United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, TUESDAY, JUNE 9, 2015 No. 91

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. FARENTHOLD).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 9, 2015.

I hereby appoint the Honorable BLAKE FARENTHOLD to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

THE TRUTH IS WHAT CAN SAVE AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, I am on the House floor today to express my thanks to Senator RAND PAUL for his 11-hour filibuster of the PATRIOT Act reauthorization on May 31.

I voted against the USA FREEDOM Act, which would have reauthorized the PATRIOT Act, because the NSA spying program allows for the Federal Government to gather bulk private data on law-abiding American citizens, a clear violation of the Fourth Amendment.

I also commend Senator PAUL for his courageous statement a couple of weeks ago. He said: ''ISIS exists and grew stronger because the hawks in our party gave arms indiscriminately, and most of those arms were snatched by ISIS. They''—the hawks in our party—''created these people.''

Unfortunately, Louisiana's Governor, Bobby Jindal, criticized my friend Senator PAUL by saying he is ''unsuited to be Commander in Chief.'' It is obvious Governor Jindal does not know about the manipulation of intelligence that led us into the Iraq war.

In a 2006 article for Time magazine, Lieutenant General Greg Newbold, whom I met with shortly after he wrote the article, stated: ''From 2000 until 2002, I was a Marine Corps Lieutenant General and Director of Operations for the Joint Chiefs of Staff. After 9/11, I was a witness and, therefore, a party to the actions that led us to the invasion of Iraq, an unnecessary war. Inside the military family, I made no secret of my view that the zealots' rationale for war made no sense.''

Later in the article, Lieutenant General Newbold states: ''The distortion of intelligence in the buildup to the war led us to the unnecessary war in Iraq.''

The distortion of intelligence, Mr. Speaker, is what led us to that war in Iraq.

Last month, when Governor Jeb Bush justified his brother's war in Iraq, my friend Colonel Lawrence Wilkerson, who was chief of staff to former Secretary of State Colin Powell, appeared on MSNBC's ''The Ed Show,'' where Wilkerson said: ''The intelligence was fixed, and everyone should know that by now. It was a failure of the intelligence agencies, but it was also a failure of the political people who manipulated the intelligence failure to their own benefit. It destroyed the balance of power in the Gulf and produced what we have today: the chaos we have today; al Qaeda in Iraq—never there until we invaded; ISIS—never there until we invaded; the mess we have in Yemen. Everything that's happening in the Middle East today can be attributed to our having destroyed the balance of power that we had carefully maintained for half a century with the invasion in 2003. It was a disaster.''

Thank you, Lawrence Wilkerson, for telling the truth.

Like Colonel Wilkerson said, everyone knows the intelligence was manipulated to trick the American people and the Congress into thinking the Iraq war was necessary. In fact, it was not, and it created the vacuum of power that exists today and that ISIS takes advantage of.

Also, I would like to say, Mr. Speaker, as I have a poster here of the Air Force removing an American hero from the plane in a flag-draped coffin: because of that unnecessary war in Iraq, we lost over 4,000 Americans; because of that unnecessary war in Iraq, we had over 30,000 wounded.

So in closing, Mr. Speaker, I would first like to thank our men and women in uniform, their families, and the families who gave a child dying for freedom in Afghanistan and Iraq.

I also would like to say: Thank you, Senator PAUL, for standing up for the truth. The truth is what can save America. Thank you, Senator PAUL.

REMEMBERING JOHN NASH

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, on May 23, 2015, the world lost one of the brightest mathematicians of the 20th century. John Nash, Jr., and his wife, Alicia, were tragically killed in a car accident, and I offer my sincerest condolences to their family.

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John Nash, Jr., was born in Bluefield, West Virginia, on June 13, 1928. At a young age, he displayed immense intelligence and an affinity for mathematics. Many may know Dr. Nash's story from the movie, ''A Beautiful Mind,'' where he was portrayed by actor Russell Crowe, but many are unaware of the groundbreaking impacts he had in the field of mathematics and economics.

In 1994, Dr. Nash shared a Nobel Prize in economics for his work on game theory. Dr. Nash's work developed the concept of an equilibrium in noncooperative games that has come to be known as the Nash equilibrium. Today, economics students across the world are familiar with Dr. Nash's contributions to the field of economics, studying the Nash equilibrium and game theory exclusively.

He revolutionized economics, and his work will have lasting impacts in business, sports, politics, and is even applicable to nuclear deterrence theories. Dr. Nash's work in pure mathematics is just as important and revolutionary as his work on game theory.

Dr. John Nash was not only a genius, he was also an advocate for those suffering from mental health issues. As many who have seen the film know, Dr. Nash suffered from mental illness. He used his struggles as a way to help others with mental health problems, becoming a staunch supporter for awareness and outreach for those with mental health issues.

Dr. Nash's advocacy work and brilliance will be missed by so many. This Saturday would have been John Nash's 87th birthday. Dr. Nash was clearly taken from us too soon, but his work and his advocacy will live on. The best way we can honor his legacy is to continue his fight for treatment, for education, and for dignity for those facing mental health issues and their families.

OPPOSING THE AMERICAN INNOVATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. ROHRABACHER) for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, today I would like to alert my colleagues, Democrats and Republicans, and I would like to alert the American people that there is a monstrous piece of legislation that will do great damage to our country and to the welfare of the American people making its way through the Judiciary Committee.

In fact, the Judiciary Committee will have a markup this Thursday of what is called the American Innovation Act, H.R. 9. This, in reality, is the anti-innovation act. It is one of the most egregious examples of crony capitalism that I have witnessed in this body as I have been here for the last 26 years.

This legislation uses a legitimate problem, which is frivolous lawsuits, and then portends to solve that problem by dramatically restricting the right of all Americans to sue in order to address those who have violated their rights in the name of usurping those who have been called patent trolls. A patent troll is someone who has purchased the right for a patent from an inventor and now has that property right himself. In the name of restricting those patent trolls from enforcing the right that they have bought from the inventor, they are dramatically restricting those people, both the inventors and anyone else who owns these intellectual property rights known as patents.

Early provisions of this bill, and almost every provision of this bill, make it more difficult for the inventor to protect himself against the theft of huge corporations. And there you go; huge, multinational corporations are seeking to destroy America's patent system.

I have been fighting this for 25 years. They have been fighting it because they want to take the property of American inventors, and they don't want to pay for it—surprise, surprise. So they passed legislation in the name of stopping frivolous lawsuits that prevent people with legitimate lawsuits from actually obtaining the justice they deserve. This will undercut American innovation. It will destroy the individual inventors.

Almost every American university now has come out opposed to this because they have found that the result of this bill, by restricting the people's right to actually defend their own intellectual property rights, will undermine the value—dramatically decrease the value—of patents, which will mean people won't invest in patents, which means the universities now have less resources. Who will benefit? Large corporations, multinational corporations with no loyalty to the United States will then have the power to take from our inventors their inventions.

This is a game changer for American innovation. It is the anti-innovation act. I ask my colleagues to please pay attention to H.R. 9. Don't let them push this over. Don't let this crony capitalism being done using a decoy, meaning the patent trolls, get away from the fact that they are actually trying to destroy the system for legitimate inventors.

As I say, I have been fighting this for 25 years. We have seen this in many forms. The last time, the decoy was submarine patentors. This time it is patent trolls.

The fact is that none of this is an excuse to dramatically decrease the ability of our inventors to own what the Constitution gives them: a 15- to 17-year period where they own what they invented; thus, they can make a profit from it. This would have destroyed all of the young inventors that made such a difference in the American way of life.

We will not be prosperous and we will not be secure unless the American people have the right to the own their intellectual property, unless the inventors that are the basis of many of our new industries know that they will control their patent and that some big corporation won't just come along and steal it.

This goes so far as to limit and to say that, for example, one of the provisions in the bill, if an inventor sues a major company that has stolen his or her patent, well, not only now will the inventor be liable for the costs of the litigation, but anybody who has invested in his patent will then be liable for those court costs. Who the heck will ever invest in an inventor when he is up against a megacorporation? No, we should not be permitting the theft of the intellectual property rights of our inventors.

I would ask my colleagues to pay attention to H.R. 9. I would ask the American people to get ahold of your Congressman and make sure he understands how heinous this bill is that has already, as I say, been opposed by every major university in this country and, of course, every group of inventors in this country.

If it was the Innovation Act, as the title would suggest, why would the inventors be against it?

I would ask my colleagues to join me in opposing H.R. 9 as it is marked up in the Judiciary Committee this coming Thursday.

FREE TRADE IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. GRAVES) for 5 minutes.

Mr. GRAVES of Louisiana. Mr. Speaker, I am a big proponent and supporter of free trade. I think the American workforce is so productive. I think that American businesses and our industries are so productive and so innovative that we can compete in the global markets. I am confident that our innovation and that our workforce can compete and we can win, when given an opportunity, again, to compete in global markets.

At home, the U.S. Chamber of Commerce has determined that the State of Louisiana is the top export State in the United States. In fact, one out of every five jobs in our State is tied back to our waterways, and that is because we are home to 5 of the top 15 ports in the United States.

□ 1215

We have an awful lot to export at home. We have a huge petrochemical industry, one of the largest ones in the United States. Large agriculture—in fact, over half the grains from the Midwest from American farms come down through our port system and are then exported around the country, around the world.

We are home to all six class I rail lines, only one of two places in the United States that actually has all six class I rail lines in our State.

Free trade can be good for America; it can be good for our country, good for our businesses, good for our families, if it is fair trade, and that is where my concerns come in, is our ability to compete fairly.

The President said: ''High-standard trade helps level the playing field for American workers''—''high-standard trade helps level the playing field.'' The problem is that, when you compare the cost of compliance in the United States with environmental policies, with tax policies, and with labor regulations, it is not a level playing field in the United States. In fact, it is extraordinarily out of balance.

The National Association of Manufacturers estimates that in 2012 alone, that the American workforce wasted 4.2 billion hours just complying with regulations, 4.2 billion. The Competitive Enterprise Institute estimates that $1.88 trillion in lost economic productivity and higher prices were experienced by the American workforce and by American families across the country, again, $1.88 trillion in 2014.

CEI also did a study that estimated that, for every small business in the United States, for each employee that small business has, that they pay over $11,000 a year just complying with Federal regulations. If the total cost of the aggregate cost of Federal regulations were at GDP—were at gross domestic product—it would rank behind Russia's economy and just ahead of India's economy. There are extraordinary costs. In fact, it is a backdoor way to tax our families.

Eighty-eight percent of the manufacturers in the United States, according to a survey done by NAM, 88 percent identified Federal regulations as being their top concern in regard to their ability to compete on a level playing field.

If you take, for example, tax compliance alone, tax policies are going to cost $1.7 trillion over the next 10 years, as proposed by the current administration, $1.7 trillion on top of all of these other extraordinary costs that I have covered to date.

One of the huge costs that we have in the environmental world is the ozone standard. There has been a proposal to change the ozone standard. Some have said that the ozone standard being proposed, Yellowstone National Park couldn't comply with; yet they want the State of Louisiana, where I represent, to comply with this new ozone standard.

When we had the top—or one of the top petrochemical industries in the United States, that standard is estimated to cost perhaps—it is estimated to be the most expensive Federal regulation in history. It could cost over $2 trillion to comply with the regulation—over $140 billion per year it could cost to comply with the regulation. In our home State of Louisiana alone, nearly 34,000 jobs are estimated to be lost on an annual basis.

Mr. Speaker, I am a proponent of the environment. I spent years and years of my life, of my career, working to restore the environment, working to restore the ecological function of south Louisiana, of our coastal area, of our fisheries, and of our wetlands. I am a big proponent of the environment.

But, Mr. Speaker, I am concerned that, as we move forward with free trade, under the policies being put forth by this administration, American workers are going to have their hands tied behind their back in the cost of complying with environmental regulation, the cost of complying with the expensive tax regulation in the United States, and the cost of extraordinary labor regulation.

I will say in closing, Mr. Speaker, I am a proponent of free trade, but it must be fair trade.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

As the days grow warmer throughout our land, major legislative issues loom with the potential of warmer debate and disagreement.

Bless the Members of the people's House with the graces they need to engage one another as colleagues of the 114th Congress, entrusted by America's citizens to forge solutions to the major issues facing our time, be they in agriculture, transportation, or areas of national security.

Grant to each an extra measure of wisdom and magnanimity that all might work together for a better future for our great Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CYBERATTACK STANDARDS STUDY ACT

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

Mr. WILSON of South Carolina. Mr. Speaker, recent cyber attacks targeting the personal data of Americans make it clear cyber is a new domain of warfare that threatens personal information, financial security, and the physical safety of our citizens. Last week, millions more were affected when the Office of Personnel Management's network was compromised.

This complicated nature of cyber defense means we need a clear standard of measurement for assessing the damage of attacks on our citizens and to affected computer systems and devices. It is for this reason that I have introduced the Cyberattack Standards Study Act today to instruct the Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of the FBI, and the Secretary of Defense, to define a method of quantifying cyber incidents for the purpose of determining a response.

Recent cyber attacks are a sobering reminder that Congress, all government agencies, and private companies and citizens need to work together to better protect our public and private networks now.

I appreciate the research of legislative director Taylor Andreae and military fellow Major Jacob Barton for their service in providing the ability to establish this legislation.

In conclusion, God bless our troops and may the President by his actions never forget September the 11th in the global war on terrorism.

SUPPORT THE EXPORT-IMPORT BANK

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, well, once again, the Republican leadership in Congress is bringing us to the brink, this time by endangering hundreds of thousands of good-paying jobs by threatening the Export-Import Bank.

The Export-Import Bank gives American manufacturers the tools that they need to sell U.S. goods overseas. That is direct and real support for American businesses and real jobs for American workers, and it is all at no cost to the taxpayers.

For ideological reasons, this Bank could close by June 30 if Congress does not act. It is more of the same of this sort of reckless brinksmanship and irresponsible behavior that we have seen from the Republican leadership in Congress.

One might ask: Why would you threaten hundreds of thousands of American jobs just to make an ideological point? If you want to make a point, send a letter; don't threaten the American worker to pursue an extreme ideological agenda.

Mr. Speaker, enough is enough. Let's end the political games. Let's get back to the work we were sent here to do and support the Export-Import Bank and our small businesses and the hardworking Americans that depend upon that.

HONORING DR. RICHARD HELTON

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

Mr. BUCSHON. Mr. Speaker, I rise today to honor a fellow Hoosier, Dr. Richard Helton, the retiring president of Vincennes University.

Few have exemplified the university's timeless motto, ''Learn in order to serve,'' more clearly than Dr. Helton. Under his dynamic leadership, this 214-year-old institution founded by our ninth President, William Henry Harrison, has become a cutting-edge center for career and technical education that offers students tangible, employable skills and an opportunity for lifelong growth.

Throughout his career, Dr. Helton has maintained a commitment to public education that has positively impacted the lives of countless students. Our State has benefited greatly from his vision and will forever be indebted for his service.

Best wishes to Dick and Cindy Helton in the future ahead.

EXPORT-IMPORT BANK

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute.)

Mr. HINOJOSA. Mr. Speaker, as of today, we have only 11 more legislative days to act in order to reauthorize the Export-Import Bank.

Reauthorizing the Bank is common sense. Sadly, however, the opponents of the Bank are operating out of ideological fervor, not on facts. We should be here dealing with and solving real problems, not endangering American jobs with fantastical ideology.

The truth of the matter is that the Bank is a vital free market economic engine for our manufacturers, for exporters, and job creators. Last year alone, the Bank financed $4 billion worth of exports in my home State of Texas, supporting thousands of hardworking Americans.

