

Appreciation Week. In particular, I recognize Ryan Berglund who was just named Wake County's Teacher of the Year last night.

A Sustainable Agriculture Academy teacher at Millbrook High School in Raleigh, Ryan didn't always plan to be a teacher.

He was a professional welder and equipment fabricator. Today, 64 of his students have become welders, leaving high school with the skills needed to succeed in the workforce.

Madam Speaker, 1 week isn't enough to properly thank all of our country's outstanding educators for what they do every day.

Let's keep fighting for better pay for teachers in North Carolina and across the country. Ryan wisely says: I always will put as much as possible as I can into it, but I need them to put in more than I am, and when they are doing that, you will see true success.

PROVIDING FOR CONSIDERATION OF H.R. 6192, HANDS OFF OUR HOME APPLIANCES ACT; PROVIDING FOR CONSIDERATION OF H.R. 7109, EQUAL REPRESENTATION ACT; PROVIDING FOR CONSIDERATION OF H.J. RES. 109, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER THE RULE SUBMITTED BY THE SECURITIES AND EXCHANGE COMMISSION RELATING TO "STAFF ACCOUNTING BULLETIN NO. 121"; AND PROVIDING FOR CONSIDERATION OF H.R. 2925, MINING REGULATORY CLARITY ACT OF 2024

Mrs. HOUCHIN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1194 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1194

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. 6192) to amend the Energy Policy and Conservation Act to prohibit the Secretary of Energy from prescribing any new or amended energy conservation standard for a product that is not technologically feasible and economically justified, 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 Energy and Commerce or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are

waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further 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 further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. 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 one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7109) to require a citizenship question on the decennial census, to require reporting on certain census statistics, and to modify apportionment of Representatives to be based on United States citizens instead of all persons. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Oversight and Accountability 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 Oversight and Accountability or their respective designees; and (2) one motion to recommit.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 109) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to "Staff Accounting Bulletin No. 121". All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any 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 Financial Services or their respective designees; and (2) one motion to recommit.

SEC. 4. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2925) to amend the Omnibus Budget Reconciliation Act of 1993 to provide for security of tenure for use of mining claims for ancillary activities, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute printed in House Report 118-416 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) 30 minutes of

debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources or their respective designees; and (2) one motion to recommit.

The SPEAKER pro tempore (Ms. MALOY). The gentlewoman from Indiana is recognized for 1 hour.

Mrs. HOUCHIN. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. NEGUSE), 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

Mrs. HOUCHIN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. HOUCHIN. Madam Speaker, I yield myself such time as I may consume.

Last night, the Rules Committee met and produced a rule, H. Res. 1194, providing for the House's consideration of several pieces of legislation.

The rule provides for H.R. 7109, the Equal Representation Act, to be considered under a closed rule. It provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Accountability or their designees and provides for one motion to recommitment.

Additionally, the rule also provides for H.J. Res. 109, a joint resolution associated with a rule submitted by the Securities and Exchange Commission relating to "Staff Accounting Bulletin No. 121."

H.J. Res. 109 would be considered under a closed rule, and it provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their designees and provides for one motion to recommit.

The rule also provides for consideration of H.R. 6192, the Hands Off Our Home Appliances Act, to be considered under a structured rule. It also provides for 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their designees and provides for one motion to recommit.

Finally, the rule provides for consideration of H.R. 2925, the Mining Regulatory Clarity Act of 2024 to be considered under a closed rule.

It also provides 30 minutes of debate equally divided and controlled by the Chair and ranking minority member of the Committee on Natural Resources or their designees and provides for one motion to recommit.

Madam Speaker, I rise in support of this rule and in support of the underlying pieces of legislation.

Beginning with H.R. 7109, the Equal Representation Act, Madam Speaker, I am glad this rule provides for consideration of this legislation, of which I am a proud cosponsor.

The core premise of this legislation is simple. The Census should be an accurate reflection of this country's citizenry.

According to the U.S. Census Bureau, noncitizens comprise approximately 6.7 percent of the Nation's 333 million people.

Including noncitizens in the apportionment of congressional districts will directly impact representation in Congress.

This, to me and most Americans, seems to be a way to take Representatives away from red States and add them to blue States; to literally change the makeup of this body by diluting the influence and number of red districts and adding blue districts in their place.

Under President Biden's watch, nearly 4.7 million illegal aliens have been released into the country, and more than 1.8 million known illegal alien got-aways have escaped into the United States. When added up, these numbers are larger than the population of 32 States.

This isn't simply a constitutional argument. This is a deliberate effort by Joe Biden and the Democrat machine in Washington.

On day one of taking office, President Biden issued Executive Order 13986 requiring noncitizens to be counted in the Census both for the purposes of enumeration and determining congressional apportionment.

This shouldn't be a partisan issue. Having an accurate count of U.S. citizens for the purpose of congressional representation should not be a partisan issue. Yet, here we are with two sides debating the question of who should be counted.

This is a question firmly in Congress' purview. In Department of Commerce v. New York, following the Trump administration's attempt to reinstate a citizenship question on the decennial Census, the Supreme Court made clear this decision is up to the Congress.

I appreciate the leadership of the authors of this bill to ensure Congress is carrying out that responsibility. I hope this measure will have the full support of my colleagues.

