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. COLE. 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.

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

The yeas and nays were ordered.

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 10, 2014.

Hon. JOHN A. BOEHNER,
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 July 10, 2014 at 10:45 a.m.:

That the Senate passed S. 247.
That the Senate passed S. 311.
That the Senate passed S. 354.
That the Senate passed S. 363.
That the Senate passed S. 476.
That the Senate passed S. 609.
That the Senate passed without amendment H.R. 255.
That the Senate passed without amendment H.R. 330.
That the Senate passed without amendment H.R. 507.
That the Senate passed without amendment H.R. 697.
That the Senate passed without amendment H.R. 876.
That the Senate passed without amendment H.R. 1158.
That the Senate passed without amendment H.R. 3110.
That the Senate passed without amendment H.R. 2337.
That the Senate passed without amendment H.R. 272.
That the Senate passed without amendment H.R. 1216.
That the Senate passed without amendment H.R. 356.
That the Senate passed without amendment H.R. 291.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015.

GENERAL LEAVE

Mr. SIMPSON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 4923, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. CASSIDY). Is there objection to the request of the gentleman from Idaho?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 641 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4923.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1320

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 further consideration of the bill (H.R. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, July 9, 2014, a request for a recorded vote on amendment No. 14 printed in the CONGRESSIONAL RECORD offered by the gentlewoman from Nevada (Ms. TITUS) had been postponed, and the bill had been read through page 59, line 20.

AMENDMENT NO. 16 OFFERED BY MRS. LUMMIS

Mrs. LUMMIS. Mr. Chairman, I wish to call up amendment No. 16.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 508. None of the funds made available by this Act may be used in contravention of section 3112(d)(2)(B) of the USEC Privatization Act (42 U.S.C. 2297h–10(d)(2)(B)) and all public notice and comment requirements under chapter 6 of title 5, United States Code, that are applicable to carrying out such section.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Wyoming and a Member opposed each will control 5 minutes.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, my amendment would reinforce the Department of Energy's already existing legal obligations when it sells or transfers excess uranium from the Federal inventory.

One of these legal obligations is called the ''Secretarial Determination'' that the uranium transfers will not have an adverse material impact on the domestic uranium industry. The other obligation is to comply with the public notice and comment requirements of the Administrative Procedure Act.

The Department's actions regarding uranium have come under justified scrutiny, so I will take both of them in turn.

First, my amendment reinforces the required Secretarial Determination that uranium transfers do not adversely impact the domestic uranium industries.

Congress decided to require a Secretarial Determination because, if the government dumps too much uranium onto the market, it can artificially distort the market and hurt domestic uranium industries. These include uranium mining, uranium conversion, and uranium enrichment industries, all crucial to developing a more robust domestic uranium supply chain to feed our nuclear power plants.

Right now, 90 percent of the uranium used to provide electricity in this country is imported, but it doesn't have to be that way. Here in the United States, including my home State of Wyoming, we have abundant uranium resources. With uranium from American soil and through American jobs, we can correct this imbalance; but the task is made difficult, if not impossible, with the Department of Energy's cavalier uranium transfers.

The Secretarial Determination process has, unfortunately, become a sham. Instead of protecting domestic uranium industries, it has become a tool to destroy them. Prior to the May 15, 2014, Secretarial Determination, the Department commissioned a market analysis that concluded the uranium transfers would reduce employment in the domestic uranium industries by 4 percent and reduce the spot price for mined uranium by 8 percent. That is what their own market analysis provided. Yet the Department is ignoring the results of its own study and is proceeding anyway, based on other information and analysis it decided not to share with the public.

My amendment uses the power of the purse to reinforce existing statutory law, lest the Department flaunt the law, rendering it meaningless.

Second, my amendment reinforces the Department's obligation to comply with the public notice and comment requirements of the Administrative Procedure Act. The Department of Energy has used its excess uranium as a slush fund, selling or bartering uranium to subsidize failed companies like the U.S. Enrichment Corporation or to fund other programs without having to come to Congress for the money. This program has operated in the shadows, making a mockery of our budget process.

I want to quote a recent GAO report on the Department's uranium transfers. It says:

We believe transparency is a fundamental tenet of good government and that our recommendations support actions needed to enhance DOE's transparency.

The GAO identified uranium transfers at below market value to prop up USEC, shortchanging the taxpayer and further distorting uranium markets. The report documented shortcomings in the Department's market analysis of how the transfers would impact uranium markets and the failure of the Department to adequately consult with the domestic industries. Unfortunately, on GAO's Web site, all of their recommendations to the Department to increase the transparency of its uranium transfers remained unfulfilled.