We cannot and should not let the Bank expire. Let's put an end to this nonsense.

Mr. Speaker, I want to vote in our House of Representatives on this issue.

WORLD WAR II VETERAN SERGEANT HARRISON DOYLE

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

Mr. BILIRAKIS. Mr. Speaker, today, I rise to talk about one of my heroic constituents, World War II veteran Sergeant Harrison Doyle.

Sergeant Doyle was assigned the task of recreating maps as a cartographer based on the remains of destroyed Nazi maps and aerial photography.

Sergeant Doyle served in three theaters, including the Battle of the Bulge. His contributions were crucial in recreating the topography into maps that were used to win the Battle of the Bulge.

Dedicated caseworkers in my office were able to help him recover lost personnel records. They worked tirelessly to get Sergeant Doyle's personnel records and medals, including the European-African-Middle East Campaign with Bronze Star attachment to give him the recognition he deserves.

I am honored to represent Sergeant Doyle. Helping heroes like him and any constituents being stonewalled by a Federal agency makes this job more meaningful.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1502

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 3 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

UNITED STATES GRAIN STANDARDS ACT REAUTHORIZATION ACT OF 2015

Mr. CONAWAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2088) to amend the United States Grain Standards Act to improve inspection services performed at export elevators at export port locations, to reauthorize certain authorities of the Secretary of Agriculture under such Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2088

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Grain Standards Act Reauthorization Act of 2015''.

SEC. 2. REAUTHORIZATION OF UNITED STATES GRAIN STANDARDS ACT.

(a) POLICY AND PURPOSE OF ACT.—Section 2(b) of the United States Grain Standards Act (7 U.S.C. 74(b)) is amended—

(1) in paragraph (1), by striking ''to both domestic and foreign buyers'' and inserting ''responsive to the purchase specifications of domestic and foreign buyers'';

(2) by striking ''and'' at the end of paragraph (2);

(3) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(4) by adding at the end the following new paragraph:

''(4) to provide an accurate, reliable, consistently available, and cost-effective official grain inspection and weighing system.''.

(b) DEFINITIONS.—

(1) MAJOR DISASTER DEFINED.—Section 3 of the United States Grain Standards Act (7 U.S.C. 75) is amended by adding at the end the following new paragraph:

''(aa) The term 'major disaster' has the meaning given that term in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), except that the term includes a severe weather incident causing a region-wide interruption of government services.''.

(2) CONFORMING AMENDMENTS.—Section 3 of the United States Grain Standards Act (7 U.S.C. 75) is further amended—

(A) in the matter preceding paragraph (a), by striking ''otherwise–'' and inserting ''otherwise:'';

(B) by striking ''the term'' at the beginning of each paragraph (other than paragraphs (n) and (t)) and inserting ''The term'';

(C) in paragraph (i)—

(i) by striking ''Act (the term'' and inserting ''Act. The term''; and

(ii) by striking '');'' and inserting a period;

(D) in paragraphs (n) and (t), by striking ''the terms'' and inserting ''The terms'';

(E) in paragraph (o)—

(i) by striking ''personnel (the term'' and inserting ''personnel. The term''; and

(ii) by striking '');'' and inserting a period;

(F) in paragraph (s), by striking ''the verb'' and inserting ''The verb'';

(G) in paragraph (x)—

(i) by striking ''conveyance (the terms'' and inserting ''conveyance. The terms''; and

(ii) by striking ''accordingly);'' and inserting ''accordingly.'';

(H) by striking the semicolon at the end of each paragraph (other than paragraphs (i), (o), (x), and (y)) and inserting a period; and

(I) in paragraph (y), by striking ''; and'' and inserting a period.

(c) OFFICIAL INSPECTION AND WEIGHING REQUIREMENTS.—

(1) DISCRETIONARY WAIVER AUTHORITY.—Section 5(a)(1) of the United States Grain Standards Act (7 U.S.C. 77(a)(1)) is amended in the first proviso by striking ''may waive the foregoing requirement in emergency'' and inserting ''shall promptly waive the foregoing requirement in the event of an emergency, a major disaster,''.

(2) WEIGHING REQUIREMENTS AT EXPORT ELEVATORS.—Section 5(a)(2) of the United States Grain Standards Act (7 U.S.C. 77(a)(2)) is amended by striking ''intracompany shipments of grain into an export elevator by any mode of transportation, grain transferred into an export elevator by transportation modes other than barge,'' and inserting ''shipments of grain into an export elevator by any mode of transportation''.

(d) DELEGATION OF OFFICIAL INSPECTION AUTHORITY.—

(1) AUTHORIZED INSPECTION PERSONNEL AT EXPORT ELEVATORS AT EXPORT PORT LOCATIONS.—Paragraph (1) of section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)) is amended to read as follows:

''(1) Except as otherwise provided in paragraphs (3) and (4) of this subsection, the Secretary shall cause official inspection at export elevators at export port locations, for all grain required or authorized to be inspected by this Act, to be performed—

''(A) by official inspection personnel employed by the Secretary; or

''(B) by other persons under contract with the Secretary as provided in section 8 of this Act.''.

(2) DELEGATION TO STATE AGENCIES.—Section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)) is amended—

(A) in paragraph (2)—

(i) by striking '', meets the criteria'' and all that follows through ''the Secretary may delegate'' and inserting ''and meets the criteria specified in subsection (f)(1)(A) of this section, the Secretary may delegate'';

(ii) by striking ''at export port locations within the State, including export port locations'' and inserting ''at export elevators at export port locations within the State, including at export elevators at export port locations''; and

(iii) in the last sentence, by striking ''Any such delegation'' and inserting ''The delegation under this paragraph of authority to conduct official inspection services shall be for a term not to exceed five years, and may be renewed thereafter in accordance with this subsection, except that any such delegation'';

(B) by transferring paragraph (4) to the end of subsection (f), redesignating such paragraph as paragraph (5), and, in such paragraph, by striking ''or subsection (f)'' and inserting ''or subsection (e)''; and

(C) by striking paragraph (3) and inserting the following new paragraphs:

''(3) Prior to delegating authority to a State agency for the performance of official inspection services at export elevators at export port locations pursuant to paragraph (2) of this subsection, the Secretary shall comply with the following:

''(A) Upon receipt of an application from a State agency requesting the delegation of authority to perform official inspection services on behalf of the Secretary, publish notice of the application in the Federal Register and provide a minimum 30-day comment period on the application.

''(B) Evaluate the comments received under subparagraph (A) with respect to an application and conduct an investigation to determine whether the State agency that submitted the application and its personnel are qualified to perform official inspection services on behalf of the Secretary. In conducting the investigation, the Secretary shall consult with, and review the available files of the Department of Justice, the Office of Inspector General of the Department of Agriculture, and the Government Accountability Office.

''(C) Make findings based on the results of the investigation and consideration of public comments received.

''(D) Publish a notice in the Federal Register announcing whether the State agency has been delegated the authority to perform official inspection services at export elevators at export port locations on behalf of the Secretary, and the basis upon which the Secretary has made the decision.

''(4)(A) Except in the case of a major disaster, if a State agency that has been delegated the authority to perform official inspection services at export elevators at export port locations on behalf of the Secretary fails to perform such official services, the Secretary shall submit to Congress, within 90 days after the first day on which inspection services were not performed by the delegated State agency, a report containing—

''(i) the reasons for the State agency's failure; and

''(ii) the rationale as to whether or not the Secretary will permit the State agency to retain its delegated authority.

''(B) A State agency may request that the delegation of inspection authority to the agency be canceled by providing written notice to the Secretary at least 90 days in advance of the requested cancellation date.

''(C) If a State agency that has been delegated the authority under paragraph (2) of this subsection to perform official inspection services at an export elevator at an export port location on behalf of the Secretary intends to temporarily discontinue such official inspection services or weighing services for any reason, except in the case of a major disaster, the State agency shall notify the Secretary in writing of its intention to do so at least 72 hours in advance of the discontinuation date. The receipt of such prior notice shall be considered by the Secretary as a mitigating factor in determining whether to maintain or revoke the delegation of authority to the State agency.''.

(3) CONFORMING AMENDMENTS.—(A) Section 7(f)(1) of the United States Grain Standards Act (7 U.S.C. 79(f)(1)) is amended by striking ''other than at export port locations'' and inserting ''(other than at an export elevator at an export port location)''.

(B) Section 16(d) of the United States Grain Standards Act (7 U.S.C. 87e(d)) is amended by striking ''The Office of Investigation of the Department of Agriculture (or such other organization or agency within the Department of Agriculture which may be delegated the authority, in lieu thereof, to conduct investigations on behalf of the Department of Agriculture)'' and inserting ''The Office of Inspector General of the Department of Agriculture''.

(4) EVALUATION OF CURRENT DELEGATIONS.—Not later than two years after the date of the enactment of this Act, the Secretary of Agriculture shall complete a review of each State agency that, as of the date of the enactment of this Act, has been delegated inspection authority under section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)) and determine if the State agency is qualified to continue to perform official inspection services at export elevators at export port locations on behalf of the Secretary under such section, as amended by this subsection. The Secretary shall conduct the review subject to the requirements of section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)), as amended by this subsection, and a State agency determined to be qualified to continue to perform such official inspection services shall be subject thereafter to such requirements.

(e) CONTINUITY OF OPERATIONS.—Section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)) is further amended by inserting after paragraph (4), as added by subsection (d), the following new paragraphs:

''(5) Except in the case of a major disaster, the Secretary shall cause official inspections at an export elevator at an export port location—

''(A) to be performed without interruption by official inspection personnel employed by the Secretary or by a State agency delegated such authority under paragraph (2) of this subsection; or

''(B) if interrupted, to be resumed at the export elevator by utilizing official inspection personnel employed by the Secretary or by another delegated State agency as provided under paragraph (2) of this subsection as follows:

''(i) Within six hours after the interruption, if the interruption is caused by a State agency delegated such authority under this subsection and the Secretary received advance notice of the interruption pursuant to paragraph (4)(C) of this subsection.

''(ii) Within 12 hours after the interruption, if the State agency failed to provide the required advance notice of the interruption.

''(6)(A) If the Secretary is unable to restore official inspection services within the applicable time period required by paragraph (5)(B) of this subsection, the interested person requesting such services at the export elevator at an export port location shall be authorized to utilize official inspection personnel, as provided under section 8 of the Act, employed by another State agency delegated authority under paragraph (2) of this subsection or designated under subsection (f)(1) of this section.

''(B) A delegated or designated State agency providing inspection services under subparagraph (A) may, at its discretion, provide such services for a period of up to 90 days from the date on which the services are initiated, after which time the Secretary may restore official inspection services using official inspection personnel employed by the Secretary or a State agency delegated such authority under this subsection, if available. The State agency shall notify the Secretary in writing of its intention to discontinue inspection services under subparagraph (A) at least 72 hours in advance of the discontinuation date.

''(7) Not later than 60 days after the date of the enactment of this paragraph, the Secretary shall make available to the public, including pursuant to a website maintained by the Secretary, a list of all delegated States and all official agencies authorized to perform official inspections on behalf of the Secretary. This list shall include the name, contact information, and category of authority granted. The Secretary shall update the list at least semiannually.''.

(f) GEOGRAPHIC BOUNDARIES FOR OFFICIAL AGENCIES.—

(1) OFFICIAL INSPECTION AUTHORITY.—Section 7(f)(2) of the United States Grain Standards Act (7 U.S.C. 79(f)(2)) is amended by striking ''the Secretary may'' and all that follows through the end of the paragraph and inserting the following: ''the Secretary shall

allow a designated official agency to cross boundary lines to carry out inspections in another geographic area if—

''(A) the current designated official agency for that geographic area is unable to provide inspection services in a timely manner;

''(B) a person requesting inspection services in that geographic area requests a probe inspection on a barge-lot basis; or

''(C) the current official agency for that geographic area agrees in writing with the adjacent official agency to waive the current geographic area restriction at the request of the applicant for service.''.

(2) WEIGHING AUTHORITY.—Section 7A(i)(2) of the United States Grain Standards Act (7 U.S.C. 79a(i)(2)) is amended by striking ''the Secretary may'' and all that follows through the end of the paragraph and inserting the following: ''the Secretary shall allow a designated official agency to cross boundary lines to carry out weighing in another geographic area if—

''(A) the current designated official agency for that geographic area is unable to provide weighing services in a timely manner; or

''(B) the current official agency for that geographic area agrees in writing with the adjacent official agency to waive the current geographic area restriction at the request of the applicant for service.''.

(g) DURATION OF DESIGNATIONS OF OFFICIAL AGENCIES.—Section 7(g)(1) of the United States Grain Standards Act (7 U.S.C. 79(g)(1)) is amended by striking ''triennially'' and inserting ''every five years''.

(h) INSPECTION FEES.—

(1) COLLECTION AND AMOUNTS.—Section 7(j)(1) of the United States Grain Standards Act (7 U.S.C. 79(j)(1)) is amended—

(A) by inserting ''(A)'' after ''(1)'';

(B) by adding at the end the following new subparagraph:

''(B) For official inspections and weighing at an export elevator at an export port location performed by the Secretary, performed by a State agency delegated the authority to perform official inspection services at the export elevator on behalf of the Secretary, or performed by a State agency utilized as authorized by subsection (e)(6)(A), the portion of the fees based upon export tonnage shall be based upon a rolling five-year average of export tonnage volumes. In order to maintain an operating reserve of between three to six months, the Secretary shall adjust such fees at least annually.''.

(2) DURATION OF AUTHORITY.—Section 7(j)(4) of the United States Grain Standards Act (7 U.S.C. 79(j)(4)) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(i) OFFICIAL WEIGHING OR SUPERVISION AT LOCATIONS WHERE OFFICIAL INSPECTION IS PROVIDED OTHER THAN BY THE SECRETARY.—Section 7A(c)(2) of the United States Grain Standards Act (7 U.S.C. 79a(c)(2)) is amended—

(1) in the first sentence, by striking ''with respect to export port locations'' and inserting ''with respect to an export elevator at an export port location''; and

(2) in the last sentence by striking ''subsection (g) of section 7'' and inserting ''subsection (e) and (g) of section 7''.

(j) COLLECTION OF FEES FOR WEIGHING SERVICES.—Section 7A(l)(3) of the United States Grain Standards Act (7 U.S.C. 79a(l)(2)) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(k) LIMITATION AND ADMINISTRATIVE AND SUPERVISORY COSTS.—Section 7D of the United States Grain Standards Act (7 U.S.C. 79d) is amended by striking ''2015'' and inserting ''2020''.

(l) ISSUANCE OF AUTHORIZATIONS.—

(1) DURATION.—Section 8(b) of the United States Grain Standards Act (7 U.S.C. 84(b)) is amended by striking ''triennially'' and inserting ''every five years''.

(2) PERSONS WHO MAY BE HIRED AS OFFICIAL INSPECTION PERSONNEL.—Section 8(e) of the United States Grain Standards Act (7 U.S.C. 84(e)) is amended—

(A) by striking ''(on the date of enactment of the United States Grain Standards Act of 1976)'';

(B) by striking ''the United States Grain Standards Act'' and inserting ''this Act''; and

(C) by striking '', on the date of enactment of the United States Grain Standards Act of 1976, was performing'' and inserting ''performs''.

(m) AUTHORIZATION OF APPROPRIATIONS.—Section 19 of the United States Grain Standards Act (7 U.S.C. 87h) is amended by striking ''2015'' and inserting ''2020''.