Moving on to the financial sector, as a member of the Financial Services Committee, I am glad to see floor consideration of H.J. Res. 109.

This legislation addresses an SEC action that bypassed proper rulemaking procedures. Rather than following the processes laid out by the Congressional Review Act and Administrative Procedures Act, the SEC relied erroneously on a staff accounting bulletin.

You don't have to take our word for it. SEC Commissioner Hester Pierce is on record having said the staff accounting bulletin may not be the appropriate vehicle through which to make this accounting change.

Beyond that, however, this rule brings more uncertainty into the crypto industry by going beyond clarifying how to account for digital assets.

Indeed, this rule effectively requires banks and financial institutions to place digital assets on their balance sheets.

This makes it unclear if customers' assets will be lost if the custodian becomes insolvent. It also increases capital, liquidity, and other requirements for financial institutions in order to manage the risk associated with these assets that should never really be on their books.

The digital assets ecosystem needs more clarity, not less. My colleagues and I on the Financial Services Committee have worked hard this Congress to provide clear rules of the road for digital assets innovation. This rule clearly does the opposite.

□ 1230

The rule also provides for the consideration of H.R. 6192, the Hands Off Our Home Appliances Act.

One thing we all have come to expect from this administration is the persistent attacks on American energy and consumer choice. This legislation is another attempt by the Republican majority to defend against the latest attack as the focus of congressional Democrats has now turned inside every American's home.

The Biden administration is now willing to reduce the affordability and reliability of everyday household appliances in pursuit of an out-of-touch, unrealistic, and unaffordable green agenda.

Under the guise of increased efficiency, the administration has offered new rules on home appliances that will raise costs, thus making these household necessities less available, especially to people of modest means. This is at a time when homeowners are already spending 34 percent more on home appliances than they did less than two decades ago.

When Americans are struggling to pay for food under the crushing reality of Bidenflation, they now must also worry about affording the appliances they use to prepare it. Instead of relief, the administration offers more obstacles. That is why we need to pass H.R. 6192.

Finally, the rule provides for H.R. 2925, the Mining Regulatory Clarity Act of 2024. Simply put, our country is blessed with a diverse array of abundant natural resources. We must be responsible stewards of these resources, but responsible stewardship does not mean abandoning the resources that we have. It does not mean making ourselves more reliant on other countries in the name of unrealistic agendas that are divorced from national needs and our own national security.

This bipartisan bill provides certainty where certainty is lacking and allows necessary projects to responsibly move forward.

I look forward to consideration of all of these pieces of legislation and urge the passage of this rule.

Madam Speaker, I reserve the balance of my time.

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

Mr. NEGUSE. Madam Speaker, I thank the gentlewoman from Indiana for the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, today is a serious day, a serious moment for this institution. Apparently, according to my colleagues on the other side of the aisle, the House Republicans, we are gathered here today to discuss a very consequential question, a consequential issue facing the country, Madam Speaker: home appliances. Toasters, microwaves, and refrigerators are the topics, Madam Speaker, that House Republicans have chosen to waste this institution's time on.

Of all the challenges facing the country, of all the issues facing our community, apparently their top priority is the so-called Hands Off Our Home Appliances Act.

Madam Speaker, you may recall that Republicans noticed a Rules Committee meeting on this very same bill just a few weeks ago. That bill was then hastily removed. We assumed it was because our colleagues on the other side of the aisle were essentially shamed into pulling it from the agenda, that they realized a bill on home appliances probably doesn't meet the moment, considering all the real crises that we have going on. Apparently, that shame only lasted for a few weeks because today's legislation, the Hands Off Our Home Appliances Act, is back for round two.

Just to be clear, Madam Speaker—I know you are aware of this—this is a package deal. This isn't the only appliance bill that Republicans have noticed for this body to consider. The Liberty in Laundry Act is the real title of a bill that House Republicans would like this body to consider, as well as the Refrigerator Freedom Act, the Clothes Dryers Reliability Act, the Affordable Air Conditioning Act, the Stop Unaffordable Dishwasher Standards Act. Those bills, I guess, didn't make the cut for this particular rules debate. I suppose we will take those up next week.

Madam Speaker, this House should be focused on addressing the consequential challenges of our time, not on political games and messaging bills.

How far this body has fallen. The same august Chamber where James Madison and Abraham Lincoln once served is now debasing itself, debating the fate of microwaves and toaster ovens because that is how House Republicans have decided to spend their time and their majority.

My colleagues, regrettably, unfortunately, are out of touch with the priorities of the American people. The

American people expect, rightfully so, for this Chamber to address the issues that they care about, not waste time on nonsense bills.

By the way, Madam Speaker, the rest of the measures that we will consider today, unfortunately, are more of the same. H.R. 7109, the so-called Equal Representation Act, is plainly unconstitutional. Any plain reading of the Constitution and the 14th Amendment makes clear that this bill is unconstitutional. House Republicans are pushing forward anyway.

Another bill that we are considering today is yet another CRA, this time on apparently a bulletin that was issued by the Securities and Exchange Commission. I have lost count of how many days we have wasted in the last 17 months considering CRAs. Every week, another CRA is submitted by our colleagues on the other side of the aisle.

