-Panamax cargo ships coming from the widened Panama Canal. That will create nearly 1,500 new jobs in south Florida and over 29,000 related jobs statewide through new commerce coming through the port.

However, I also want to reflect on the majority's obstructionism. For months, Democrats, led by Representative KILDEE, have urged the majority to help Flint and other communities that have been exposed to lead to fund the necessary repairs to water infrastructure, as well as replace that which has been corroded and allowed lead to leach into the water system.

I visited Flint in March and spoke to families exposed to lead in their water and whose children may have been exposed. As a mother of three children myself, I am outraged for those mothers in Flint who learned that the water their children have been drinking for months is dangerous and could have long-term effects on their children's development.

As Americans suffer, Republican leadership's continued recklessness—and specifically their refusal to include funding for Flint in WRDA—is unconscionable.

Have you no heart or soul? Do you not feel for someone else's children besides your own?

The tone deafness is astounding. The majority has even withheld a vote on the matter. They won't even let us vote, Mr. Speaker.

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

Mr. HASTINGS. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, the majority has even withheld a vote on the matter, refusing to rule in order Mr. KILDEE's amendment, the Families of Flint Act. They have no conscience. If they did, they would allow a vote.

Vote ''no,'' as I have said many times on this floor. Vote ''no.''

Have the courage of your convictions, but let the democratic process work. Trust this body. As the gentleman has just said on the harbor maintenance trust fund, trust this body to make the decision together. You can't have it both ways. You either trust this body to cast their votes accordingly or you don't. You can't pick and choose because you are playing politics with the lives of children if you do.

For this reason, I urge a ''no'' vote on the rule.

Mr. WOODALL. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SANFORD), who represents the Port of Charleston that we saw on the map earlier.

Mr. SANFORD. Mr. Speaker, I want to first commend the gentleman from Georgia (Mr. WOODALL) for what he has done on this bill. It would take the wisdom of Solomon to get all the competing interests and all the competing views perfectly happy on this bill.

What I think the gentleman has done in the Rules Committee is to recognize that this is a bill that cannot wait. It is a bill whose time has come. He has absolutely the courage of his convictions. He has got a whole lot of heart and a whole lot of soul, and he has worked with other Members to say this is a bill as best constructed as we can get it and we have got to move.

The question on the underlying bill that I think Ranking Member DEFAZIO and Chairman SHUSTER have worked so hard on is one that is complex in nature but incredibly simple in what it produces. It produces a couple of things that, I think, are worth consideration.

First, it produces something that has everything to do with what Mr. WOODALL was just talking about on the way that our budget used to be configured. There used to be a budget in the United States that was built around what are we going to do, what are we going to invest in our country to make our country more competitive. We have gone on to an entitlement budget that both the Republican and Democratic side would say doesn't work for a lot of folks out there and is a financial train wreck.

I thought it was fascinating, in fact, that Mario Draghi, who is the head of the European Central Bank, said in Brussels yesterday that it is ''not enough for delivering real and sustainable growth in the long term'' if we continue down this road of low interest rates. In fact, he said a continued path of low interest rates has harmful side effects.

I think we have seen that with a lot of retirees out there. A lot of folks who have pension plans that are depending on what comes next in financial markets are being hurt with this financial engineering. What he said, in short, was to be competitive in the world economy, you cannot continue to rest on this notion of financial engineering as a way to get you there.

So what this bill is ultimately about, as Mr. WOODALL was just pointing out, we have got to move from the European Central Bank's financial engineering as the way in which we are supposedly competitive as an economy and go back to the basics, back to the basics of where we are on tax policy, back to the basics of where we are on regulatory policy, back to the basics on spending, taxes.

Go down the list, but among the things on that list is this notion of investing in infrastructure. It is important not only in terms of making our economy more competitive; it is also important if you care about the debt and deficit. The only way we can close that gap is not spending restraint, but also by growing the economy; and that this is, in fact, a linchpin to growing the economy and, therefore, it cannot wait.

I think he also recognizes what Thomas Friedman talks about in this so-called flat world that we live in; that it is an increasingly competitive world. I thought it was interesting that Hillary Clinton mentioned last night in the debate that 95 percent of the folks in the world live out there and 5 percent live in the United States, and we have got to trade with them. And disproportionately, the way in which we trade, almost 90 percent of what we buy in markets around this country got here by container.