(n) EXPIRATION OF ADVISORY COMMITTEE.—Section 21(e) of the United States Grain Standards Act (7 U.S.C. 87j(e)) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(o) TECHNICAL CORRECTIONS.—Section 17B(b) of the United States Grain Standards Act (7 U.S.C. 87f–2(b)) is amended—

(1) by striking ''notwithstanding the provisions of section 812 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c–3)'' and inserting ''notwithstanding section 602 of the Agricultural Trade Act of 1978 (7 U.S.C. 5712)''; and

(2) by striking ''or the Secretary''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. CONAWAY) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CONAWAY. Mr. Speaker, I yield myself as much time as I may consume, and rise today in support of H.R. 2088, the United States Grain Standards Act Reauthorization Act of 2015.

Mr. Speaker, for nearly 100 years, the United States Grain Standards Act has been the cornerstone of the vibrant grain trade, both domestically and internationally. This law is relied upon not only by exporters and domestic shippers but the entire U.S. agricultural sector.

The law establishes official marketing standards and procedures for the inspection and weighing of grains and oilseeds, and I would like to underscore the importance this law has played in establishing value and price-discovery in the grain and oilseed marketplace.

Many of the provisions in this current law are set to expire on September 30 of this year. A lapse in authorization would disrupt export weighing and grading services, imposing heavy burdens on farmers, merchants, traders, inspectors and, ultimately, consumers. We should not delay in passing this reauthorization.

I cannot emphasize enough: it is imperative that these inspections and weighing services are provided in a reliable, uninterrupted, consistent, and cost-effective manner. To ensure that we fulfill this obligation, we must provide a safeguard to ensure we avoid disruptions in service like the one that took place last year in Washington State.

The Washington State Department of Agriculture currently provides inspection and weighing services for grain intended for export at the Port of Vancouver. USDA's Federal Grain Inspection Service has delegated this responsibility to the Washington State Department of Agriculture. In the event that the Washington State Department of Agriculture cannot provide services for any reason, then the Federal Government, through FGIS inspectors, are statutorily required to step in and resume inspection and weighing services.

That is not what happened last summer. Amid an ongoing labor dispute, WSDA discontinued services. In statements issued at the time, WSDA, the State-based program, acknowledged they withheld inspection services because of their belief that ''the continued provision of inspection services appears to be unhelpful in leading to a foreseeable resolution'' of the labor dispute.

Instead of fulfilling their statutory obligation, the leadership of the USDA politicized this situation when the agency also declined to fulfill its statutory responsibility to resume inspection and grain and weighing services. Services were eventually restored, but not before significant costs accrued to all parties involved.

We have worked hard to gain access to overseas markets. We are shooting ourselves in the foot when we cannot ship our products to these markets because State and Federal agencies are unable or unwilling to comply with their obligations. The inability to ship our grain because there are no inspectors at a facility does a disservice to our farmers, and it harms our economy.

To address this situation, we could have been punitive. In fact, there were some who would have preferred that we do just that. But that is not what we have done and had no interest in doing. We simply want a safeguard mechanism to avoid this situation being repeated.

To do that, we worked with the State of Washington delegation, the Washington State Department of Agriculture, labor unions, the grain trade industry, and USDA. What we developed was a bipartisan consensus on a workable safeguard provision.

I am pleased with this work product, and I appreciate the help and support of Ranking Member PETERSON, Subcommittee Chairman CRAWFORD, and Subcommittee Ranking Member WALZ,

as well as Representatives from Washington State, both on and off the committee, for their advice and counsel as we developed this legislation.

H.R. 2088 provides a certainty to American agriculture, and I would urge my colleagues to vote ''yes'' on this bill.

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

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume, and I, too, rise in support of the U.S. Grain Standards Act Reauthorization Act, H.R. 2088.

I would like to, first of all, thank the chairmen of the full committee and of the subcommittee, both of whom provided great leadership, provided the necessary space to get all parties together, and then provided for a final product that meets all of the necessary requirements that you heard the chairman talk about.

I think it is well known that U.S. grain producers produce the highest quality grain in the world. It is the inspections of them, the gold standard of assuring that quality, backed by the Federal Government, that allows us to continue this trade. I think no one here wants to see any interruption to that service. No one here wants to see any lowering of the quality that we have.

So this piece of legislation, I think, in the best tradition of the Agriculture Committee and this House, was a true, bipartisan compromise. It was working to find working solutions that made those things happen, and I would urge my colleagues to support this piece of legislation.

This is how we are supposed to do business. This honors those producers of our grain and makes sure that business and capital flow correctly, and it makes sure that there are standards in place to ensure that our buyers of U.S. grain know that they are getting the world's highest quality product.

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

Mr. CONAWAY. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. CRAWFORD), the subcommittee chairman.

Mr. CRAWFORD. Mr. Speaker, I thank the chairman for his leadership on this and certainly want to thank the ranking member of the full committee as well and my friend, the gentleman from Minnesota, who serves as the ranking member on our subcommittee.

This is a great piece of bipartisan legislation. As has been noted here, this is about 100 years since this has been signed into law, and the grain trade has thrived over that century. GSA has supported its evolution by providing a backbone of stability relied upon by exporters, shippers, farmers, and, of course, consumers.

With the farm economy and so many of our constituents relying on the ability of grain and oilseeds to get to market, it is critical that we act to provide stability for the grain trade, like we are doing here today.

This legislation accomplishes that goal in the following two ways. Many of the provisions in current law are set to expire on September 30 of this year. A lapse in that authorization would disrupt the current grain inspections process; therefore, Congress should not delay in passing its reauthorization. The House is getting its job done well ahead of schedule by considering this bill today, and I hope my colleagues in the Senate will act soon as well.

Secondly, this legislation provides stability by ensuring we can avoid disruptions like that which took place last year in Washington State, which was alluded to earlier by the chairman. Last summer, the Washington State Department of Agriculture discontinued its export inspections amid an ongoing labor dispute. Since labor disputes do happen from time to time, this kind of situation was anticipated by our predecessors, which is why current law provides a mechanism for USDA to step in and provide inspection services in the event of a disruption.

However, the dispute devolved into a political situation in which the Secretary of Agriculture declined to use his discretionary authority to maintain inspections. While inspection services were eventually restored, it is critical we avoid a repeat of that unfortunate decision.

Fortunately, the Agriculture Committee arrived at a bipartisan consensus and found a way to avoid any future disruptions to the grain trade by giving the industry more control of its own destiny.

I urge support from my colleagues for this vital legislation. I thank the committee for all of its hard work to move this bill forward.

Mr. WALZ. Mr. Speaker, again, I have no further speakers on my side. I can't stress enough my thanks for working this out. It was, at times, a somewhat delicate situation, but leadership from my friends on the Republican side, bringing in folks, all engaged parties in this, helped us find a great compromise.

I, too, would urge our colleagues in the Senate to take up this piece of legislation, move it forward, and give certainty to those producers who feed, clothe, and power the world. I urge our colleagues here, let's just pass this thing and get further work done.

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

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

Mr. Speaker, I appreciate my colleagues' comments, both the ranking member as well as the chairman of the subcommittee. We did work in a bipartisan manner. We worked out the differences of the bill, came up with a good work product. It is worthy of the system.

I would like to, again, emphasize, as my colleague from Arkansas did, we are actually getting this done ahead of time. These rules aren't out-of-date yet. And so I would encourage my colleagues in the Senate to follow our example and get it done quickly so we can get this to the President's desk. I urge support of the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. CONAWAY) that the House suspend the rules and pass the bill, H.R. 2088, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MANDATORY PRICE REPORTING ACT OF 2015

Mr. CONAWAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2051) to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2051

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE .

This Act may be cited as the ''Mandatory Price Reporting Act of 2015''.

SEC. 2. EXTENSION OF LIVESTOCK MANDATORY REPORTING.

(a) EXTENSION OF AUTHORITY.—Section 260 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(b) EMERGENCY AUTHORITY.—Section 212(12)(C) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635a(12)(C)) is amended by inserting '', including any day on which any Department employee is on shutdown or emergency furlough as a result of a lapse in appropriations'' after ''conduct business''.

(c) CONFORMING AMENDMENT.—Section 942 of the Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635 note; Public Law 106–78) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

SEC. 3. SWINE REPORTING.

(a) DEFINITIONS.—Section 231 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635i) is amended—

(1) by redesignating paragraphs (9) through (22) as paragraphs (10) through (23), respectively;

(2) by inserting after paragraph (8) the following new paragraph:

''(9) NEGOTIATED FORMULA PURCHASE.—The term 'negotiated formula purchase' means a purchase of swine by a packer from a producer under which—

''(A) the pricing mechanism is a formula price for which the formula is determined by negotiation on a lot-by-lot basis; and

''(B) the swine are scheduled for delivery to the packer not later than 14 days after the date on which the formula is negotiated and swine are committed to the packer.'';

(3) in paragraph (12)(A) (as so redesignated), by inserting ''negotiated formula purchase,'' after ''pork market formula purchase,''; and

(4) in paragraph (23) (as so redesignated)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) a negotiated formula purchase; and''.

(b) DAILY REPORTING.—Section 232(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is amended—

(1) in paragraph (1)(D), by striking clause (ii) and inserting the following new clause:

''(ii) PRICE DISTRIBUTIONS.—The information published by the Secretary under clause (i) shall include—

''(I) a distribution of net prices in the range between and including the lowest net price and the highest net price reported;

''(II) a delineation of the number of barrows and gilts at each reported price level or, at the option of the Secretary, the number of barrows and gilts within each of a series of reasonable price bands within the range of prices; and

''(III) the total number and weighted average price of barrows and gilts purchased through negotiated purchases and negotiated formula purchases.''; and

(2) in paragraph (3), by adding at the end the following new subparagraph:

''(C) LATE IN THE DAY REPORT INFORMATION.—The Secretary shall include in the morning report and the afternoon report for the following day any information required to be reported under subparagraph (A) that is obtained after the time of the reporting day specified in such subparagraph.''.

SEC. 4. LAMB REPORTING.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall revise section 59.300 of title 7, Code of Federal Regulations, so that—

(1) the definition of the term ''importer''—

(A) includes only those importers that imported an average of 1,000 metric tons of lamb meat products per year during the immediately preceding 4 calendar years; and

(B) may include any person that does not meet the requirement referred to in subparagraph (A), if the Secretary determines that the person should be considered an importer based on their volume of lamb imports; and

(2) the definition of the term ''packer''—

(A) applies to any entity with 50 percent or more ownership in a facility;

(B) includes a federally inspected lamb processing plant which slaughtered or processed the equivalent of an average of 35,000 head of lambs per year during the immediately preceding 5 calendar years; and

(C) may include any other lamb processing plant that did not meet the requirement referred to in subparagraph (B), if the Secretary determines that the processing plant should be considered a packer after considering its capacity.

SEC. 5. STUDY ON LIVESTOCK MANDATORY REPORTING.

(a) IN GENERAL.—The Secretary of Agriculture, acting through the Agricultural Marketing Service in conjunction with the Office of the Chief Economist and in consultation with cattle, swine, and lamb producers, packers, and other market participants, shall conduct a study on the program of information regarding the marketing of cattle, swine, lambs, and products of such livestock under subtitle B of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635 et seq.). Such study shall—

(1) analyze current marketing practices in the cattle, swine, and lamb markets;

(2) identify legislative or regulatory recommendations made by cattle, swine, and lamb producers, packers, and other market participants to ensure that information provided under such program—

(A) can be readily understood by producers, packers, and other market participants;

(B) reflects current marketing practices; and

(C) is relevant and useful to producers, packers, and other market participants;

(3) analyze the price and supply information reporting services of the Department of Agriculture related to cattle, swine, and lamb; and

(4) address any other issues that the Secretary considers appropriate.

(b) REPORT.—Not later than January 1, 2020, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the findings of the study conducted under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. CONAWAY) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration

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

There was no objection.

Mr. CONAWAY. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 2051, the Mandatory Price Reporting Act of 2015.

I want to begin by thanking my colleagues on the Agriculture Committee, Ranking Member PETERSON and Congressman ROUZER, for joining me in introducing this legislation. I am especially appreciative of Mr. ROUZER's work as subcommittee chairman in holding a hearing to foster discussions that led to this important legislation.

Mr. Speaker, H.R. 2051 is a bill to reauthorize the Livestock Mandatory Reporting Act of 1999. This bill, like the underlying act and each subsequent reauthorization, has been the result of dialogue and consensus between livestock producers and other industry participants.

I would like to extend my gratitude to our Nation's livestock producers, capably represented by their trade associations—the National Cattlemen's Beef Association, the National Pork Producers Council, and the American Sheep Industry Association—for their hard work and dedication on this effort.

We fully understand that government mandates, like price reporting, can be onerous, and that not all industry participants may fully embrace this program.

That said, it is apparent that over the preceding 16 years, mandatory reporting has become an essential tool that allows for greater transparency and price discovery within the livestock industry, especially as the industry continues to evolve.

This reauthorization contains a number of industry-specific modifications proposed by the pork producers and sheep producers. We, likewise, include a provision that responds generally to industry concern regarding USDA's arbitrary decision to shut this mandatory program down for several days during the lapse in appropriations that occurred in 2013, while other mandatory programs were deemed essential.

Following extensive negotiations, the cattlemen have opted to support a simple reauthorization without any statutory modifications. I appreciate their hard work and look forward to continuing to work with them on future improvements that they may choose to pursue.

Mr. Speaker, this is a simple, bipartisan reauthorization that represents consensus among industry participants. I urge Members to support this bill, and I reserve the balance of my time.

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

I rise in support of the Mandatory Price Reporting Act of 2015.

Mr. Speaker, I would say let's hope that what you see is a pattern developing here: smart, bipartisan legislation passed in a timely fashion to make sure this country's business goes on uninterrupted.

You heard it from the chairman, these programs are important for producers, who rely on access to transparent, accurate, and timely market information. The bill makes an important change to mandatory price reporting by making it an ''essential'' government program.

As you also heard, the 2013 government shutdown disrupted price reporting. This designation will ensure that, if we ever find ourselves in that situation again, price reporting will continue on. This is the very least we can do for the hard-working folks who are out there. It gives our producers the certainty that it will be there. It is the right thing to do. Again, it is smart; it is bipartisan; it is timely. And I would urge my colleagues not only to support this, but to make this a habit in much of what we do.

I yield back the balance of my time.

Mr. CONAWAY. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. ROUZER), chairman of the Subcommittee on Livestock and Foreign Agriculture.

Mr. ROUZER. Mr. Speaker, I want to thank the chairman for his good and hard work on this important piece of legislation.

As chairman of the Livestock and Foreign Agriculture Subcommittee in which the Mandatory Price Reporting Act originated, I too want to thank the stakeholders for their hard work in coming together on the provisions of this bill.

Mandatory price reporting was developed in response to changing markets, with an increasing number of animals being sold with little information publicly accessible. As these structural changes continued, livestock producers requested that price reporting be made mandatory.

Even today, livestock markets are continuing to evolve, and it was the

goal and intent of the committee to bring all parties together to strike a balance that promotes fairness, transparency, and stability in the market. No one knows how to make this process work better than those directly involved, and I appreciate the willingness of these stakeholders to work together with the committee to craft this legislation.

I also look forward to working with our Senate colleagues to continue the tradition of a healthy dialogue between both Chambers of Congress, producers, and packers on this reauthorization so that we can make sure that the requested modifications are executed as smoothly as possible.

In closing, I would like to again thank Chairman CONAWAY, Ranking Member COLLIN PETERSON, and the committee staff for their tremendous help and guidance.

Mr. Speaker, I commend this legislation to my colleagues, and I appreciate their support.

Mr. CONAWAY. Mr. Speaker, I yield myself the remainder of the time.