One would have hoped, Mr. Speaker, that House Republicans would have learned their lesson a year ago after wasting our time on CRAs for the lesser prairie-chicken and the northern long-eared bat, that perhaps this House could focus its attention on more substantive matters. Unfortunately, that has not been the case.

Finally, Mr. Speaker, the last bill that this body will consider this week, the Mining Regulatory Clarity Act, is a bill that I know is familiar to you, Mr. Speaker. It is to me. We voted on a rule about this particular bill 7 days ago.

Why is it back before us a week later? I will tell you why. Republican leadership has lost control of the Rules Committee. They lost control months ago. Now, they often lack a procedural majority here on the House floor.

Last week, our colleague, Representative LEGER FERNANDEZ, introduced a motion to recommit. The motion to recommit was very simple. It pointed out the fact that the Republicans' mining bill would allow foreign adversarial nations to mine American land for free. What happened to that motion to recommit? It passed. Six Republicans joined every Democrat in supporting that motion to recommit.

Those familiar with "Schoolhouse Rock!" would understand that that means the bill goes back to committee, the House Committee on Natural Resources, where I serve, Mr. Speaker, and where you serve, so that we could work out the issues that this body, on a bipartisan basis, identified with this bill 7 days ago. Instead, House Republicans have brought the very same bill back to this body for its consideration without going to the Natural Resources Committee.

I have no idea how the six Republicans who voted for the motion to recommit last week can possibly defend or rationalize a vote against the motion to recommit this week. I suppose we are going to find out.

Mr. Speaker, there are better ways for this Chamber to be spending its time. I implore the Speaker and my colleagues on the other side of the

aisle: Let's get serious. Let's work together to address some of the consequential challenges that face our respective States and our country. Let's stop with these nonsense bills. I implore you.

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

Mrs. HOUCHIN. Mr. Speaker, I agree it is ridiculous that we must consider legislation like the Hands Off Our Home Appliances Act, but that is the level of ridiculousness that the Democratic Party has forced us into with their out-of-touch, woke agenda. The priorities of the American people are protecting their right to consumer choice, not to be policed in their own homes. Democrats are fighting for woke corporations. Republicans are fighting for the American people.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. LANGWORTHY).

Mr. LANGWORTHY. Mr. Speaker, I thank the gentlewoman from Indiana for yielding the time.

With the ongoing migrant crisis in New York State, my district has sadly been on the front lines of Democratic policies that reward those who have broken our laws to come into this country illegally.

With thousands of illegal immigrants now residing in hotels, shelters, and public facilities across my State, my constituents and other New Yorkers have seen what happens when their hard-earned tax dollars are spent on programs that enable a completely avoidable crisis. It is as if Governor Hochul and Mayor Adams put up a neon sign saying: Come on in. New York is open for business.

Illegal immigrants know if they cross the border and ask to be sent to New York, they will be fed, clothed, housed, and even given a debit card. We are looking at half a million illegals in New York alone and nearly 10 million who have crossed our southern border to be released into the interior of the United States.

My colleagues on the other side of the aisle want these noncitizens to be represented here in Congress. It is unconstitutional and completely ridiculous. It is a threat to the very sovereignty of the United States of America.

Democrats want to make citizenship mean nothing. A nation without borders is not a nation, especially when you allow anyone from any country to vote in our elections and be represented in our government.

Now, thankfully, our courts have stopped reckless attempts to allow noncitizens to vote, but we need to ensure that Congress is representative of our citizens and our citizens alone. That is what our Nation's Founders intended, and it is the only way to uphold the principles of our democracy.

Allowing representation for noncitizens is also a slap in the face to every immigrant who went through the proper channels and came here legally, the

right way, to search for the American Dream. They respect our laws, have sworn allegiance to the United States of America, and deserve to be represented fairly here in Washington.

I am a proud cosponsor of the Equal Representation Act before us today because it is time that we stop rewarding States like my home State of New York and California for their destructive sanctuary policies.

With the absence of a citizenship requirement for apportionment in congressional districts, we have allowed a perverse incentive to take hold where Democrat-run sanctuary States are rewarded with greater representation in the Halls of Congress and greater sway in the electoral college simply by counting millions of illegal aliens who have broken our laws and taken advantage of these States' destructive policies. It sends the wrong message to the world about the value of citizenship and our respect for our own laws and own government.

Mr. Speaker, we are effectively allowing those who are not U.S. citizens to have a significant say in the future of U.S. elections. This is a wrong that, for the sake of the American people and our own sovereignty as a nation, must be corrected.

It is simple. Allowing noncitizens to vote and be represented in Congress dilutes the voice of the American citizen and opens the door to manipulation and exploitation of our electoral system.

Mr. Speaker, I strongly support the Equal Representation Act and look forward to its consideration on the floor.

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

Just two quick points. One, with respect to everything that my colleague from New York just articulated, this bill has nothing to do with noncitizens voting. It does not address that whatsoever. I am not sure what bill the gentleman from New York was talking about, but it is not the bill that this body is considering.

Secondly, I would just say, with respect to comments made by my friend from Indiana, I think she used the phrase "woke agenda." Apparently, appliances are now woke, according to my colleagues. I don't know what a woke microwave or a woke refrigerator looks like, but that is the new target of House Republicans.