So we have got to go about this business of upgrading our port facilities, for instance. That is why I think that, as Representative WASSERMAN SCHULTZ was just mentioning, it is important what is happening in Port Everglades. It is important what is happening in the port in Miami. It is important to what is happening in the port in Lake Charleston.

Do I have a hometown component to the fact that I like Charleston and South Carolina?

Yes. But it has everything to do with the growth of the region based on the Panama Canal being widened and based on post-Panamax-sized ships coming to the East Coast, Gulf Coast, and West Coast ports in this country. To be competitive, we have got to be continuing this process on a regular basis of upgrading our infrastructure.

□ 1315

Finally, this is about a change in process, if you look at the underlying bill. The Founding Fathers talked about e pluribus unum—from the many, one—and too often we have gotten away from that; we have gotten to a Balkanized look at the way districts work.

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

Mr. WOODALL. Mr. Speaker, I yield an additional 1 minute to the gentleman from South Carolina.

Mr. SANFORD. Mr. Speaker, we have got to go about looking at the national needs of this country as opposed to just the regional needs or the local needs.

We got off on the notion of earmarks, and at times our answer is just to cede to the executive branch that deliberation. I think that what this bill correctly does is it pulls back to Congress that which the Constitution vested with the Congress in deliberation of these kinds of matters, which makes it incredibly important.

Mr. HASTINGS. Mr. Speaker, would you advise both of us how much time remains.

The SPEAKER pro tempore. The gentleman from Florida has 12 minutes remaining. The gentleman from Georgia has 10 minutes remaining.

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

If we defeat the previous question, I am going to offer an amendment to the rule to bring up a desperately needed $220 million aid package for the people of Flint, Michigan, who have been without clean drinking water for the last 2 years.

Mr. Speaker, we have known about this manmade catastrophe for more than a year, and we didn't give the waiver last night to Mr. KILDEE's amendment. We have provisions to deal with manmade catastrophes dealing with a variety of issues, prominent among them when a freight rail goes off the tracks and causes their freight, that may very well be harmful to a community, to pollute that community. We act, as we should have here.

The Republican majority continues to do nothing about this, hiding behind House rules to block funding and justify its inaction. I really don't understand it. I said last night to all of our colleagues, if it was any one of our communities—and I might add a footnote right there, there are other communities in the United States of America that do have problems with lead poisoning, and it augurs well that we should consider them as well. However, we all know the circumstances of Flint, Michigan.

Mr. Speaker, American families are being poisoned by lead-contaminated water. When that happens, we have a moral responsibility to act now. We can't wait any longer. I have heard around here that it is a local and a State responsibility. Well, if that is the case, we need to shut this institution down because everything, then, would be a local and a State responsibility, and all of our infrastructure issues of consequence would be a State and a local issue, as they are, but the Federal Government has responsibilities as well.

While there is enough blame to go around about Flint, the simple fact of the matter is—and I am sure the next speaker will point it out—the United States Senate has seen, in its wisdom, 95–3 they have voted—95–3—to provide the $220 million, which is nothing more than a start to try and do what is necessary in order for people to be uplifted. This is an area of our country, if we were talking 40 years ago, that was a driving engine of this country, that portion of Michigan.

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

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

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Michigan (Mr. KILDEE), my friend who has worked tirelessly on behalf of his constituents, to discuss our proposal. I find it shameful that he has to once again come here and ask for what we could have done in the Committee on Rules last night by giving him the necessary waiver for his amendment to be put on the floor and at least voted on.

Mr. KILDEE. Mr. Speaker, I thank my friend, Mr. HASTINGS, so much for his kind words, for yielding, and for his unyielding support for the people of my home community. It means a lot to me.

I rise in opposition to the previous question so that I can bring up something that I hoped I was going to be able to bring up through the amendment process or could have been inserted in this bill in the first place, and that is the relief for the people of Flint that, as my friend said, passed the United States Senate 95–3. And yet at every turn, the Republican leadership in this body finds a reason, some kind of an excuse, or some kind of technicality to prevent us from providing help to a whole city that has been poisoned and continues to have water that is unsafe to drink.