My amendment simply reinforces the existing obligation of the Department to comply with the Administrative Procedure Act. Like any other agency, they have a legal obligation to engage in reasoned decisionmaking, not shadowed and arbitrary uranium transactions.

My amendment barely touches the legislative reforms needed to fix this broken program, but I want to thank Chairman SIMPSON for helping me at least identify a way to address this issue that might be suitable to the appropriations process.

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

Mr. SIMPSON. Mr. Chairman, I withdraw my reservation of a point of order.

The Acting CHAIR. The reservation of a point of order is withdrawn.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, I support the gentlelady's amendment.

For years, our subcommittee has criticized the Department of Energy's use of its uranium transfer authorities. The Department's reliance on its uranium transfers to generate funds for cleanup has inappropriately circumvented the appropriations process, has adversely impacted our domestic uranium mining and conversion industry, and is now creating instability of funding at Portsmouth as the market price of uranium continues to drop.

The amendment restates current law but sends a message to the Department that it must cease relying on these off-budget measures, and I am pleased to support the gentlewoman's amendment and thank her for it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wyoming (Mrs. LUMMIS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into any contract with an incorporated entity if such entity's sealed bid or competitive proposal shows that such entity is incorporated or chartered in Bermuda or the Cayman Islands, and such entity's sealed bid or competitive proposal shows that such entity was previously incorporated in the United States.

Ms. DELAURO (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Connecticut and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I yield myself 2 minutes.

My amendment would prohibit Federal contracts issued by agencies under the jurisdiction of this bill from going to entities incorporated in Bermuda and the Cayman Islands, the two nations most often abused as tax havens.

This body has accepted similar provisions for the Departments of Defense, Transportation, and Housing and Urban Development. As before, we should not spend taxpayer money on Federal contracts that go to companies that have renounced their American citizenship in favor of an island tax haven.

Just this week, Business Week wrote an article examining the loopholes that longstanding American companies like Ingersol Rand, which was founded in Connecticut in 1871, have been exploiting in order to enjoy lucrative government contracts while pretending to reside overseas for tax purposes.

□ 1330

These firms simply should not be allowed to pretend they are an American company when it comes time to get contracts, then claim to be an offshore company when the tax bill arrives.

According to a recent study, 70 percent of Fortune 500 companies used tax havens last year. They stashed nearly $2 trillion offshore for tax purposes, nearly two-thirds of which was hidden away by just 30 firms.

Of the companies who have established subsidies and tax havens, nearly two-thirds have registered at least one in Bermuda or the Cayman Islands. The profits these companies claim were earned in these two island nations in 2010 total over 1,600 percent of the country's entire yearly economic output.

These companies take advantage of our education system, our research and development incentives, our skilled workforce, and our infrastructure, all supported by U.S. taxpayers.

We have already acted on the Transportation-HUD bill and Defense. Let us do the same for Energy and Water. Let's support the firms that are staying at home and meeting their obligations and pass this amendment.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose this amendment.

The Financial Services Appropriations bill has carried language for years which prohibits funding for any Federal Government contract with foreign incorporated entities which are treated as inverted domestic corporations. This language has been carried annually in the government-wide General Provisions section of the Financial Services Appropriations bill since approximately 2005 and is requested annually by the current administration.

The changes which this amendment would propose to make could have significant consequences and really should be handled by the proper tax committees.

I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Ms. DELAURO. Mr. Chairman, ''The ranks of Federal contractors with foreign addresses''—and I am quoting from an article that appeared in Bloomberg this week—''The ranks of Federal contractors with foreign addresses are likely to grow this year as a new stampede of companies escapes the U.S. tax system.'' Escapes the U.S. tax system.

These are companies who are taking their funds, bringing them to Ireland, to the Caymans, to Bermuda because they do not want to pay their fair share of taxes in the United States of America. There isn't a citizen who can get away with that, but we are allowing these companies to do it. And not only that—because it is legal under our Tax Code which has to be reformed, but my God, that is going to take a month of Sundays to get done—in the meantime, they are collecting millions and millions of dollars in Federal contracts.

We are rewarding these arrent corporations who renounce their U.S. citizenship. They go offshore, take their money offshore, and don't pay taxes so that we can do anything about education or biomedical research or any other areas that we have had to cut the budget on so that they can save their money and not pay any taxes. Then we say: Okay, the floodgates are open; come and get a Federal contract. It is wrong and we shouldn't do that.

Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentlewoman from Connecticut has 1½ minutes remaining.

Ms. DELAURO. I yield 1½ minutes to my colleague from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chair, I thank my colleague. I have been pleased to join her in adding the language of this type to each appropriation bill that has thus far been approved in the House.