It is good to know we are going to be spending hours on the floor this week debating the future of woke microwaves. The House Republican agenda is coming to a home near you.

Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. ROSS).

□ 1245

Ms. ROSS. Mr. Speaker, I rise in opposition to the bills under this rule, and, in particular, to the so-called Equal Representation Act. I filed an amendment to this bill with Representative CLEAVER to ensure that the Census not only fully counts the U.S. population but that it counts it accurately.

When the Census occurs, incarcerated people are counted as residents of the towns where they are imprisoned rather than the places they call home. This practice tends to reduce the population in urban areas, where most prisoners are from, and inflate the populations of rural areas, where most prisons are located. Ultimately, prison gerrymandering creates a gross inequity of representation at the expense of urban areas and communities of color.

The over 1 million incarcerated people in the United States are being used as pawns to falsely increase the voting power of areas that do not represent their interests.

My amendment, which was blocked from reaching the floor, would have required the Census Bureau to count incarcerated people at their last place of residence.

Mr. Speaker, I urge my colleagues to reject the so-called Equal Representation Act and instead support efforts to end prison gerrymandering.

Mrs. HOUCIN. Mr. Speaker, in response to my colleague on the other side of the aisle, this is just one piece of the Democrats' green agenda that is fast-tracking a path to all electric vehicles and appliances at a time when our grid can least afford it without any consideration for grid stability.

This move to all EVs and electric appliances in our homes is not something that consumers are ready for, and it is not something that consumers want. The American people want to have choice and affordability, and the actions of the Democrats on this issue are the opposite of that.

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

Mr. NEGUSE. Mr. Speaker, I would just simply say that insofar as my colleague from Indiana wants to have a debate about climate change or a debate about electric vehicles or renewable energy, I am certainly open, and I welcome that debate. I suspect it would be a robust one.

That is not the debate that Republicans have initiated on the House floor. The debate this week is about freedom for refrigerators. Again, these are not bills that we conceived of. They are Republican bills.

So the notion that this debate is focused or centered on some of what the gentlewoman from Indiana described is just not consistent with the bills that are actually before the House.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from New Mexico (Ms. STANSBURY).

Ms. STANSBURY. Mr. Speaker, I rise today to oppose the rule under debate and to oppose H.R. 7109, the so-called Equal Representation Act.

This GOP bill is designed to fundamentally change who is included in the U.S. Census by undercounting, especially, our Hispano communities.

Now, let me be clear, first and foremost, this bill violates the U.S. Constitution and the 14th Amendment and is designed specifically to dilute who

counts in America—quite literally who counts—because the bill would stop millions of Americans from filling out the Census.

Now, let's not forget that Donald Trump tried to do this in the 2020 Census, and the courts had to intervene.

Mr. Speaker, do you know what the Supreme Court found?

It found that the arguments in support of that effort were not only flawed and contrived but unconstitutional. That is right. This is not a partisan issue, as was said by the gentlewoman across the aisle. This is a constitutional issue. I brought a copy of the Constitution for my friends across the aisle to do some reading if they would like to actually see what it says in the 14th Amendment.

In fact, not only is this not a partisan issue, both Republican and Democratic former Census Bureau directors argued that the implementation of the citizenship question would lower response rates especially for our Hispanic communities. A Harvard study showed that 6 million Hispanic Americans would remain unaccounted for.

Undercounts would have devastating implications not only for our electoral system but the well-being of our families and communities because Federal aid grants and other funds in our States fundamentally are determined by the Census, things like maternal health grants, healthcare for our children, and mental health services for our veterans. An undercount would result in dramatic underfunding in areas with large immigrant and Hispanic populations, like my home State of New Mexico where more than 50 percent of the State identifies as Hispanic.

New Mexico is a place where we already struggle and where we have the worst social, economic, and health outcomes in the country due to a history of underfunding and underrepresentation, which is why instead of attacking representation, we should be focused on barriers to representation. That is why I filed an amendment in the Rules Committee to do just that.

Now, unfortunately, my friends across the aisle in the Rules Committee ruled it out of order because not only are they not interested in improving the Census, they are obsessed with determining who counts, with who is American, and who should have access to the American Dream, including at the ballot box.

I say that is not the America that my ancestors immigrated to, that is not the America that our Founding Fathers formed and fought for, and that is not the America our people are asking us to fight for.

Mr. Speaker, I urge you to read this document here, the U.S. Constitution.

Mrs. HOUCIN. Mr. Speaker, I yield myself such time as I may consume to just unpack some of those arguments made against this bill, that H.R. 7109, the Equal Representation Act, will discourage immigrants from participating in the Census.

Revealing that someone is not a citizen does not reveal if someone is here illegally. The individual could have lawful permanent residence, they could be a nonimmigrant residing in the U.S. during an authorized period of stay. Moreover, the Census Bureau must follow strict rules of confidentiality and cannot disclose data tied to an individual respondent in the decennial Census. It can only share aggregate information not attributed to a particular person.

Furthermore, even if respondents were reluctant to complete the Census questionnaire, they would still likely be enumerated by the Census Bureau using other methods, such as review of official records to determine the inhabitants of a particular address or by using proxy information such as reliable information from a neighbor.