This is a water resources bill. The Speaker said that, no, it shouldn't be in the continuing resolution, this help for Flint; it should be in WRDA. The majority leader, Mr. MCCARTHY, said this should come up in WRDA. So last night, I went to the Committee on Rules, offered the amendment to put the language in WRDA, and on a party line vote, of course, the answer was no, nothing for the people of Flint, a city that is being poisoned by its own water. The Federal Government has the opportunity to help. Nothing.

When the Speaker said that this is where the conversation should take place on Flint, I assumed that that meant a conversation would take place and we could debate the merit of this paid-for provision to help the people of Flint. But the conversation, I suppose, that the Speaker anticipated went something like this: No, nothing for Flint, end of conversation. That is shameful. What are we here for, for God's sake? Why do we come to this place if not to do the work of the American people?

We have waived the rules in this Congress—not just since I have been here, but in this 114th Congress—to make way for legislation that needs to come to the floor because it was someone's priority 249 times. Twice in this rule we waived the rules of the House of Representatives in order to get legislation to the floor.

Let me ask a question. If there is ever a time when we ought to do everything we can, including waiving a point of order, it would be to take up relief for a city that is drinking poison, relief that the Senate has already passed 95–3. But what do the people of Flint get? Lipservice. Nothing. Excuses. It is a shame.

This is the Congress of the United States. Let me give you a civics lesson for those of you who may be listening. The city of Flint happens to be in the United States of America. We have an obligation to all Americans. So when Mr. HASTINGS is confused, I share that confusion. What is it? Why is it that the majority will do backflips to bend the rules, to break the rules, to amend the rules, and to waive the rules to achieve whatever their particular goal might be? But, no, when it comes to the people of Flint, you are on your own.

Mr. HASTINGS. Will the gentleman yield?

Mr. KILDEE. I yield to the gentleman from Florida.

Mr. HASTINGS. Is the $220 million that the Senate passed 95–3 paid for?

Mr. KILDEE. It is fully paid for.

I thank the gentleman for the question. Fully paid for.

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

Mr. HASTINGS. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. KILDEE. So we have a fully paid-for provision. There is no excuse. It will not increase the deficit. So it does beg the question: Why? Or a better way to put it: Why not?

I have to admit, Mr. Speaker, I am coming to a conclusion that I don't want to come to, that the leadership in this House, when they think about Flint or when they look at Flint, sees something different. They don't see American citizens. They don't see people in need. But there is something about this poor community, this poor majority minority community that exempts them from the kind of help that we have provided time and time again to people in crisis in this country.

I hate to come to the conclusion that there is something about these people that causes this Congress to decide they don't deserve that help. That is a shame.

Mr. WOODALL. Mr. Speaker, I am so incensed by that presentation. I know my friend is passionate for his folks. I live in a majority minority county. And if you want to know, if any folks are watching this, and they want to know why we can't get things done together, they could use that presentation as the expose of why we are divided instead of united.

How dare you suggest that folks don't care about your community. How dare you suggest that race is the basis of this. How dare you, when I sat in my committee working on this issue hour after hour and not one Member brought this up, not one Member brought this to the committee.

I am incensed. Mr. Speaker, we owe each other better than that. You all are better than that. This institution is better than that. I know the gentleman is passionate, but that kind of vitriol is not going to get us to where I know you and I both want us to be.

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

Mr. HASTINGS. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I appreciate and understand the gentleman's comment. My point is this: Prove me wrong. Prove me wrong. You have it in your power to take up this legislation. It is not me who is blocking this legislation. I don't want to come to this conclusion. It is very difficult to, time and time again, take this question to the floor of the House and wonder why Flint is exempt.

Sympathy does not get anywhere. I understand there is all sorts of sympathy for the people of Flint. Well wishes. But when it comes time to act, when it comes time to actually do something for this community, nothing.

Mr. WOODALL. Mr. Speaker, I would say to my friend from Florida, I do not have any further speakers remaining, and I am prepared to close if he is.

I reserve the balance of my time.