Mr. Speaker, I too want to thank my colleagues across the aisle as well as colleagues on the committee with me, but I also was remiss earlier in not thanking the dedicated staff of the Ag Committee that worked on the grain standards bill and the group that has worked on this one as well.

We are blessed. Our country is blessed to have dedicated professionals on both sides of the aisle and the committee staff who do a great job working together, trying to avoid the kind of partisanship that sometimes permeates this body.

Again, I rise in support of this mandatory price reporting reauthorization. I will remind my colleagues that this does not expire until September 30 of this year. We are actually ahead of the curve and would commend this process to the House on other important issues like that. I ask my colleagues to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. CONAWAY) that the House suspend the rules and pass the bill, H.R. 2051, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIONAL FOREST FOUNDATION REAUTHORIZATION ACT OF 2015

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2394) to reauthorize the National Forest Foundation Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2394

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Forest Foundation Reauthorization Act of 2015''.

SEC. 2. NATIONAL FOREST FOUNDATION ACT REAUTHORIZATION.

(a) EXTENSION OF AUTHORITY TO PROVIDE MATCHING FUNDS FOR ADMINISTRATIVE AND PROJECT EXPENSES.—Section 405(b) of the National Forest Foundation Act (16 U.S.C. 583j–3(b)) is amended by striking ''for a period of five years beginning October 1, 1992'' and inserting ''during fiscal years 2016 through 2018''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 410(b) of the National Forest Foundation Act (16 U.S.C. 583j–8(b)) is amended by striking ''during the five-year period'' and all that follows through ''$1,000,000 annually'' and inserting ''there are authorized to be appropriated $3,000,000 for each of fiscal years 2016 through 2018''.

(c) TECHNICAL CORRECTIONS.—

(1) AGENT.—Section 404(b) of the National Forest Foundation Act (16 U.S.C. 583j–2(b)) is amended by striking ''under this paragraph'' and inserting ''by subsection (a)(4)''.

(2) ANNUAL REPORT.—Section 407(b) of the National Forest Foundation Act (16 U.S.C. 583j–5(b)) is amended by striking the comma after ''The Foundation shall''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. THOMPSON) and the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 2394, the National Forest Foundation Reauthorization Act of 2015.

The National Forest Foundation has a simple mission: bring people together to restore and enhance our national forests and grasslands. Through the foundation, we are able to leverage private and Federal dollars to support our Nation's great forests in a variety of ways. These include: planting trees, preserving wildlife habitat, surveying streams, restoring and maintaining trails, and the list goes on.

In recent years, the foundation has leveraged funds at over a four to one ratio and plans to continue on this success to raise at least $125 million for forest restoration activities.

Since its charter in 1993, the foundation has been essential in helping to meet the challenges the National Forest System faces. Accomplishments include: over 14,000 miles of trail restored or maintained; nearly 4.4 million trees and shrubs planted; more than 500,000 acres of fuel reduction completed or planned; over 120,000 people volunteered more than 1.5 million hours with an estimated value of $34 million; over 46,000 youth employed or engaged; approximately 80,000 acres of invasive weeds treated; over 117,000 acres of wildlife habitat restored or maintained; and more than 3,000 miles of streams surveyed or restored.

The foundation has also taken it upon itself to educate and engage the American public on the importance of our national forests as well as the natural resources found within them. It is an integral component in keeping our national forests—such as the Allegheny national forest, in my district, and dozens of other national forests around the country—viable and thriving for years to come.

Simply put, the National Forest Foundation works, and this is a commonsense reauthorization. I urge my colleagues to vote ''yes.''

I reserve the balance of my time.

Ms. MICHELLE LUJAN GRISHAM. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague from Pennsylvania for his work on this legislation and also for his work and dedication on the Conservation and Forestry Subcommittee, which we lead together.

Mr. Speaker, I rise in support of this legislation. The National Forest Foundation Reauthorization Act will allow the public-private partnership responsible for the stewardship and management of our national forests and grasslands to continue.

This legislation would reauthorize the National Forest Foundation's matching funds program. This important program brings non-Federal partners and stakeholders together to keep our forests healthy and less prone to fire. In practice, this has generated more than $4 for our forests for every Federal dollar invested.

I have seen the benefits of this program in my own district. Since 2010, the New Mexico Wilderness Alliance has received grants from the National Forest Foundation to assist the Forest Service in conducting surveys and data collection on the wilderness areas within the New Mexico national forests. This data has helped the Forest Service combat invasive species and improve forest health in the Cibola, Carson, and Santa Fe National Forests.

Our national forests are in dire need of this type of management and restoration in order to maintain valuable ecosystems and prevent devastating and costly wildfires.

New Mexico, like many other States in the Southwest, has been experiencing severe drought; and, as a result, we have had record-breaking fires that have burned hundreds of thousands of acres and have caused millions of dollars in damage.

While we have seen some recent improvements, long-term projections indicate that drought conditions will

worsen and spread to more States across the country. We must ensure that this program, which prevents costly and, oftentimes, irreparable damage to communities, personal property, and wildlife habitat, receives continued support. Mr. Speaker, I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. THOMPSON of Pennsylvania. I yield myself such time as I may consume.

I thank the ranking member for her leadership and support on this bill and, quite frankly, on everything we do as a part of our Subcommittee on Agriculture.

Mr. Speaker, I have no additional speakers on this bill. I urge all Members to join me in support of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 2394, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COMMODITY END-USER RELIEF ACT

GENERAL LEAVE

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 2289.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 288 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2289.

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

□ 1526

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. CONAWAY) and the gentleman from Minnesota (Mr. PETERSON) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

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

I rise today in support of H.R. 2289, the Commodity End-User Relief Act.

I want to start by thanking Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT of the Commodity Exchanges, Energy, and Credit Subcommittee. They have done a tremendous job over the past few months working on these issues. They have held three hearings on reauthorization, listening to testimony from end users, financial intermediaries, and even the commissioners themselves. Without their work, we would not have been able to move this bill today.

H.R. 2289, the Commodity End-User Relief Act, does exactly what the name suggests: it provides relief from unnecessary red tape for the businesses that ''make things'' in our country.

End users are the businesses that provide Americans with food, clothing, transportation, electricity, heat, and much, much more. Companies that produce, consume, and transport the commodities that make modern life possible use futures and swaps markets to reduce the uncertainties that their businesses face. Farmers hedge their crops in the spring so that they know what price they will get paid in the fall. Utilities hedge the price of energy so they can charge customers at a steady rate. Manufacturers hedge the cost of steel, energy, and other inputs to lock in prices as they work to fill their orders.

The fact is, no end user played any part in the financial crisis of 2008, and no end user poses a systemic risk to U.S. derivatives markets. Yet, as the Agriculture Committee heard in countless hours of testimony, it is now more difficult and more expensive for farmers, ranchers, processors, manufacturers, merchandisers, and other end users to manage their risks than it was 5 years ago.

To address their concerns, H.R. 2289 makes targeted reforms to the Commodity Exchange Act that fall into three broad categories: consumer protections, commission reforms, and end-user relief.

Title I of the bill protects customers and the margin funds they deposit at their FCMs by codifying critical changes made in the wake of the collapse and bankruptcy of both MF Global and Peregrine Financial.

Title II makes meaningful reforms to the operations of the Commission to improve the agency's deliberative process. In doing so, it also requires the Commission to conduct more robust cost-benefit analysis to help get future rulemakings right the first time and to avoid the endless cycle of re-proposing and delaying unworkable rules.

Finally, title III fixes numerous problems faced directly by end users who rely on derivatives markets. From unnecessary recordkeeping burdens, to improperly categorizing physical transactions as swaps, to narrowing the bona fide hedge definition, CFTC rules have discouraged exactly the kind of prudent risk management activities Congress intended to protect with the end-users exemptions in the Dodd-Frank bill.

These regulatory burdens present challenges to American businesses and will cost them significant capital to comply with, unless Congress acts to provide the relief.

Title VII of Dodd-Frank sought to require that most swaps, one, be executed on an electronic exchange to ensure price transparency; two, be subject to initial and variation margin and central clearing through the lifetime of the transaction, to ensure performance on the obligation for counterparties; and, last, to be reported to a central repository to ensure that regulators have an accurate picture of the entire marketplace at any one point in time.

□ 1530

H.R. 2289 does not roll back a single core tenet of title VII. It does not change the execution, clearing, margining, and reporting framework set up by the act. In fact, not a single witness who appeared before the House Committee on Agriculture ever asked us to upend these principles. But what they did ask for were fixes to portions of the statute that didn't work as intended, to provide more flexibility in complying with the rules when they impaired end users' ability to hedge, and to bring more certainty to the Commission and how it operates. That is exactly what H.R. 2289 provides.

Similar to the CFTC reauthorization bill passed by the House with overwhelming bipartisan support last Congress, the Commodity End-User Relief Act makes narrowly targeted changes to the Commodity Exchange Act. This legislation offers meaningful improvements for market participants without undermining the basic tenets of title VII. I am proud that the committee has again put together a bill that has earned the bipartisan support of our members because it provides the right relief to the right people.

Mr. Chairman, I urge support of the Commodity End-User Relief Act.

I reserve the balance of my time.

JUNE 8, 2015.

DEAR MEMBER OF THE HOUSE OF REPRESENTATIVES: The undersigned organizations represent a very broad cross-section of U.S. production agriculture and agribusiness. We urge you to cast an affirmative vote on H.R. 2289, the ''Commodity End-User Relief Act,'' when it moves to the floor for consideration.

This legislation contains a number of important provisions for agricultural and agribusiness hedgers who use futures and swaps to manage their business and production risks. Some, but certainly not all, of the bill's important provisions include:

Sections 101–103—Codify important customer protections to help prevent another MF Global situation.

Section 104—Provides a permanent solution to the residual interest problem that would have put more customer funds at risk—and potentially driven farmers, ranchers and small hedgers out of futures markets—by forcing pre-margining of their hedge accounts.

Section 308—Relief from burdensome and technologically infeasible recordkeeping requirements in commodity markets.

Section 310—Requires the CFTC to conduct a study and issue a rule before reducing the de minimis threshold for swap dealer registration in order to make sure that doing so would not harm market liquidity and end-user access to markets.

Section 313—Confirms the intent of Dodd-Frank that anticipatory hedging is considered bona fide hedging activity.

Thank you in advance for your support of this bill that is so important to U.S. farmers, ranchers, hedgers and futures customers.

Sincerely,

Agribusiness Association of Iowa; Agribusiness Council of Indiana/Indiana Grain and Feed Association; American Cotton Shippers Association; American Farm Bureau Federation; American Feed Industry Association; American Soybean Association; Commodity Markets Council; Grain and Feed Association of Illinois; Kansas Grain and Feed Association; Michigan Agri-Business Association; Michigan Bean Shippers Association; Minnesota Grain and Feed Association; Missouri Agribusiness Association; National Cattlemen's Beef Association; National Corn Growers Association; National Cotton Council; National Council of Farmer Cooperatives; National Grain and Feed Association; National Pork Producers Council; Nebraska Grain and Feed Association; North American Export Grain Association; North Dakota Grain Dealers Association; Northeast Agribusiness and Feed Alliance; Ohio Agri-Business Association; Oklahoma Grain and Feed Association; Pacific Northwest Grain and Feed Association; Rocky Mountain Agribusiness Association; Southeast Minnesota Grain and Feed Dealers Association; South Dakota Grain and Feed Association; Tennessee Feed and Grain Association; Texas Grain and Feed Association; USA Rice Federation; Wisconsin Agri-Business Association.

JUNE 5, 2015.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, supports provisions in the Commodity End User Relief Act (H.R. 2289), to clarify that non-financial companies, like manufacturers, that use derivatives to manage business risk will not be subject to onerous and harmful regulatory requirements.

Manufacturers use derivatives to manage and mitigate against fluctuations in commodity prices and currency and interest rates. The NAM worked to include provisions in the Dodd-Frank Wall Street Reform and Consumer Protection Act (P.L.111–203) to protect manufacturers' use of over-the-counter derivatives. We continue to work to ensure that, as Dodd-Frank is implemented, end-users do not face undue burdens. Imposing unnecessary regulation on end-users would limit their ability to use these important risk management tools, increasing costs and negatively impacting business investment, U.S. competitiveness and job growth.

Provisions included in H.R. 2289 would ensure that non-financial end-users trading through a centralized treasury unit (''CTU'') are covered by the end-user clearing exemption provided by the Dodd-Frank Act. Without the clarification on CTUs, non-financial end-users may be swept into costly clearing requirements meant for financial entities, simply because they use a CTU to manage internal and external trading to mitigate risk within a corporate entity—an industry ''best practice''.

The CFTC reauthorization also includes an NAM-supported provision that requires the CFTC to take an affirmative action before lowering the swap dealer de minimis threshold. Without this provision, the de minimis level of swap dealing automatically drops from the $8 billion to $3 billion in the near future, sweeping some manufacturers into bank-like regulatory requirements.

Almost five years after the enactment of Dodd-Frank, implementation of the Act is well underway and deadlines for compliance with various regulations are looming. End-users remain extremely concerned about the lack of clarity on the CTU issue and the automatic drop in the de minimis threshold for swap dealing among other issues. Thank you in advance for supporting provisions in H.R. 2289 to ensure that derivatives regulation is focused on needed areas, and not on imposing unnecessary regulatory burdens on manufacturers.

Sincerely,

DOROTHY COLEMAN.

MAY 11, 2015.

Hon. MICHAEL CONAWAY,
Chairman, House Committee on Agriculture, Longworth House Office Building, Washington, DC.

Hon. COLLIN C. PETERSON,
Ranking Member, House Committee on Agriculture, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CONAWAY AND RANKING MEMBER PETERSON: As the House prepares to vote on and reauthorize the Commodity Futures Trading Commission (CFTC) oversight of the futures and swaps markets, the National Corn Growers Association (NCGA) and the Natural Gas Supply Association (NGSA) wish to express support for the end user provisions in the CFTC reauthorization bill which will help to ensure that corn and natural gas markets are able to function efficiently.

Specifically, NCGA and NGSA support the provision which will provide relief for end-users using physical contracts with volumetric optionality and ensure that non-financial, physical energy delivery agreements are not regulated as swaps.

Founded in 1957, NCGA represents more than 40,000 dues-paying corn farmers nationwide. NCGA and its 48 affiliated state organizations work together to create and increase opportunities for their members and their industry.

Established in 1965, NGSA encourages the use of natural gas within a balanced national energy policy, and promotes the benefits of competitive markets, thus encouraging increased supply and the reliable and efficient delivery of natural gas to U.S. customers.

Because of the potential for the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (the Dodd-Frank Act or the Act) to impede what are and have been healthy, competitive, and resilient corn and natural gas markets, NCGA and NGSA played an active role in the shaping of the Act during its passage and have continued this role in ensuring the Act's successful implementation by the CFTC.

The CEA as amended by the Dodd-Frank Act excludes forward contracts and includes options in commodities in the definition of ''swap.'' This raises the practical question of how to treat forward contracts containing terms that provide for some form of flexibility in delivered volumes, i.e., ''embedded optionality.''

Flexibility in the terms of physical commodity forward contracts is essential in everyday commerce given the commercial uncertainties that exist in commodity delivery and receipt. One important form of such flexibility involves the volumes to be transacted in a forward contract. This flexibility is necessary because parties cannot always accurately predict the required or optimal amounts of physical commodities to meet their business needs and objectives. The CFTC refers to this flexibility as ''volumetric optionality'' and has formulated rules that suggest that the CFTC will regulate forward contracts with such ''optionality'' as swaps.