Also, there was an argument that H.R. 7109 would skew the distribution of Federal assistance away from States and localities.

This argument is a red herring. H.R. 7109 makes absolutely no changes whatsoever to any laws implicating Federal assistance. Noncitizens would still be counted in the decennial Census. They would only be excluded from the congressional apportionment base.

One other argument that has just been made is that H.R. 7109 fundamentally misunderstands how apportionment was designed by the Framers of the Constitution.

While Democrats may claim that the *Evenwel v. Abbott* Supreme Court decision requires the phrase “whole number of persons” in section 2 of the 14th Amendment to be interpreted as any resident, regardless of citizenship status, section 5 of the 14th Amendment permits the use of implementing statutes for the 14th Amendment. It is this implementing statute which H.R. 7109 amends to explicitly exclude noncitizens from the apportionment base.

Beyond that, the historical context surrounding the phrase “whole number of persons” was specifically chosen to make clear that the drafters rejected counting individuals as partial persons. It does not in any way signify that any person taking up residence in a State should be counted for the purpose of apportionment, and certainly not that noncitizens must be included in the apportionment base.

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

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

Mr. Speaker, just to be clear, the argument made by my colleague from Indiana with respect to the last argument made, the supposed legal argument, is completely without merit. It contravenes the plain language of the 14th Amendment and generations of precedent. So the notion that somehow the arguments we are making to follow the plain text of the Constitution and the way in which the 14th Amendment has been construed for generations, that that argument would not govern

this particular debate to me just doesn't hold water.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 12, a bill that would ensure every woman has full access to essential reproductive healthcare including abortion care.

Far too many States have enacted laws to either ban some or all abortions which Republicans have declared numerous times is their goal.

So while my Republican colleague wants to debate freedom and choice when it comes to household appliances, microwaves, I will give them a chance here today to instead ensure freedom and choice in reproductive healthcare for women across this country.

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

The SPEAKER pro tempore (Mr. MOORE of Utah). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. NEGUSE. Mr. Speaker, to discuss this proposal, I yield 2 minutes to the distinguished gentlewoman from California (Ms. CHU), who has been a tireless leader on this issue among so many others from California.

Ms. CHU. Mr. Speaker, the legislation this body brings to the floor each week speaks volumes about our priorities.

While House Democrats are defending our fundamental freedoms by fighting back against extreme MAGA Republican attacks on abortion care and fertility services like IVF, the majority believes that rather than protecting the rights of women in this country, it is essential that we protect the so-called rights of home appliances.

The difference could not be starker. In a time of unrelenting attacks on reproductive rights and when 21 States have banned, either fully or partially, abortion access, House Republicans have chosen to do nothing. They have chosen to pretend that women are not dying, that they are not being forced to carry unwanted pregnancies, and they are doing nothing to protect IVF or birth control.

Instead, they are bringing up a rule today to consider legislation to protect home appliances.

It seems that House Republicans would like toasters and microwaves to have more rights than women in this country.

Mr. Speaker, if we defeat the previous question on this rule, my Democratic colleagues and I will offer my bill, the Women's Health Protection Act, or WHPA. WHPA is a Federal solution to the extremist Supreme Court decision to strike down Roe v. Wade. It will restore the right to everyone, no matter what State you live in, to receive abortion care.

In a world where doctors are being threatened with prison time for doing

their jobs, it would protect the rights of providers to provide abortion care. This is the legislation the body should be considering today, not bills protecting blenders and coffee makers.

Mr. Speaker, I urge my colleagues to defeat the previous question.

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

Mr. NEGUSE. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from New Mexico (Ms. LEGER FERNANDEZ), who is a respected member of the Rules Committee.

Ms. LEGER FERNANDEZ. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we are here today because Republicans think appliances have more rights than people and because they think that creating and perpetuating nonsense culture war issues will win them votes.

Today, we have a bill titled Hands Off Our Home Appliances Act. Republicans say it is government overreach to regulate appliances, but Republicans will regulate women's personal healthcare decisions. Republicans will protect appliances but let women suffer and die from pregnancy complications.

Republicans want freedom for refrigerators but will take away women's freedom to choose an abortion based on her own faith in consultation with her own doctor and loved ones.

Republicans will take away women's freedom to choose an abortion after rape or incest, but they will go to bat for your gas stove.

They care about freezers but could care less about affordable childcare. Instead of helping women with childcare costs, which would help families with the high cost of living, Republicans would rather force these access costs on consumers.

Yesterday, I introduced an amendment to the rule from Representative CHU and me which changes the title of the bill to the Hands Off Our Bodies Act and strikes the text and replaces it with the Women's Health Protection Act.

Mr. Speaker, 65 percent of Americans oppose the overturning of Roe v. Wade. They want us to protect women. However, this amendment didn't pass.

This bill is part of a quartet of bills coming out of the Energy and Commerce Committee with titles like the Liberty in Laundry Act, the Refrigerator Freedom Act, and the Affordable Air Conditioning Act.

These titles turn the cry for reproductive healthcare rights on their head. Not only are they insulting to women who are fighting for their rights, they are demeaning to women who will remember in November.

□ 1300

Do my colleagues on the other side of the aisle think the American women will vote Republican based on these misnamed appliance bills? Women are not so gullible. We will remember.