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

Mr. Speaker, I was happy to see the Committee on Transportation and Infrastructure work in such a bipartisan way to address the water infrastructure needs of our Nation. I applaud the chairman and ranking member and all of the members on the committee for negotiating a measure that they were able to report favorably by voice vote. I am also especially happy to see so many important projects from my State included in the measure.

However, leadership has once again proved that they are unable to free themselves from the chains of partisanship and have, therefore, scuttled a bipartisan bill that came out of committee on voice vote, and they did so at the last possible moment.

The American people, many of them, are sickened by and tired of the games that we play here in the House of Representatives. All of the American people deserve better.

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

□ 1330

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

Mr. Speaker, I want to start by picking up where my friend from Florida left off, and that is that this was an amazing work product that came out of the Transportation and Infrastructure Committee.

I love serving on the Transportation and Infrastructure Committee. We have got a lot of good men and women from all across the country on it; and, yes, we are able to come together and do things that perhaps other committees in this House could not come together and do.

That doesn't happen on its own. I want to recognize all the folks—not just the members on the committee—like Geoff Bowman, Matt Sturges, and Collin McCune, who serve in a staff role on that committee, bringing all of this paperwork together so that we can get about the people's business.

Mr. Speaker, we have talked about a lot of different things in this rule to deal with the WRDA bill. Most of them don't have anything to do with the WRDA bill. Folks don't know back home. My friend from Florida is absolutely right. People are sick and tired of the games they see going on in Washington. As my friend knows, committee jurisdiction isn't a game. It is the rules that we play by in order to get work done, in order to make sure that subject matter experts are working on individual pieces of legislation.

I sit on Transportation and Infrastructure. I am a subject matter expert on Transportation and Infrastructure. I have absolutely no jurisdiction over the EPA or clean drinking water at all, and I don't have any expertise over it. I don't have any expertise.

When my friend from Michigan asked why more isn't being done, I don't know. I look at a CNN article about my hometown of Atlanta that says our drinking water infrastructure is being delivered with pipes constructed in the 1800s. I look at a report from CNN that says 4,500 drinking water facilities across this country are failing the EPA lead test today—that is 4,500.

I don't know why the folks with jurisdiction over those issues are not at work on it. Do I think the EPA bears responsibility for letting folks, as the articles go on to say, cheat with impunity, that it just became a culture in local drinking waters that you could misreport and the EPA would just wink and nod and go along with it? Is there blame to go around, as my friend from Florida said? Of course, there is.

One of the great surprises, Mr. Speaker, of coming to serve in this body is the caliber of the men and women that I have gotten to serve with. I get to read the reports on TV about Congress playing games, about partisanship, about folks who don't care about one another, and I know it is not true. I get to read about folks who care only about feathering their own nest or pursuing their own career, who don't care about serving men and women in their times of need, and I know that it is not true. I hear about folks who would rather put party above people, and I know that it is not true. That is because I know him, I know him, and I know him, and right on down the line.

This bill, Mr. Speaker, is not going to solve all of the ills of this country. It is not even going to solve a large part of them. It is going to solve one little part as it deals with the critical water infrastructure of our ports and waterways on which so many millions of American jobs depend.

I don't propose that we pass this rule and pass the underlying bill and absolve ourselves of any other responsibility. I propose that we pass this rule and we pass this underlying bill so that we can get about the rest of our responsibilities. One issue at a time, Mr. Speaker, working together, Member to Member, community to community, we would amaze the American people with what we could get done.

I urge all my colleagues to support this rule; support the underlying bill.

Mr. SESSIONS. Mr. Speaker, H. Res. 892, the special order of business governing consideration of H.R. 5303, the Water Resources Development Act of 2016, included a prophylactic waiver of points of order against the amendments made in order in House Report 114–790. The waiver of all points of order now includes a waiver of clause 9 of rule XXI, which requires that if a sponsor of the first amendment as designated in a report of the Committee on Rules to accompany a resolution sits on a committee of initial referral, that sponsor must have a list of congressional earmarks, limited tax benefits, or limited tariff benefits in the amendment to be printed in the CONGRESSIONAL RECORD prior to its consideration. However, it is important to note that the sponsor of amendment 1 in the committee report has since submitted the required statement.