Volumetric optionality is a contractual tool used in the physical commodity industry to ''right size'' physical delivery. The ability to appropriately size a physical commodity delivery via a contractual tool facilitates market efficiency because it allows commercial market participants to adjust delivery volumes seamlessly in response to changes in supply and demand requirements at the time of delivery. Volumetric optionality is a delivery tool that mitigates the uncertainty inherent in any physical commodity contract, making both parties aware of potential delivery variability embedded within the intent to deliver. Thus, volumetric optionality in a physical forward contract allows commercial uncertainties to be accommodated up front, providing a process for orderly physical delivery and settlement even in the absence of precision in the delivery volume. Importantly, the intent to physically deliver remains despite the variability in final delivery terms.

In August of 2012, the CFTC issued the final rule further defining the term ''swap,'' Final Rule, Further Definition of ''Swap,'' et al., 77 Fed. Reg. 48, 208 (August 13, 2012) (Swap Definition Final Rule or Final Rule). As part of the definition of swap, the Final Rule provides an interpretation that an agreement, contract or transaction with embedded optionality falls within the forward exclusion when seven criteria are met. The seventh criterion or element requires that:

7. The exercise or non-exercise of the embedded volumetric optionality is based primarily on physical factors, or regulatory requirements, that are outside the control of the parties and are influencing demand for, or supply of, the nonfinancial commodity.

In the Final Rule, the Commission specifically requested comments on whether this seventh element is necessary, appropriate and sufficiently clear and unambiguous. On October 12, 2012, NCGA and NGSA submitted written comments to the CFTC highlighting the market uncertainty that the new seven-criterion test creates in light of very clear statutory language stating that contracts with the intent to physically deliver are physical forward contracts. Specifically, NCGA and NGSA asked the Commission to affirm that the seven criteria identified in the Final Rule are simply illustrative of certain common characteristics in forward contracts with embedded optionality, and thus, a safe harbor instead of requirements for satisfaction of the forward contract exclusion.

NCGA and NGSA recognize the Commission's interest in retaining the ability to regulate physical contracts with embedded options as swaps if ''intent to physically deliver'' is not genuine and simply crafted to evade regulation. However, in this case, the Commission has created so much ambiguity in the applicability of the forward-contract

exclusion that market participants may be reluctant to use volumetric optionality in their forward contracting. Consequently, the regulatory uncertainty caused by the seven-criterion test compromises the viability of a physical commodity market delivery tool that is critical to market efficiency. The forward-contract exclusion should not be implemented in a way that limits its usefulness to catching bad actors at the expense of physical market efficiency.

The definition of swap has far-reaching effects beyond physical market efficiency. Determining what is and is not a swap impacts the calculation of notional amount and thus, which entities are swap dealers. It also impacts the application of position limits and the appropriate scope of the bona fide hedge exemption, clearing requirements, reporting requirements and capital and margin requirements. In short, the definition of swap is the heart and soul of the end-user protections.

The October 12, 2012 NCGA and NGSA request for clarity regarding the Commission's expected application of the seven-criterion test remains unanswered. In light of the lingering uncertainty created by the seven-criterion test, clarity regarding the applicability of the forward-contract exclusion to volumetric options embedded within a physical contract has become essential to commodity producers and consumers. Given the importance of the definition of swap to implementation of so many other Dodd-Frank-Act-related CFTC regulations, clarity is crucial to the sound implementation the Dodd-Frank Act. This regulatory uncertainty has complicated sound implementation of the Dodd-Frank Act and risks harming commodity market efficiency. The CFTC is contemplating some clarifying language on volumetric optionality which would be welcome news. Regardless of the CFTC's clarification, however, the implementation uncertainty that has persisted for the last four years illustrates the need for legislative changes.

The swap definition is fundamental to implementation of the CFTC's new Dodd-Frank rules and consequently to the on-going availability of cost-effective risk management tools. However, if the definition is too broad, it can bring in common commercial agreements that have no relationship to the types of transactions that the Dodd-Frank Act was intended to regulate. Market participants demonstrating the potential to exercise physical delivery or a history of physical delivery must have confidence in the forward-contract exclusion from the definition of a swap.

NCGA and NGSA are committed to working with you to achieve a positive outcome that both protects the integrity of commodity markets and ensures the continued availability of cost effective hedging tools.

Sincerely,

NATIONAL CORN GROWERS ASSOCIATION.
NATURAL GAS SUPPLY ASSOCIATION.

JUNE 2, 2015.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.

Hon. MICHAEL CONAWAY,
Chairman, House Agriculture Committee, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

Hon. COLLIN PETERSON,
Ranking Member, House Agriculture Committee, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER, LEADER PELOSI, CHAIRMAN CONAWAY, AND RANKING MEMBER PETERSON: On behalf of the member companies of the Edison Electric Institute (EEI), I want to express our strong support for H.R. 2289, the Commodity End-User Relief Act. Key provisions in the legislation provide additional certainty and clarify congressional intent on a number of issues of significant importance to EEI members.

EEI is the association of U.S. investor-owned utilities, international affiliates and industry associates worldwide. Our members provide electricity for 220 million Americans, directly employ more than a half-million workers, and operate in all 50 states. With approximately $90 billion in annual capital expenditures, the electric utility industry is responsible for providing reliable, affordable, and increasingly clean electricity that powers the economy and enhances the lives of all Americans.

EEI members are non-financial entities that participate in the physical commodity market and rely on swaps and futures contracts primarily to hedge and mitigate their commercial risk. The goal of our member companies is to provide their customers with reliable electric service at affordable and stable rates, which has a direct and significant impact on literally every area of the U.S. economy. Since wholesale electricity and natural gas historically have been two of the most volatile commodity groups, our member companies place a strong emphasis on managing the price volatility inherent in these wholesale commodity markets to the benefit of their customers. The derivatives market has proven to be an extremely effective tool in insulating our customers from this risk and price volatility. In sum, our members are the quintessential commercial end-users of swaps. As such, regulations that make effective risk management options more costly for end-users of swaps will likely result in higher and more volatile energy prices for retail, commercial, and industrial customers. H.R. 2289 goes a long way in providing much needed regulatory relief and even greater clarity to the compliance landscape facing EEI and the entire end-user community going forward.

Thank you for your leadership on these important issues. We look forward to working with you to advance this legislation through the House.

Sincerely,

THOMAS R. KUHN.

MAY 12, 2015.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CONAWAY: The American Gas Association strongly supports the Commodity End User Relief Act, a bill to reauthorize the Commodity Exchange Act (CEA) that would improve Commodity Future Trading Commission (CFTC) operations and provide much-needed marketplace certainty and regulatory relief for natural gas utilities and the American homes and businesses to which they deliver natural gas.

The American Gas Association (AGA), founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 71 million residential, commercial and industrial natural gas customers in the U.S., of which 94 percent—over 68 million customers—receive their gas from AGA members. AGA is an advocate for natural gas utility companies and their customers and provides a broad range of programs and services for member natural gas pipelines, marketers, gatherers, international natural gas companies and industry associates. Today, natural gas meets more than one-fourth of the United States' energy needs.

The Commodity End User Relief Act will help the CFTC become a more responsive and well-equipped regulator. Commercial market participants currently lack basic procedural opportunities to hold the CFTC accountable for arbitrary and capricious actions. The lack of good process is self-evident in the haphazard pattern of rulemaking and non-rule ''guidance'' issued by the Commissioners or staff. Just yesterday, the CFTC answered a critical industry question about whether ''swaps'' (financial derivatives) include non-financial natural gas delivery contracts through an ''Interpretation'' rather than through formal regulation. Even this action is five months late: The CFTC asked for comments on this draft in November 2014 and closed the comment period in December 2014. The goal was to provide time-sensitive response to market participants. And yet, it took five months to finalize.

The Commodity End User Relief Act will help fix several problems described above—changes that can neither be made by the CFTC's evolving leadership nor by revisions to internal rules.

1. Direct Review in Federal Appellate Courts: The bill would allow the federal appellate courts to directly review CFTC rules, replacing the protracted and expensive trial court process currently in effect as the default rule for judicial review. This change will not increase litigation nor will it disrupt the CFTC. Rather, it will incentivize the CFTC to write better rules and avoid challenge altogether. Also, any inevitable legal challenges will be more swiftly decided by appellate courts, benefitting the regulator and the regulated community. All of the key federal rulemaking agencies are subject to direct appellate review — including the Securities Exchange Commission and Federal Energy Regulatory Commission. There is no logical justification to treat the CFTC differently.

2. Strict Compliance with the Administrative Procedures Act (APA): The CFTC's administrative process suffers from vague and varying levels of compliance with federal procedural laws. Strict compliance with federal laws requiring due process and notice should not be contingent on how the Commission leadership directs staff, shares information among Commissioners, or chooses between a legal rule, non-binding guidance, or interpretation for resolving a public concern. This bill would eliminate subjectivity and require strict compliance with the APA and Executive Orders that instruct agencies to ensure public notice-and-comment on rules or guidance that have legally-binding effects.

3. Give the CFTC Comprehensive Authority to Exempt End-Users' Physical Contracts from ''Swaps'' and ''Options'' Regulation: The CFTC undertook a tortuous four-year path of issuing interim final rules, policy guidance, and no-action letters, to arrive yesterday at yet another ''interpretation'' regarding how much of the physical marketplace will not be regulated as ''swaps''. In the interim, gas utilities have seen their physical gas counterparties (natural gas suppliers) exit the marketplace. Those that remain, offer less flexible and more costly contracting terms to avoid any confusion generated by CFTC policies that suggest these physical transactions are ''swaps''. In the past year alone, many AGA members' counterparties have abstained from providing the physical delivery flexibility that is needed to manage customer demand during hard winters and cold snaps. For AGA's rate-regulated utilities, cost increases for flexible gas supplies are passed directly to consumers.

Yesterday's Interpretation does help clarify the morass of regulatory guidance that

the CFTC has issued in prior years. However, confusion remains as at least two Commissioners disagree about what the CFTC has actually accomplished (see statements from CFTC Chairman Massad and Commissioner Bowen). Natural gas utilities cannot afford to wait any longer for policy clarity because energy consumers are paying the price for the CFTC's confusion. The Commodity End User Relief Act will definitively clarify that non-financial energy delivery agreements, that ensure physical delivery of natural gas to homes and businesses, will not be treated by the CFTC as speculative, financial instruments. The bill will help restore liquidity to the physical energy marketplace, which gas utilities rely on to mitigate commercial risk on behalf of consumers.

Congress certainly did not intend to provide the CFTC a tremendous regulatory mandate without giving it the necessary guidance and authority to do its job. Furthermore, Congress did not intend for the CEA to constrain liquidity in the physical natural gas marketplace, create business-changing impacts on regulated natural gas utilities, or increase the costs of reliable service for natural gas consumers. As such, AGA supports the Commodity End User Relief Act because it provides the CFTC the tools necessary to be a responsive regulator and restores the regulatory confidence that natural gas utilities rely on to procure natural gas supplies at the lowest reasonable cost for the benefit of America's natural gas consumers.

Sincerely,

DAVE MCCURDY,
President and CEO,
American Gas Association.

JUNE 8, 2015.

Re End-User Support for Passage of Derivatives End-User Clarifications in H.R. 2289, the Commodity End-User Relief Act.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The Coalition for Derivatives End-Users represents the views of companies that employ derivatives primarily to manage risks associated with their businesses. Hundreds of companies and business associations have been active in the Coalition, seeking strong, effective and fair regulation of derivatives markets that brings transparency and mitigates the risk of another systemic collapse while not unduly burdening American businesses and harming job growth. The Coalition supports H.R. 2289, the Commodity End-User Relief Act, which incorporates vital legislation aimed at protecting derivatives end-users.

In particular, the Coalition strongly supports the bill's inclusion of the language of H.R. 1317, the Derivatives End-User Clarification Act, sponsored by Representatives Moore, Stivers, Fudge and Gibson. H.R. 1317 is a narrowly targeted bill providing much-needed clarification that certain swap transactions with centralized treasury units (''CTUs'') of non-financial end-users are exempt from clearing requirements and fixes a language glitch in the Dodd-Frank Wall Street Reform and Consumer Protection Act (the ''Dodd-Frank Act'') that denies some end-users that employ CTUs the clearing exception that Congress passed specifically for them.

A Coalition survey of chief financial officers and corporate treasurers found that nearly half of the respondents use CTUs to execute over-the-counter derivatives. The Coalition is encouraged that the House of Representatives last year passed this CTU language (H.R. 5471/S. 2976) by voice vote, reflecting the fact that CTUs are a best practice among corporate treasurers and their use should be encouraged, not penalized.

While the Commodity Futures Trading Commission has issued no-action relief allowing some end-users to use the clearing exception, the relief does not fix the problematic language in the Dodd-Frank Act. This language, which also is referenced in regulatory proposals on margin, places corporate boards in the difficult position of approving decisions not to clear trades based on a staff letter indicating that the law will not be enforced against the company.

It also is important to note that international regulators often look to U.S. rules—but not no-action letters—when developing their regulations. Unless we fix the underlying problem in the Dodd-Frank Act, our denial of clearing relief to end-users with CTUs may be propagated overseas.

Throughout the legislative and regulatory process surrounding the Dodd-Frank Act, the Coalition has supported efforts to increase transparency in the derivatives markets and enhance financial stability for the U.S. economy through thoughtful new regulation while avoiding needless costs. We urge you to support the efforts to move this essential clarification in H.R. 2289.

Sincerely,

COALITION FOR DERIVATIVES END-USERS.

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

Mr. Chairman, I oppose this legislation because it will roll back important financial regulations and interfere with the CFTC's ability to do its work. I am very concerned that H.R. 2289 will open the door to the types of things that created the financial mess that we are just beginning to get ourselves out of.

So let me be clear. I don't have an issue with many of the provisions that are relevant to end-user protections. In fact, the Dodd-Frank bill that I helped write states very clearly that end users were not the problem, and the CFTC has been very receptive to that fact and taken that into consideration as they have adopted rules.

One of my biggest concerns in this bill is the new cost-benefit analysis. This is, in my opinion, all cost and not a lot of benefit unless you are one of the nine big banks who, as far as I am concerned, have not learned a thing from the financial crisis. This not only adds an unneeded layer of government bureaucracy; it opens the doors to lawsuits from major banks seeking to delay or completely derail CFTC rulemakings.

I also have serious concerns with the trouble that will be caused by section 314, the cross-border section of this bill.

Chairman Massad has been negotiating extensively and in good faith with our European counterparts to harmonize their rules with ours. I have talked to the Chairman a number of times about this, and he has assured me and it has been independently verified that they are 85 percent of the way to getting a deal in this area. This provision in my opinion will cut the negotiators off at the knees. I am worried that this provision will take us back to where we were and what was happening prior to the financial crash. The big banks at that time that have offices both in London and New York were playing us against each other, getting the United States to water down rules by threatening to move their business elsewhere and vice versa, and that was verified on committee trips that we took over to Europe and in discussions with their regulators.

The cost-benefit requirement, as I said, along with the cross-border rule, will cost $45 billion over 5 years, according to the CBO. And again, this is a cost that I believe doesn't have a whole lot of benefit.

H.R. 2289 has a whole host of other problems. The bill unravels the transparency provided by Dodd-Frank, slows down CFTC staff ability to respond to industry concerns, mucks up the Commission's ability to issue guidance if rules need updating or clarification, and relitigates a disagreement between former commissioners that has no place in this bill.

This is a bad bill that can't be fixed. It should be defeated by the House. I urge my colleagues to oppose H.R. 2289.

Mr. Chairman, I have a statement from the administration where they have indicated their displeasure with this bill and the fact that they are going to recommend vetoing it.