We will remember that 184 House Republicans have cosponsored bills that

threaten IVF access nationwide. We will remember that Republican legislators are putting women's lives at risk when my colleagues criminalize abortion.

The majority is robbing States of the healthcare they need as obstetricians and gynecologists are fleeing those repressive States. Republicans are forcing women who undergo pregnancy complications to sit until they are near death in hospital parking lots.

Women will remember that Democrats believe women can, should, and must make their own decisions about their bodies. Republicans think appliances have more rights than people. However, I call on Republicans to prioritize women over appliances and reject this rule.

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

Mr. Speaker, I just make note of a few things with regard to the Equal Representation Act. We have heard some comments from our Democrat colleagues that this is somehow unconstitutional.

The court case referenced in Department of Commerce v. New York, the lower court dismissed the plaintiff's claims under the Enumeration Clause, permitted claims under the Administrative Procedures Act and Due Process Clause.

However, the Supreme Court upheld requiring the citizenship question only on the claims under the Administrative Procedures Act and not on constitutional grounds, saying that it is Congress' responsibility to determine whether and how this should take place. That is what we are doing here today in the Equal Representation Act by saying precisely that noncitizens should not count in congressional apportionment.

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

Mr. NEGUSE. Mr. Speaker, this is not particularly complicated. Since 1790 and the first population tally done in the United States, citizens and noncitizens have been included. Never before has the 14th Amendment been construed as the way that the gentlewoman from Indiana proposes now. It is a radical view that is not supported by the plain text of the Constitution or the amendments thereof.

Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ).

Ms. LEGER FERNANDEZ. Mr. Speaker, we are also here today to debate Republicans' terrible mining rule, which would open millions of acres of public lands to foreign-owned mining companies.

I find it ridiculous that we are here today because, just last week, this House voted in favor of my motion to recommit, and that motion to recommit said: Let's send this back to committee. Let's send it back to committee to consider my amendment, which would have banned foreign adversaries, like China, from being able

to take our public lands and resources for free.

Unfortunately, almost every Republican said: It is all right for Chinese corporations to mine our data for TikTok, but the majority said: No. We want them to be able to take our gold, our silver, our copper, our resources, for free, to China.

Thankfully, six Republicans voted in favor of the MTR; but instead of going back to committee to consider it, we are back here again because the Rules Committee put the bill back on the floor without that amendment. If my colleagues believe that American resources belong with American corporations, Members should vote against this rule.

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

Mr. Speaker, I want to touch on the Equal Representation Act. This bill would restore the one-person, one-vote principle in apportionment. Only citizens are eligible to vote for candidates for Federal offices, including Members of Congress and electors for President of the United States.

However, under the current practice, noncitizens, including lawful permanent residents, nonimmigrants, and even illegal aliens are wrongly included in a State's population for purposes of the apportionment calculation. Thus, States with higher proportions of noncitizens residing in that State are advantaged over States with a lower concentration of noncitizens.

In the case of illegal aliens, the status quo is particularly concerning as some States or major metropolitan areas within those States have declared themselves sanctuary jurisdictions, shielding illegal aliens from Federal immigration law enforcement, with some even providing special services to the illegal alien population residing in those jurisdictions.

Illegal aliens incentivized to move to those jurisdictions, who reside in that State on Census day, and who are enumerated in the Census, would add to the State's population for the purposes of apportionment.

It is appropriate for Congress to direct the Census Bureau to collect one of the most fundamental data points regarding individuals residing in the United States: Whether or not they are a citizen.

Article I of the Constitution requires the Census of the population to be taken every 10 years. This is directed by law. The Supreme Court has explained that Congress is permitted by the Constitution to inquire about citizenship on this questionnaire, on the Census. Adding a citizenship question to the decennial Census is an appropriate exercise of Article I authority over the Census and is the responsibility of Congress.

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

Mr. NEGUSE. Mr. Speaker, not to belabor the point, but when the gentlewoman from Indiana uses the phrase

"current practice," what she is referring to is the entirety of American history.

Let me repeat that, Mr. Speaker. For hundreds of years, this is the way population counts have been done. That is why the current practice is consistent with the plain reading of the 14th Amendment, a plain reading of the Constitution, and hundreds of years of precedent. What House Republicans are proposing is a radical departure from it.

Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mrs. HOUCHIN. Mr. Speaker, I note that the Founders never would have intended a U.S. President allowing 6.7 million illegal immigrants into the country, including terrorists and the drug cartels. I think that is probably not something that was envisioned by the Founders.

Mr. Speaker, I am prepared to close as well, and I reserve the balance of my time.

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

Mr. Speaker, today's rule is, unfortunately, a testament to the House Republican playbook since assuming the majority—chaos, political theater, and infighting. This Republican-controlled House has passed the lowest number of laws for the first year of session in nearly 100 years. It is safe to say it is the least productive Congress in any of our lifetimes.

House Republicans have been focused on other priorities: A baseless, politically motivated impeachment inquiry into the President that went nowhere; impeachment proceedings against the Secretary of Homeland Security, which were immediately dismissed by the Senate, the first time that the Senate has dismissed Articles of Impeachment without trial after the reading; and now microwaves, freedom for refrigerators, and liberty for laundry.