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

AN AMENDMENT TO H. RES. 892 OFFERED BY MR. HASTINGS

At the end of the resolution, add the following:

SEC. 4. Notwithstanding any other provision of this resolution, the amendment submitted by Representative Kildee of Michigan for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII dated September 27, 2016, shall be in order as though printed as the last amendment in the report of the Committee on Rules if offered by Representative Kildee of Michigan or a designee. That amendment shall be debatable for one hour equally divided and controlled by the proponent and an opponent.

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. WOODALL. 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. HASTINGS. 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. 954, CO-OP CONSUMER PROTECTION ACT OF 2016

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 893 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 893

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 954) to amend the Internal Revenue Code of 1986 to exempt from the individual mandate certain individuals who had coverage under a terminated qualified health plan funded through the Consumer Operated and Oriented Plan (CO-OP) program. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The 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 Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 893 provides for consideration of H.R. 954, the CO-OP Consumer Protection Act of 2016. The rule provides 1 hour of debate, equally divided among the majority and minority of the Committee on Ways and Means. As is standard with all legislation pertaining to the Tax Code, the Committee on Rules made no further amendments in order; however, the rule affords the minority the customary motion to recommit.

Under the rule, we will be considering a bill to prevent a tax increase imposed on the American people by the Affordable Care Act. This will affect many Americans through no fault of their own and due to circumstances beyond their control. The bill advanced through regular order and was reported favorably out of the Committee on Ways and Means on a voice vote earlier this month.

The Affordable Care Act established a program to provide taxpayer-funded loans for Consumer Operated and Oriented Plan program, better known as the CO-OP program. The Centers for Medicare and Medicaid Services funded 24 CO-OPs in 23 States. Of those 24 CO-OPs, 1 failed before it ever enrolled a single individual, and just 6 remain open today. The 17 failed CO-OPs received over $1.8 billion in taxpayer funds and, to date, none of those CO-OPs has paid back any of those loans.

In addition to wasting billions of taxpayer dollars, the CO-OPs have created instability and hardship for hundreds of thousands of individuals who relied on CO-OPs for insurance coverage. Under the Affordable Care Act, individuals must be covered by a health plan that provides minimum essential coverage or pay a tax for failure to maintain coverage. Thus, victims of failed CO-OPs were penalized, despite their efforts to be in compliance with the law.

The magnitude of this problem for affected individuals is significant. They are left without coverage for health care. They face increased financial burdens and tax penalties. H.R. 954, the CO-OP Consumer Protection Act of 2016, would provide targeted relief by creating an exemption from the individual health insurance mandate for individuals who have coverage under a CO-OP that fails.

H.R. 954 would be effective retroactively, starting January 1, 2014, and would also protect consumers of the remaining six CO-OPS going forward. While the administration and some of my counterparts have noted that consumers affected by a close CO-OP could have purchased new plans during a special enrollment period, this comes up short. Those victims of failed CO-OPs had to start anew in paying deductibles for a new plan well into the coverage year, and continuity of care could be significantly disrupted, based on changes to provider networks.

H.R. 954 does not make these individuals whole, but it is the right thing to do. Across America, individuals do not even have the basic assurance that their insurance carrier will not simply vanish in the night. We should all be able to agree that these individuals should not also then face penalties under the individual mandate.

H.R. 954 advanced through regular order and was favorably reported out of the Committee on Ways and Means. I urge my colleagues to support this legislation.

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

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

Here we are again, Mr. Speaker, discussing a bill that, whatever its merits and noble intentions are, of course, of trying to hold harmless the victims of organizations that go out of business, will meet a veto.

The Statement of Administration Policy says, if the President were presented with H.R. 954, he would veto the bill. That is the strongest kind of veto message that we get. Sometimes they say his advisers say he might or he is going to consider it. It says he would veto it.

So here we are again, in the precious little time that this body has before it sends everybody back to their district, when we could be addressing Zika, when we could be addressing Flint, when we could be addressing immigration reform, when we could pass a balanced budget amendment, or any of those things that I hear from my constituents every day. Instead, we are pursuing a bill that won't become law.

This bill will not become law. The President has indicated he would veto