I reserve the balance of my time.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2289—COMMODITY END-USER RELIEF ACT

(Rep. Conaway, R–TX, June 2, 2015)

The Administration is firmly committed to strengthening the Nation's financial system through the implementation of key reforms to safeguard derivatives markets and ensure a stronger and fairer financial system for investors and consumers. The full benefit to the Nation's citizens and the economy cannot be realized unless the entities charged with establishing and enforcing the rules of the road have the resources to do so.

The Administration strongly opposes the passage of H.R. 2289 because it undermines the efficient functioning of the Commodity Futures Trading Commission (CFTC) by imposing a number of organizational and procedural changes and would undercut efforts taken by the CFTC over the last year to address end-user concerns. H.R. 2289 also offers no solution to address the persistent inadequacy of the agency's finding. The CFTC is one of only two Federal financial regulators funded through annual discretionary appropriations, and the funding the Congress has provided for it over the past five years has failed to keep pace with the increasing complexity of the Nation's financial markets. The changes proposed in H.R. 2289 would hinder the ability of the CFTC to operate effectively, thereby threatening the financial security of the middle class by encouraging the same kind of risky, irresponsible behavior that led to the great recession.

Prior to enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act, the derivatives markets were largely unregulated. Losses connected to derivatives rippled through that hidden network, playing a central role in the financial crisis. Wall Street Reform resulted in significant expansion of the CFTC's responsibilities, establishing a framework for standardized over-the-counter derivatives to be traded on regulated platforms and centrally cleared, and for data to be reported to repositories to increase transparency and price discovery. The changes proposed in H.R. 2289 would hinder the CFTC's progress in successfully implementing these critical responsibilities

and would unnecessarily disrupt the effective management and operation of the agency without providing the more robust and reliable funding that the agency needs.

In order to respond quickly to market events and market participants, the CFTC needs funding commensurate with its evolving oversight framework. The Administration looks forward to working with the Congress to authorize fee funding for the CFTC as proposed in the FY 2016 Budget request, a shift that would directly reduce the deficit. User fees were first proposed in the President's Budget by the Reagan Administration more than 30 years ago and have been supported by every Democratic and Republican Administration since that time. Fee funding would shift CFTC costs from the general taxpayer to the primary beneficiaries of the CFTC's oversight in a manner that maintains the efficiency, competitiveness, and financial integrity of the Nation's futures, options, and swaps markets, and supports market access for smaller market participants hedging or mitigating commercial or agricultural risk.

If the President were presented with H.R. 2289, his senior advisors would recommend that he veto the bill.

Mr. CONAWAY. Mr. Chairman, I yield myself 1 minute.

I remind my colleagues that the cost-benefit analysis provisions that are in this bill are remarkably similar to the bill last year, which garnered overwhelming support, including support out of the Agriculture Committee itself. Cost-benefit analysis is an important tool for any regulatory agency to have at its disposal to be able to use. This agency did not use the cost-benefit analysis rule that was in place because it was so weak and toothless that they just basically gave lip service to it, according to their own IG.

The cost-benefit analysis in this bill mirrors in most instances President Obama's executive order from January 2011 that required all nonindependent agencies to conduct cost-benefit analysis in a transparent manner to get to better rules in that regard.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Chairman, I thank my colleague, Chairman CONAWAY, for allowing me to speak today.

I rise today in support of H.R. 2289, the Commodity End-User Relief Act.

End users, such as our ranchers, farmers, manufacturers, and public utilities, face risks that they have no control over on a daily basis. For years now, they have used tools available to manage risks like volatile markets or changing interest rates, such as a farmer who uses futures contracts to establish a guaranteed price to offset the risk of a decrease in crop value before harvest or a grain company using derivatives to hedge commercial risks associated with buying wheat from a farmer. This is part of day-to-day operations that allow them to do their jobs and provide products in an affordable and accessible manner. However, the implementation of Dodd-Frank placed a number of costly burdens on our end users that limit their ability to use these tools.

It is important that we do all we can to erase this unintended and excessive red tape. One measure included in this bill today will do just that, which is my Public Power Risk Management Act, which passed with the full support of the House last year. Again, it is included in the bill today.

There are over 2,000 publicly owned utilities across the United States, including one in my district in the city of Redding, that have used swaps to manage their risk for years. However, Dodd-Frank put them at a major disadvantage to private utilities by limiting their ability to negotiate with swap dealers.

This bill would level the playing field permanently and ensure the 47 million Americans who rely on public power for electricity will not see their rates increase due to unnecessary regulatory policies. Our farmers, ranchers, and small businesses who pose no systemic risk to our financial system and certainly did not cause the financial crisis should not have to face costly bureaucratic overreach from policies originally intended to protect them in the first place.

I thank Chairman CONAWAY for his leadership on this bill. Let's help our agriculture community by passing this commonsense piece of legislation.

Mr. PETERSON. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. DAVID SCOTT).

Mr. DAVID SCOTT of Georgia. Mr. Chairman, as the ranking member of the subcommittee of jurisdiction over this bill, I would like to address the three major areas of contention here. We have put a lot of time, a lot of work in this over the years.

First, we want to deal with, as Mr. PETERSON brought up, some of his concerns and share how we are responding to that. I am a sponsor of this bill. We have worked on it. It is a similar bill to what we had before. The first area I want to deal with is cross border, and then I will go to cost-benefit analysis, and then end users.

What is important for the House and the people of this Nation to understand is that we operate in a global market, and our United States financial system is best served with deep financial liquidity. But if global regulations are not well harmonized, are not well coordinated, or we have good cross-border access, then these global markets will fragment into separate regulatory jurisdictions and become far less liquid, to the detriment of the United States financial system.

We know now that the derivatives swaps market is about an $815 trillion piece of the economy, and we must not—and I am sure we will not—put our financial system of the United States at a disadvantage on the world stage. By passing this bill, we will not do that. If we delay it again, we will be putting our financial system at a disadvantage on the stage.

Let me deal with the first concern that has been brought up. The claim that our legislation subverts the CFTC's authority to regulate foreign derivatives, this is flat-out false because at no point is an entity of the United States person able to escape U.S. rules that the CFTC, itself, has deemed equivalent. Let me read section 314 that has been referred to. In section (b)(2)(A) of 314, it clearly states that only the CFTC can make sure that foreign entities, regulations are comparable to the United States. At no point do we yield the power of the CFTC to any foreign entity unless the CFTC makes sure that that foreign entity has equivalent rules to our Nation.

Now, let me go to the claim that we are making it harder to challenge the cross border in 314. We are doing no such thing. It is important that if there is a country, if there is anybody in the world that wants to challenge, that wants to have a way of challenging the ruling of the CFTC, it is in our best interest to make sure that they go through a petition process, and the petition process is there to give the CFTC ample time—180 days—to review the challenge and be able to respond appropriately. And after the Commission makes its decision, we request them to report to the Congress. Now, how is that making it harder? As a matter of fact, it is making it easier and more transparent.

Now, the concern about the bill's attempts to rein in the CFTC's capacity to impose certain rules on Wall Street trades, this concern refers to what we refer to as U.S. persons and location tests. At no time, Mr. Chairman, does our bill state that U.S. persons are not subject to U.S. rules. Individuals and transactions are still allowed to be carved in definitions and, thus, subject to the same rules, the same tests, and regulations. And our own Commissioner Bowen, who is a Democrat serving on the CFTC, stated before my subcommittee, ''risk should be about risk and not about location.'' Tests should be about where the risk is, instead of where someone wrote something on a piece of paper.

Now let me deal with the business that our bill creates a presumption that each of the eight foreign jurisdictions with the largest swaps markets automatically have swap rules that are considered to be comparable to and as comprehensive as the United States requirements. Yes, they are correct, but that presumption comes only after the CFTC makes sure that those eight foreign markets have comparable rules to us. Here is what it says in section 1: ''The Commission shall determine, by rule or by order, whether the swaps regulatory requirements of foreign jurisdictions are comparable to and as comprehensive as United States requirements.''

I rest my case.

But now, Mr. Chairman, I want to turn to what is the most important cross-border issue, this business with the European Union. The European Union is discriminating against the United States.

The CHAIR. The time of the gentleman has expired.

Mr. PETERSON. I yield the gentleman an additional 2 minutes.

Mr. DAVID SCOTT of Georgia. The European Union is denying our country status in terms of equivalency of rules. Historically, we have always had that. But what is very interesting is they have already given this standing to jurisdictions that have the same regime as ours.

Why is that?

Something very strange is going on in the European Union. They are discriminating against our financial system when they will go ahead and approve other regimes that are equal to ours but not ours.

Why is this a terrible thing?

Because, Mr. Chairman, our clearinghouses can't do business in Europe if we are not qualified, if we do not have that equivalency. So by taking that equivalency away, they are keeping our clearinghouses and our businesses from being able to be used there because the other market participants will go elsewhere rather than come and do business with us.

There are millions of dollars at stake here, so we have got to certainly deal with that.

□ 1545

Mr. Chairman, I do want to say something about this cost-benefit analysis because this is not all truth is being told here. This cost-benefit analysis is being put on because it has the way of being able to make us more efficient.

Mr. PETERSON brought up the point of litigation; that is a legitimate concern, but here is what we did: we accepted and approved an amendment by Democratic Representative DELBENE and some Republicans to make sure that the CFTC's back door is protected. The amendment clearly states that the court must uphold the decision of the CFTC unless there has been an abuse of discretion.

In a court of law, abuse is a high threshold to attain.

The CHAIR. The time of the gentleman has again expired.

Mr. CONAWAY. Mr. Chairman, I yield the gentleman an additional 3 minutes.

Mr. DAVID SCOTT of Georgia. This is important, Mr. Chairman. I have got my name on this bill. I have put the work and time into this bill. It is important that I give the reasons why I am supporting this bill.

Now, this amendment says, as I said before, that a court must uphold the decision of the CFTC unless there has been an abuse of discretion. In a court of law, abuse is a high threshold to attain. If a firm wants to challenge the CFTC, they know right off that they better have beyond compelling facts to prove it.

The CFTC's abuse of power is a discretion. We are letting anyone know who would dare to pursue litigation against the CFTC that they better think twice.

Now, about the funding, Mr. Chairman, perhaps this cost analysis can help us build a case to take to the Appropriations Committee to get more money. The President has appropriately asked for more money for the CFTC.

Year after year after year, I have been asking for more money, but I do believe that if we put the cost-benefit analysis in there—and, again, Mr. Chairman, we have a section in there where this cost-benefit analysis would be more succinct if it is done with an economist. Cost benefit is an economic issue, a financial issue; an economist should be doing that, not a lawyer.

I believe, Mr. Chairman, that if we pass this bill, we will be taking a great step forward to be able to put our CFTC on the world stage to be able to negotiate the rules and regulations for the United States of America from a position of strength, not weakness. This is a very delicate time for us, and we are losing respect.

Look at the EU; look at how other nations are treating us. Could it be, Mr. Chairman, that we are losing this respect largely because in a way by continuing year after year—this is the third year of not reauthorizing CFTC—by us doing that, we are not respecting ourselves, Mr. Chairman?

Now, finally, Mr. Chairman, I do want to say this one thing about the end users. This is a very important piece of this bill. They can't wait another 3 years. They need this relief right away, and we need to do and be able to get them out of an identification of being a financial institution.

Let me tell you why that is. End users are businesses who use a single entity that allows their company to centralize functions such as credit and risk; however, when the banking laws come in on finance, they put them in that category.

The CHAIR. The time of the gentleman has again expired.

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

I enter into the RECORD a statement from the Chamber of Commerce and would like to read a couple of paragraphs from that.

''This bill also takes a practical approach to address one of the most problematic areas of regulatory implementation in the global derivatives market: cross-border harmonization. Many end users operate internationally and are struggling to meet the changing demands of multiple, conflicting, and sometimes duplicative regulatory regimes. H.R. 2289 would require the CFTC to move quickly to make substituted compliance determinations that would significantly reduce needless complexity and uncertainty for U.S. businesses, without reducing market transparency.

The Chamber also supports provisions in this bill intended to promote transparency and accountability in the CFTC's rulemaking process, including a requirement to conduct a cost-benefit analysis for new rules, and the establishment of an Office of the Chief Economist to support such analysis. Cost-benefit analysis has been a fundamental tool of effective government for more than three decades, and these requirements would help protect Main Street businesses, investors, and consumers from some of the unintended consequences of regulation.''

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,

Washington, DC, June 8, 2015.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports H.R. 2289, the ''Commodity End-User Relief Act,'' a bipartisan bill that would reauthorize the Commodity Futures Trading Commission (CFTC). This bill also includes a number of important reforms designed to promote smart regulation, enhance accountability at the CFTC, and protect Main Street businesses from onerous and unintended derivatives regulation.

The Chamber is particularly supportive of provisions in H.R. 2289 that would help preserve the ability of commercial end users to manage their financial risks by using derivatives. This bill includes a critical fix that would ensure non-financial companies would be protected from burdensome and unnecessary regulations, consistent with Congress's clear intent under the Dodd-Frank Act almost five years ago. Non-financial companies that use centralized treasury units to manage their enterprise-wide risk should not be penalized for adopting this risk reducing structure, and H.R. 2289 acknowledges and would address this issue.

This bill also takes a practical approach to address one of the most problematic areas of regulatory implementation in the global derivatives market: cross-border harmonization. Many end users operate internationally and are struggling to meet the changing demands of multiple, conflicting, and sometimes duplicative regulatory regimes. H.R. 2289 would require the CFTC to move quickly to make substituted compliance determinations that would significantly reduce needless complexity and uncertainty for U.S. businesses, without reducing market transparency.

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Additionally, H.R. 2289 contains a number of sensible provisions that would promote principles of good governance, including providing market participants with better Commission oversight regarding ''no action'' letters issued by the CFTC staff, and a requirement that the CFTC develop internal risk control mechanisms in order to protect sensitive market data. These are common sense measures that would help make the CFTC a more effective and accountable regulator, and the Chamber appreciates their inclusion in this bill.

The Chamber strongly urges you to support H.R. 2289 and may consider including votes on, or in relation to, this bill in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

Mr. CONAWAY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank Chairman CONAWAY for his leadership on this issue.

I rise today in support of H.R. 2289, the Commodity End-User Relief Act.

The use of derivatives is an important tool that farmers, agribusinesses, and manufacturers in my district use to hedge the risks that come with doing their business. Because of the risk of price movements and commodities, such as corn and soybeans, these end users use derivatives to ensure they and their customers aren't negatively impacted by sudden changes in prices.

The CFTC has an important role in overseeing these end users, who responsibly use derivatives to hedge. Unfortunately, following the passage of Dodd-Frank in 2010, many of these responsible hedgers, including farmers right in my congressional district in central and southwestern Illinois, have been impacted by these new regulations that often treat them as speculators. Mr. Chairman, farmers aren't speculators. Farmers didn't cause the global financial crisis, and farmers shouldn't be treated like they did.

This bill includes language that I authored to address regulations that could directly increase transportation prices for consumers back home. Additionally, the final bill includes an amendment I offered at committee that removes unnecessary and duplicative regulations created by the CFTC that require certain registered investment companies, such as mutual funds, to be regulated by both the SEC and the CFTC.

This language, which was adopted unanimously in the committee, removes this duplicative burden in a manner that would not undermine investor protection because these companies would still be regulated by the SEC.

This bill is an important and necessary opportunity for Congress to use the reauthorization process as a means to improve the regulatory environment and the impact it has on responsible market participants, as well as exchanges like the CME Group, which is headquartered in my home State of Illinois.