That is the focus of this House Republican majority. It makes sense that Republicans would spend their time on such ridiculous legislative efforts given the chaos that the majority has engulfed this body into—the vacating of the Speaker 7 months ago, seven rules that have failed on the House floor as Republicans engage in open rebellion against their own leadership.

The American people are tired, Mr. Speaker, of the political stunts and the messaging bills. They are tired of the infighting. They want to see leadership, and that, Mr. Speaker, is exactly what they have seen through the leadership of Democratic Leader HAKEEM JEFFRIES and a united House Democratic Caucus.

You will recall, Mr. Speaker, that House Democrats have rescued this failing House Republican majority at nearly every turn. It was House Democrats who ensured that the U.S. didn't default on its debt last year, House Democrats who kept the government funded, House Democrats who carried the votes on the NDAA, and House

Democrats who got the national security supplemental bill across the finish line and to the President's desk.

At every opportunity, Mr. Speaker, House Democrats have used this Chamber to stand against legislation that would hurt average Americans. While House Republicans are busy fighting each other, House Democrats are fighting for the American people, and we will continue to do that each and every day. We implore our Republican colleagues to join us.

One way my colleagues could do so is to oppose the previous question, the rule, and the underlying bills, and we implore them to do the same.

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

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

Mr. Speaker, we, once again, have before us today the opportunity to move legislation that could have a positive effect on the everyday lives of all Americans, whether that is pushing back on the overreach and the administrative uncertainty of this bureaucratic state, or protecting the core functions of government agencies and protecting our very system of government.

The choice we have before us in this rule is clear, and we must take action.

H.R. 7109, the Equal Representation Act, ensures that the Census count only U.S. citizens for congressional apportionment and Presidential electors. This should not be a novel concept. It should just be a minimum standard.

H.J. Res. 109 provides clarity in the digital assets sector, an area where the United States should be leading. Congress must provide clear rules of the road for digital asset innovators. However, the rule proposed by the SEC does just the opposite.

With respect to home appliances, I think we should all agree that less intrusion by the government is the answer here. This administration's reckless pursuit of its green agenda surely could stop in our kitchens, can it not?

At a minimum, we shouldn't be making living in this country more unaffordable than it already is by this administration. H.R. 6192 is a step in the right direction.

Regarding our natural resources, our country is blessed with a diverse array of abundant natural resources. We ought to use those resources responsibly. H.R. 2925, the Mining Regulatory Clarity Act, is responsible and worthy of our support.

I look forward to moving these bills out of the House this week, and I ask my colleagues to join me in voting "yes" on the previous question and "yes" on the rule.

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

AN AMENDMENT TO H. RES. 1194 OFFERED BY
MR. NEGUSE OF COLORADO

At the end of the resolution, add the following:

SEC. 5. Immediately upon adoption of this resolution, the House shall proceed to the

consideration in the House of the bill (H.R. 12) to protect a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any 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 Energy and Commerce or their respective designees; and (2) one motion to recommit.

SEC. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 12.

Mrs. HOUCHIN. Mr. Speaker, I yield back the balance of my time and 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. NEGUSE. 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 are postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1331

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. OBERNOLTE) at 1 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motion to suspend the rules and pass H.R. 3354;

Ordering the previous question on House Resolution 1194; and

Adoption of House Resolution 1194, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

SECRETARY OF STATE MADELEINE ALBRIGHT POST OFFICE BUILDING

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unin-

ished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3354) to designate the facility of the United States Postal Service located at 220 North Hatcher Avenue in Purcellville, Virginia, as the "Secretary of State Madeleine Albright Post Office Building", on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. LATURNER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 371, nays 28, answered "present" 3, not voting 27, as follows:

[Roll No. 179] YEAS—371

Adams	Crawford	Hayes
Aderholt	Crenshaw	Hern
Agular	Crockett	Hill
Alford	Crow	Himes
Allen	Curtis	Hinson
Allred	D'Esposito	Horsford
Amo	David (KS)	Houchin
Amodei	Davis (IL)	Houlahan
Arrington	Davis (NC)	Hoyer
Auchincloss	De La Cruz	Hoyle (OR)
Babin	Dean (PA)	Hudson
Bacon	DeGette	Huizenga
Balderson	DeLauro	Hunt
Balint	DelBene	Issa
Barr	Deluzio	Ivey
Barragán	DeSaunier	Jackson (IL)
Bean (FL)	DesJarlais	Jackson (NC)
Beatty	Diaz-Balart	Jackson (TX)
Bentz	Dingell	James
Bera	Doggett	Jayapal
Bergman	Donalds	Jeffries
Beyer	Duarte	Johnson (GA)
Bice	Dunn (FL)	Johnson (SD)
Bilirakis	Edwards	Jordan
Bishop (GA)	Ellzey	Joyce (OH)
Bishop (NC)	Escobar	Kamlager-Dove
Blumenauer	Eshoo	Kaptur
Blunt Rochester	Espallat	Kean (NJ)
Boebert	Estes	Keating
Bonamici	Evans	Kelly (IL)
Bost	Ezell	Kelly (MS)
Bowman	Fallon	Kelly (PA)
Boyle (PA)	Feenstra	Kennedy
Brown	Finstad	Khanna
Brownley	Fischbach	Kiggans (VA)
Buchanan	Fitzgerald	Kildee
Buchshon	Fitzpatrick	Kiley
Budzinski	Fleischmann	Kilmer
Burchett	Fletcher	Kim (CA)
Burgess	Flood	Kim (NJ)
Bush	Foster	Krishnamoorthi
Calvert	Fox	Kuster
Cammack	Frankel, Lois	Kustoff
Caraveo	Franklin, Scott	LaHood
Carbajal	Frost	LaLota
Cárdenas	Fry	Lamborn
Carey	Fulcher	Langworthy
Carl	Gaetz	Larsen (WA)
Carter (GA)	Gallego	Larson (CT)
Carter (LA)	Garamendi	Latta
Cartwright	Garbarino	LaTurner
Casar	García (IL)	Lawler
Case	García, Mike	Lee (CA)
Casten	García, Robert	Lee (FL)
Castor (FL)	Gimenez	Lee (NV)
Castro (TX)	Golden (ME)	Lee (PA)
Chavez-DeRemer	Goldman (NY)	Leger Fernandez
Cherfilus-	Gomez	Lesko
McCormick	Gonzales, Tony	Letlow
Chu	Gonzalez,	Levin
Ciscomani	Vicente	Lieu
Clark (MA)	Good (VA)	Lofgren
Cline	Gooden (TX)	Lucas
Clyburn	Gottheimer	Luetkemeyer
Cohen	Graves (LA)	Luna
Cole	Graves (MO)	Luttrell
Comer	Green (TN)	Lynch
Connolly	Green, Al (TX)	Mace
Correa	Griffith	Malliotakis
Costa	Guest	Maloy
Courtney	Guthrie	Mann
Craig	Harder (CA)	Manning

Mast	Pfluger	Stefanik
Matsui	Pingree	Steil
McBath	Pocan	Stevens
McCaul	Porter	Strickland
McClain	Posey	Strong
McClellan	Pressley	Suozi
McClintock	Quigley	Swalwell
McCollum	Ramirez	Sykes
McCormick	Raskin	Takano
McGarvey	Rodgers (WA)	Tenney
McGovern	Rogers (AL)	Thannedar
McHenry	Rogers (KY)	Thompson (CA)
Meeks	Rose	Thompson (MS)
Menendez	Ross	Thompson (PA)
Meng	Rouzer	Timmons
Meuser	Ruiz	Titus
Mfume	Ruppersberger	Tonko
Miller (OH)	Rutherford	Torres (CA)
Miller (WV)	Ryan	Torres (NY)
Miller-Meeks	Salazar	Trahan
Molinaro	Salinas	Turner
Moolenaar	Sánchez	Underwood
Moore (UT)	Sarbanes	Valadao
Moore (WI)	Scalise	Van Drew
Moran	Scanlon	Van Dyne
Morelle	Schakowsky	Van Orden
Moskowitz	Schiff	Vargas
Moulton	Schneider	Vasquez
Mrvan	Scholten	Veasey
Mullin	Schrier	Velázquez
Murphy	Schweikert	Wagner
Nadler	Scott (VA)	Walberg
Napolitano	Scott, Austin	Waltz
Neal	Scott, David	Wasserman
Neguse	Self	Schultz
Newhouse	Sessions	Waters
Nickel	Sewell	Watson Coleman
Norcross	Sherman	Webster (FL)
Nunn (IA)	Sherrill	Wenstrup
Obernolte	Simpson	Westerman
Ocasio-Cortez	Slotkin	Wexton
Omar	Smith (MO)	Wild
Owens	Smith (NE)	Williams (GA)
Pallone	Smith (NJ)	Williams (NY)
Palmer	Smith (WA)	Williams (TX)
Panetta	Smucker	Wilson (FL)
Pappas	Sorensen	Wilson (SC)
Pascrell	Soto	Wittman
Pelosi	Spanberger	Womack
Peltola	Stansbury	Yakym
Perez	Stanton	Zinke
Peters	Stauber	
Pettersen	Steel	

NAYS—28

Biggs	Greene (GA)	Nehls
Brecheen	Harris	Norman
Burlison	Harshbarger	Ogles
Cloud	Higgins (LA)	Perry
Clyde	Joyce (PA)	Steube
Collins	Loudermilk	Tiffany
Crane	Massie	Tlaib
Davidson	Miller (IL)	Weber (TX)
Duncan	Mills	
Gosar	Moore (AL)	

ANSWERED "PRESENT"—3

Grothman	Rosendale	Roy
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NOT VOTING—27

Armstrong	Ferguson	LaMalfa
Baird	Foushee	Landsman
Banks	García (TX)	Magaziner
Carson	Granger	Mooney
Carter (TX)	Grijalva	Pence
Clarke (NY)	Hageman	Phillips
Cleaver	Huffman	Reschenthaler
Cuellar	Jackson Lee	Spartz
Emmer	Jacobs	Trone

□ 1403

Messrs. BRECHEEN, HIGGINS of Louisiana, WEBER of Texas, DUNCAN, and MOORE of Alabama changed their vote from "yea" to "nay."

Mses. PINGREE and HOULAHAN changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.