Mr. Chairman, I am proud of the committee's work on this bill. I want to express my appreciation for the work of Chairman CONAWAY and what he has done to get us here, as well as Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT of the Commodity Exchanges, Energy, and Credit Subcommittee.

This is an important bill, and I urge my colleagues to vote ''yes.''

Mr. PETERSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in opposition to this bill; yet again, this bill deliberately sets out to weaken one of our most important financial regulators, the Commodity Futures Trading Commission.

It fails to address the CFTC's biggest challenge, its flawed funding mechanism. It prioritizes Wall Street special interests over the economic security of our Nation's families.

This bill is a recipe for another financial disaster like the one that led to the Great Recession and cost nearly 9 million American jobs.

Americans are tired of casino banking and speculation. They want big banks and oil speculators held accountable. They want to increase the transparency of our markets, prevent market failures, and avoid future bailouts. That is the CFTC's job.

This bill takes us in the wrong direction. Instead of helping the CFTC fulfill its mandate in an increasingly complex global financial sector, the bill throws up roadblock after roadblock.

The CFTC is one of only two Federal financial regulators completely reliant upon the general fund. The Securities and Exchange Commission, the Federal Deposit Insurance Corporation, Federal Housing Finance Agency, and a host of others all collect user fees, so should the CFTC.

This is not a partisan proposition. The first President to propose user-fee funding for the CFTC was Ronald Reagan. Every President since then, Republican or Democrat, has done the same.

User fees would directly reduce the deficit while securing CFTC's funding for the long term. That is even more important now that the agency's responsibilities have been expanded in response to the bad behavior that created the financial crisis.

I submitted an amendment that would have dealt with this problem, but the majority refused to allow it to be heard.

We must avoid at all costs a return to the conditions that allowed the Great Recession to happen, and I urge my colleagues to vote ''no'' on this bill.

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

I would like to remind or at least acknowledge to the committee that CFTC's funding is up 49 percent since 2010 when the Dodd-Frank bill was presented, 49 percent increase in funding.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), the former chairman of the House Agriculture Committee and the current chairman of the House Judiciary Committee.

Mr. GOODLATTE. Mr. Chairman, I thank Chairman CONAWAY for yielding me this time and thank him for his leadership on this important legislation.

I rise today to support H.R. 2289, the Commodity End-User Relief Act, a bill to reauthorize the Commodity Futures Trading Commission.

As we have heard today, the CFTC's mission is to foster a transparent, balanced, and functional marketplace. However, uncertainty and delays in the marketplace mean higher prices for families and small businesses across America. As the committee charged with ensuring the oversight of our commodity markets, it is our duty to ensure that those markets are functioning properly.

For the last several years, the Agriculture Committee, through the strong leadership of former Chairman FRANK LUCAS and current Chairman MIKE CONAWAY, has done an excellent job of educating Congress and the American public about the importance of our commodity markets and the need for a strong reauthorization of the CFTC.

I was also pleased to work closely with the Subcommittee on Commodity Exchanges, Energy, and Credit's Chairman AUSTIN SCOTT on this legislation. He and his staff have been leading an open and transparent process that involved all stakeholder groups and took input from across the country.

In an effort to help the CFTC achieve its mission, I worked with the committee and the CFTC to craft an amendment which was adopted in committee to address the issue of manufacturers being able to take timely delivery of aluminum for production at a fair price. These manufacturers support a broad set of industries from common drink cans to airplane parts.

The persistence of long, disruptive market queues for the delivery of aluminum at warehouses in the United States, licensed overseas, has attracted considerable concern for end users and the consumers of products which many Americans utilize on a daily basis.

My provision will prevent the unreasonable delay of delivery of such commodities stored in warehouses, which can cost end-user companies increased storage fees, potentially higher prices due to supply and demand implications from improper exchange contract design, and result in uneconomic commodity prices.

Specifically, the amendment directs the CFTC to report to Congress regarding the ongoing review of foreign board of trade applications of metal exchanges and the status of its negotiations with foreign regulators regarding aluminum warehousing.

Such status reports shall inform the CFTC in determining foreign boards of trade status for metals exchange applications, and such determination shall be made no later than September 30, 2016.

In closing, I would like to again applaud Chairman CONAWAY and subcommittee Chairman SCOTT for their hard work to get this bill to the floor today. This bipartisan bill takes steps to improve consumer protections for

farmers and ranchers, as well as implementing reforms, to ensure a more balanced regulatory approach that will help our markets thrive.

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

With all due respect to my colleagues who have been claiming that the bill does this and does that, there are a lot of groups that have a different view.

There are over two-hundred-and-some groups that disagree with how the impacts of these bills were going to affect the markets, including the chairman of the Commodity Futures Trading Commission, who are the people who actually have to administer this law.

□ 1600

And we have a letter from the chairman that has a completely different point of view than Mr. SCOTT has and others in terms of how this will impact the situation. According to the chairman, you know, he is opposed to this. He says: ''I believe that many of the provisions in this bill before the committee are either unnecessary or impose requirements on the Commission that would make it harder to fulfill their mission. The bill limits the agency's ability to respond quickly to both market events and market participants. It will make it more difficult for us to make adjustments to rules and achieve greater global harmonization of swaps rules. With respect to the provisions pertaining to commercial end users' concerns, the agency has sufficient authority to address the goals outlined in the legislation and in most cases has already done so.''

He also states: ''I have concerns that title II of the bill includes language that would complicate the agency's longstanding statutory requirements to consider costs and benefits in its rulemaking, imposing additional, unworkable standards and creating confusion that is likely to lead to more lawsuits instead of policy grounded in data-driven analysis. Had this language been in effect, it would have been harder for the agency to positively respond over the past 10 months to market participants' concerns. Title II also imposes procedural requirements on the agency that, to my knowledge, are not followed by any other independent agency. These changes would make it difficult to manage the agency and to ensure accountability and could weaken the Commission for administrations to come.''

So there is a disagreement of opinion about how this bill will actually impact the marketplace and how it will actually work. And if, as was claimed, it wasn't going to have any effect, I would be here supporting it.

In my opinion, this is going to have significant impacts on the way the Commission does its work, and I think it is going to do more harm than good.

I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, may I inquire as to how much time is left on both sides?

The CHAIR. The gentleman from Texas has 13 minutes remaining. The gentleman from Minnesota has 15 minutes remaining.

Mr. CONAWAY. I reserve the balance of my time.

Mr. PETERSON. Apparently, I have a speaker coming, but she is not here yet, so we could wrap up, I guess.

Mr. CONAWAY. I am prepared to close if you are, and I reserve the balance of my time.

Mr. PETERSON. Mr. Chair, I think I made clear my position. I was hoping that we could work out a bill here that could have support across the board, but I just think that there are areas we have gone into with this bill that are going to cause more harm than good, and I think it is not a good bill. It is not the kind of bill that we need to give the Commission the reauthorization that they need to do their job, so I ask my colleagues to oppose the bill.

I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I yield myself the balance of the time.

It should come as no surprise that those who are being regulated have a difference of opinion with the folks proposing regulations. In this instance, the roles are actually reversed.

Tim Massad is a good guy, a good friend of mine, and an individual I look forward to working with. He doesn't want to change the deal he has got.

Well, if you look back at all the testimony that has been delivered throughout all of our hearings, most of the folks on the regulated side, the end users, the banks, the brokers, the SEFs, everybody else, they didn't like what the CFTC was doing to them. So the CFTC was able to power through the objections, and I would like for us to do the same thing, because what we have asked the CFTC to do is rational, straightforward stuff with respect to the changes at the operations of the Committee itself.

Over the past 4 years, the Committee on Agriculture has heard dozens of witnesses testify about the upheaval end users have been facing while trying to use derivatives markets in the wake of the postcrisis financial reforms. While this Congress took affirmative steps in Dodd-Frank to protect end users from harm, today it is clear there is still work to be done.

It isn't enough to simply raise these issues and hope that the CFTC will take care of them for us. For one, sometimes they cannot. There are numerous small oversights in the statute that have huge implications for end users that we correct in this legislation.

The CEA prevents many end users from claiming their exemption because they conduct their hedging activity out of an affiliate specifically created to manage risks throughout the entire corporate enterprise. The Commission can't fix this req.

The CEA requires foreign regulators to indemnify the CFTC, even though that is a legal concept that does not exist in many foreign legal jurisdictions. The Commission can't fix it.

Currently, the CEA defines some utility companies as financial entities, stripping them of their status as end users. The Commission can't fix that.

The core principles of SEFs were lifted almost word for word from the core principles for future exchanges, even though SEFs and future exchanges operate completely differently and SEFs cannot perform many of the functions of a futures exchange. The Commission can't fix this.

Certainly, the Commission can and has tried to paper over these problems by issuing staff letters explaining how it would deal with incongruities of the law, but this isn't good enough. We know the problems, and we should fix them.

Sometimes, though, the problem isn't the statute. There are a number of end users that we have heard testimony about which the CFTC will not fix because the Commission simply disagrees with Congress about how to apply the law. We know these problems, too.

The Commission has promulgated a rule that reduces the transaction threshold, which triggers the requirement to register as a swap dealer from $8 billion to $3 billion, a 60 percent decline, while they are still studying the matter. We require that the CFTC complete the study and have a public vote on the matter before that automatic decrease occurs.

The Commission has proposed a new and significantly narrower method of granting bona fide hedge exemptions, upending longstanding hedging conventions for market participants. This proposal is also dramatically more labor intensive for the Commission to implement than the current process. We should insist that historic hedging practices be protected.

The Commission has dramatically expanded the recordkeeping requirements, requiring businesses to trade only for themselves and have no fiduciary obligations to customers to retain any record that would lead to a trade. This requirement demands that end users retain emails, texts, phone messages, and other records in which a potential trade or hedge was simply contemplated or discussed. We should clearly spell out that end users need only retain written records for actual transactions.

The challenges facing businesses that hedge their risks in derivative markets are real, and we have an opportunity today to fix some of those problems. Every dollar that a business can save by better managing risks is a dollar available to grow its business, to pay higher wages, to protect investors, or to lower the costs to consumers.

Over the past week, over 40 organizations representing thousands of American businesses have voiced their support for the important reforms of the Commodity End-User Relief Act. Businesses from agriculture producers, to

major manufacturers, to public utilities need every tool available to manage their businesses and reduce the uncertainties they face each and every day.

I urge my colleagues to support the Commodity End-User Relief Act to protect these companies and to ensure that they have the tools they need to compete in a global economy. I urge my colleagues to support H.R. 2289.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I rise today in strong opposition to H.R. 2289. The bill would obstruct our cop on the Wall Street beat, the Commodity Futures Trading Commission, from doing its job. The CFTC is charged with fostering open, transparent, competitive, and financially sound markets, mitigates systemic risk, and protects market participants, consumers, and the public from fraud, manipulation, and abusive practices related to derivatives. In sum, the CFTC protects farmers, manufacturers, municipalities, pension funds and retirees but would be thwarted from doing so if H.R. 2289 is enacted.

In the wake of the worst financial crisis since the Great Depression, Congress passed Wall Street Reform—and gave our derivatives regulator the authority necessary to oversee previously unregulated transactions in which parties agree to exchange—or ''swap''—the risks of one financial instrument with another. The most notorious of these are credit-default swaps, made famous by AIG and which fueled the 2008 crisis, bankrupted millions of homeowners and cost taxpayers trillions of dollars.

Nevertheless, under the guise of reauthorizing the CFTC, Republicans are proposing a bill that undermines its regulatory authority, imposes new procedural requirements on an overburdened and underfunded agency, and ultimately hamstrings the Commission's ability to protect the American people.

This bill imposes heavy administrative hurdles and new litigation risks on the CFTC by requiring the agency to conduct a cost-benefit analysis slanted towards industry—a tactic that has been pushed in the past by opponents of financial reform to prevent, delay or weaken any rules implementing the Dodd-Frank Act.

The bill also makes it much more difficult for the CFTC to regulate and oversee derivatives transactions involving the foreign operations of megabanks like Citigroup, JP Morgan, and Bank of America. Earlier this Congress, Republicans overreached when they tried to pass a provision weakening the Volcker Rule's ban on banks taking bets with taxpayer dollars. H.R. 2289 is cut from the same cloth—instead allowing these same institutions to avoid U.S. law by setting up shop in a foreign jurisdiction, even though the risk may still be borne by U.S. taxpayers. There is even a provision in this bill that absurdly directs the CFTC to ignore the physical location of a bank's swap trader when determining whether the derivative was conducted inside the United States for purposes of applying U.S. law.

And all of this is done without providing one red cent to pay for these new burdens. CBO estimates that this bill costs at least $45 million, but the Republicans wouldn't even let the House consider an amendment to pay for it, offered by Representative DELAURO. The result is that H.R. 2289 will deplete the CFTC's modest resources currently spent enforcing against fraud.

But don't take my word for it. The Commission's own Chairman says the bill makes it harder for the CFTC to fulfill its mission and creates ''unintended loopholes and uncertainties.'' The White House says the bill ''[threatens] the financial security of the middle class.'' And public interest groups, such as the Consumer Federation of America, and some industry groups, have weighed in as well, voicing their strong opposition to the bill.

While not necessarily surprising, Republicans on the Agricultural Committee refused to work with Ranking Member PETERSON to improve this bill—despite his deep commitment to making the Commission work better for farmers, ranchers and manufacturers. Even though several of the megabanks that directly benefit from H.R. 2289 pled guilty to manipulating our foreign exchange markets, Republicans also rejected my amendment, which sought to ensure that these banks' admissions of violating our laws have real collateral consequences and are not merely symbolic.

Ultimately, this legislation is part of an ongoing, multifaceted Republican effort to undercut financial reform laws and regulations that protect consumers, investors and the economy. That's why it should come as no surprise that Koch Industries, for instance, spent $2.8 million lobbying to ensure the passage of this bill alone. The playbook is well-known: create huge loopholes and carve-outs for special interests, while simultaneously underfunding the cop with the authority to ensure compliance with the law.

I urge my colleagues to join me in voting ''No'' on this bill.

Mr. VAN HOLLEN. Mr. Chair, just yesterday, I signed a letter with five other Ranking Members on this side of the aisle in opposition to this poorly conceived Commodity Futures Trading Commission (CFTC) Reauthorization bill—which is also opposed by the Obama Administration, CFTC Chairman Massad, and a whole host of consumer groups.

For those who aren't familiar with it, the Commodity Futures Trading Commission (CFTC) has a very important job: it regulates the futures and options markets in the agricultural sector, including commodity-related derivatives. While there's no question that the appropriate use of these financial instruments can help farmers and commercial end users hedge their commercial risk, recent history clearly demonstrates that the unregulated abuse of these kinds of products can distort markets, hurt consumers and put our entire economy at risk. The CFTC's authority was allowed to expire in 2013, so its reauthorization is long overdue. Having said that, today's legislation has multiple major defects. I will briefly describe three.

First, Title II of H.R. 2289 imposes new bureaucratic requirements on an agency whose activities are already governed by the Commodity Exchange Act, the Paperwork Reduction Act, the Congressional Review Act, and the Regulatory Flexibility Act. With all due respect, the bureaucracy does not need more bureaucracy. In this case, it simply needs to do its job policing our financial markets. If enacted into law, Title II of this bill would undermine the CFTC's ability to do its job and subject the commission to unnecessary and costly litigation risk.

Second, Title III of H.R. 2289 requires a complex new rulemaking for our international derivatives markets. While I support the goal of harmonizing global rules in this area, this provision of the bill interferes with the CFTC's ongoing negotiations to achieve that objective and instead substitutes and attempts to predetermine the majority's preferred outcome for those negotiations. In my judgment, the CFTC should be allowed to complete its negotiations unfettered by the dictates of this legislation.

Finally, the non-partisan Congressional Budget Office estimates that all of the additional requirements placed on the CFTC by this legislation will require 30 new employees at a cost of $45 million over the next five years—a cost this bill does not even attempt to pay for. Moreover, an amendment to permit the CFTC to collect user fees to close that gap and help pay for the CFTC's operations was not even afforded the opportunity for an up or down vote on the floor of the House today.

Mr. Chair, the reauthorization of the CFTC is an important subject, worthy of a far more thoughtful bill than we are being asked to consider today. I strongly urge a no vote, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–18. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2289

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Commodity End-User Relief Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—CUSTOMER PROTECTIONS

Sec. 101. Enhanced protections for futures customers.
Sec. 102. Electronic confirmation of customer funds.
Sec. 103. Notice and certifications providing additional customer protections.
Sec. 104. Futures commission merchant compliance.
Sec. 105. Certainty for futures customers and market participants.

TITLE II—COMMODITY FUTURES TRADING COMMISSION REFORMS

Sec. 201. Extension of operations.
Sec. 202. Consideration by the Commodity Futures Trading Commission of the costs and benefits of its regulations and orders.
Sec. 203. Division directors.
Sec. 204. Office of the Chief Economist.
Sec. 205. Procedures governing actions taken by Commission staff.
Sec. 206. Strategic technology plan.
Sec. 207. Internal risk controls.
Sec. 208. Subpoena duration and renewal.

Sec. 209. Applicability of notice and comment requirements of the Administrative Procedure Act to guidance voted on by the Commission.
Sec. 210. Judicial review of Commission rules.
Sec. 211. GAO study on use of Commission resources.
Sec. 212. Disclosure of required data of other registered entities.
Sec. 213. Report on status of any application of metals exchange to register as a foreign board of trade; deadline for action on application.

TITLE III—END-USER RELIEF

Sec. 301. Relief for hedgers utilizing centralized risk management practices.
Sec. 302. Indemnification requirements.
Sec. 303. Transactions with utility special entities.
Sec. 304. Utility special entity defined.
Sec. 305. Utility operations-related swap.
Sec. 306. End-users not treated as financial entities.
Sec. 307. Reporting of illiquid swaps so as to not disadvantage certain non-financial end-users.
Sec. 308. Relief for grain elevator operators, farmers, agricultural counterparties, and commercial market participants.
Sec. 309. Relief for end-users who use physical contracts with volumetric optionality.
Sec. 310. Commission vote required before automatic change of swap dealer de minimis level.
Sec. 311. Capital requirements for non-bank swap dealers.
Sec. 312. Harmonization with the Jumpstart Our Business Startups Act.
Sec. 313. Bona fide hedge defined to protect end-user risk management needs.
Sec. 314. Cross-border regulation of derivatives transactions.
Sec. 315. Exemption of qualified charitable organizations from designation and regulation as commodity pool operators.
Sec. 316. Small bank holding company clearing exemption.
Sec. 317. Core principle certainty.
Sec. 318. Treatment of Federal Home Loan Bank products.
Sec. 319. Treatment of certain funds.

TITLE IV—TECHNICAL CORRECTIONS

Sec. 401. Correction of references.
Sec. 402. Elimination of obsolete references to dealer options.
Sec. 403. Updated trade data publication requirement.
Sec. 404. Flexibility for registered entities.
Sec. 405. Elimination of obsolete references to electronic trading facilities.
Sec. 406. Elimination of obsolete reference to alternative swap execution facilities.
Sec. 407. Elimination of redundant references to types of registered entities.
Sec. 408. Clarification of Commission authority over swaps trading.
Sec. 409. Elimination of obsolete reference to the Commodity Exchange Commission.
Sec. 410. Elimination of obsolete references to derivative transaction execution facilities.
Sec. 411. Elimination of obsolete references to exempt boards of trade.
Sec. 412. Elimination of report due in 1986.
Sec. 413. Compliance report flexibility.
Sec. 414. Miscellaneous corrections.

TITLE I—CUSTOMER PROTECTIONS

SEC. 101. ENHANCED PROTECTIONS FOR FUTURES CUSTOMERS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21) is amended by adding at the end the following:

''(s) A registered futures association shall—

''(1) require each member of the association that is a futures commission merchant to maintain written policies and procedures regarding the maintenance of—

''(A) the residual interest of the member, as described in section 1.23 of title 17, Code of Federal Regulations, in any customer segregated funds account of the member, as identified in section 1.20 of such title, and in any foreign futures and foreign options customer secured amount funds account of the member, as identified in section 30.7 of such title; and

''(B) the residual interest of the member, as described in section 22.2(e)(4) of such title, in any cleared swaps customer collateral account of the member, as identified in section 22.2 of such title; and

''(2) establish rules to govern the withdrawal, transfer or disbursement by any member of the association, that is a futures commission merchant, of the member's residual interest in customer segregated funds as provided in such section 1.20, in foreign futures and foreign options customer secured amount funds, identified as provided in such section 30.7, and from a cleared swaps customer collateral, identified as provided in such section 22.2.''.

SEC. 102. ELECTRONIC CONFIRMATION OF CUSTOMER FUNDS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21), as amended by section 101 of this Act, is amended by adding at the end the following:

''(t) A registered futures association shall require any member of the association that is a futures commission merchant to—

''(1) use an electronic system or systems to report financial and operational information to the association or another party designated by the registered futures association, including information related to customer segregated funds, foreign futures and foreign options customer secured amount funds accounts, and cleared swaps customer collateral, in accordance with such terms, conditions, documentation standards, and regular time intervals as are established by the registered futures association;

''(2) instruct each depository, including any bank, trust company, derivatives clearing organization, or futures commission merchant, holding customer segregated funds under section 1.20 of title 17, Code of Federal Regulations, foreign futures and foreign options customer secured amount funds under section 30.7 of such title, or cleared swap customer funds under section 22.2 of such title, to report balances in the futures commission merchant's section 1.20 customer segregated funds, section 30.7 foreign futures and foreign options customer secured amount funds, and section 22.2 cleared swap customer funds, to the registered futures association or another party designated by the registered futures association, in the form, manner, and interval prescribed by the registered futures association; and

''(3) hold section 1.20 customer segregated funds, section 30.7 foreign futures and foreign options customer secured amount funds and section 22.2 cleared swaps customer funds in a depository that reports the balances in these accounts of the futures commission merchant held at the depository to the registered futures association or another party designated by the registered futures association in the form, manner, and interval prescribed by the registered futures association.''.

SEC. 103. NOTICE AND CERTIFICATIONS PROVIDING ADDITIONAL CUSTOMER PROTECTIONS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21), as amended by sections 101 and 102 of this Act, is amended by adding at the end the following:

''(u) A futures commission merchant that has adjusted net capital in an amount less than the amount required by regulations established by the Commission or a self-regulatory organization of which the futures commission merchant is a member shall immediately notify the Commission and the self-regulatory organization of this occurrence.

''(v) A futures commission merchant that does not hold a sufficient amount of funds in segregated accounts for futures customers under section 1.20 of title 17, Code of Federal Regulations, in foreign futures and foreign options secured amount accounts for foreign futures and foreign options secured amount customers under section 30.7 of such title, or in segregated accounts for cleared swap customers under section 22.2 of such title, as required by regulations established by the Commission or a self-regulatory organization of which the futures commission merchant is a member, shall immediately notify the Commission and the self-regulatory organization of this occurrence.

''(w) Within such time period established by the Commission after the end of each fiscal year, a futures commission merchant shall file with the Commission a report from the chief compliance officer of the futures commission merchant containing an assessment of the internal compliance programs of the futures commission merchant.''.

SEC. 104. FUTURES COMMISSION MERCHANT COMPLIANCE.

(a) IN GENERAL.—Section 4d(a) of the Commodity Exchange Act (7 U.S.C. 6d(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting ''(1)'' before ''It shall be unlawful''; and

(3) by adding at the end the following new paragraph:

''(2) Any rules or regulations requiring a futures commission merchant to maintain a residual interest in accounts held for the benefit of customers in amounts at least sufficient to exceed the sum of all uncollected margin deficits of such customers shall provide that a futures commission merchant shall meet its residual interest requirement as of the end of each business day calculated as of the close of business on the previous business day.''.

(b) CONFORMING AMENDMENT.—Section 4d(h) of such Act (7 U.S.C. 6d(h)) is amended by striking ''Notwithstanding subsection (a)(2)'' and inserting ''Notwithstanding subsection (a)(1)(B)''.

SEC. 105. CERTAINTY FOR FUTURES CUSTOMERS AND MARKET PARTICIPANTS.

Section 20(a) of the Commodity Exchange Act (7 U.S.C. 24(a)) is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by adding at the end the following:

''(6) that cash, securities, or other property of the estate of a commodity broker, including the trading or operating accounts of the commodity broker and commodities held in inventory by the commodity broker, shall be included in customer property, subject to any otherwise unavoidable security interest, or otherwise unavoidable contractual offset or netting rights of creditors (including rights set forth in a rule or bylaw of a derivatives clearing organization or a clearing agency) in respect of such property, but only to the extent that the property that is otherwise customer property is insufficient to satisfy the net equity claims of public customers (as such term may be defined by the Commission by rule or regulation) of the commodity broker.''.

TITLE II—COMMODITY FUTURES TRADING COMMISSION REFORMS

SEC. 201. EXTENSION OF OPERATIONS.

Section 12(d) of the Commodity Exchange Act (7 U.S.C. 16(d)) is amended by striking ''2013'' and inserting ''2019''.

SEC. 202. CONSIDERATION BY THE COMMODITY FUTURES TRADING COMMISSION OF THE COSTS AND BENEFITS OF ITS REGULATIONS AND ORDERS.

Section 15(a) of the Commodity Exchange Act (7 U.S.C. 19(a)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—Before promulgating a regulation under this Act or issuing an order (except as provided in paragraph (3)), the Commission, through the Office of the Chief Economist, shall assess and publish in the regulation or order the costs and benefits, both qualitative and quantitative, of the proposed regulation or order, and the proposed regulation or order shall state its statutory justification.

''(2) CONSIDERATIONS.—In making a reasoned determination of the costs and the benefits, the Commission shall evaluate—

''(A) considerations of protection of market participants and the public;

''(B) considerations of the efficiency, competitiveness, and financial integrity of futures and swaps markets;

''(C) considerations of the impact on market liquidity in the futures and swaps markets;

''(D) considerations of price discovery;

''(E) considerations of sound risk management practices;

''(F) available alternatives to direct regulation;

''(G) the degree and nature of the risks posed by various activities within the scope of its jurisdiction;

''(H) the costs of complying with the proposed regulation or order by all regulated entities, including a methodology for quantifying the costs (recognizing that some costs are difficult to quantify);

''(I) whether the proposed regulation or order is inconsistent, incompatible, or duplicative of other Federal regulations or orders;

''(J) the cost to the Commission of implementing the proposed regulation or order by the Commission staff, including a methodology for quantifying the costs;

''(K) whether, in choosing among alternative regulatory approaches, those approaches maximize net benefits (including potential economic and other benefits, distributive impacts, and equity); and

''(L) other public interest considerations.''; and

(2) by adding at the end the following:

''(4) JUDICIAL REVIEW.—Notwithstanding section 24(d), a court shall affirm a Commission assessment of costs and benefits under this subsection, unless the court finds the assessment to be an abuse of discretion.''.

SEC. 203. DIVISION DIRECTORS.

Section 2(a)(6)(C) of the Commodity Exchange Act (7 U.S.C. 2(a)(6)(C)) is amended by inserting '', and the heads of the units shall serve at the pleasure of the Commission'' before the period.

SEC. 204. OFFICE OF THE CHIEF ECONOMIST.

(a) IN GENERAL.—Section 2(a) of the Commodity Exchange Act (7 U.S.C. 2(a)) is amended by adding at the end the following:

''(17) OFFICE OF THE CHIEF ECONOMIST.—

''(A) ESTABLISHMENT.—There is established in the Commission the Office of the Chief Economist.

''(B) HEAD.—The Office of the Chief Economist shall be headed by the Chief Economist, who shall be appointed by the Commission and serve at the pleasure of the Commission.

''(C) FUNCTIONS.—The Chief Economist shall report directly to the Commission and perform such functions and duties as the Commission may prescribe.

''(D) PROFESSIONAL STAFF.—The Commission shall appoint such other economists as may be necessary to assist the Chief Economist in performing such economic analysis, regulatory cost-benefit analysis, or research any member of the Commission may request.''.

(b) CONFORMING AMENDMENT.—Section 2(a)(6)(A) of such Act (7 U.S.C. 2(a)(6)(A)) is amended by striking ''(4) and (5) of this subsection'' and inserting ''(4), (5), and (17)''.

SEC. 205. PROCEDURES GOVERNING ACTIONS TAKEN BY COMMISSION STAFF.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)) is amended—

(1) by striking ''(12) The'' and inserting the following:

''(12) RULES AND REGULATIONS.—

''(A) IN GENERAL.—Subject to the other provisions of this paragraph, the''; and

(2) by adding after and below the end the following new subparagraph:

''(B) NOTICE TO COMMISSIONERS.—The Commission shall develop and publish internal procedures governing the issuance by any division or office of the Commission of any response to a formal, written request or petition from any member of the public for an exemptive, a no-action, or an interpretive letter and such procedures shall provide that the commissioners be provided with the final version of the matter to be issued with sufficient notice to review the matter prior to its issuance.''.

SEC. 206. STRATEGIC TECHNOLOGY PLAN.

Section 2(a) of the Commodity Exchange Act (7 U.S.C. 2(a)), as amended by section 204(a) of this Act, is amended by adding at the end the following:

''(18) STRATEGIC TECHNOLOGY PLAN.—

''(A) IN GENERAL.—Every 5 years, the Commission shall develop and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a detailed plan focused on the acquisition and use of technology by the Commission.

''(B) CONTENTS.—The plan shall—

''(i) include for each related division or office a detailed technology strategy focused on market surveillance and risk detection, market data collection, aggregation, interpretation, standardization, harmonization, normalization, validation, streamlining or other data analytic processes, and internal management and protection of data collected by the Commission, including a detailed accounting of how the funds provided for technology will be used and the priorities that will apply in the use of the funds; and

''(ii) set forth annual goals to be accomplished and annual budgets needed to accomplish the goals.''.

SEC. 207. INTERNAL RISK CONTROLS.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)), as amended by section 205 of this Act, is amended by adding at the end the following:

''(C) INTERNAL RISK CONTROLS.—The Commission, in consultation with the Chief Economist, shall develop comprehensive internal risk control mechanisms to safeguard and govern the storage of all market data by the Commission, all market data sharing agreements of the Commission, and all academic research performed at the Commission using market data.''.

SEC. 208. SUBPOENA DURATION AND RENEWAL.

Section 6(c)(5) of the Commodity Exchange Act (7 U.S.C. 9(5)) is amended—

(1) by striking ''(5) SUBPOENA.—For'' and inserting the following:

''(5) SUBPOENA.—

''(A) IN GENERAL.—For''; and

(2) by adding after and below the end the following:

''(B) OMNIBUS ORDERS OF INVESTIGATION.—

''(i) DURATION AND RENEWAL.—An omnibus order of investigation shall not be for an indefinite duration and may be renewed only by Commission action.

''(ii) DEFINITION.—In clause (i), the term 'omnibus order of investigation' means an order of the Commission authorizing 1 of more members of the Commission or its staff to issue subpoenas under subparagraph (A) to multiple persons in relation to a particular subject matter area.''.

SEC. 209. APPLICABILITY OF NOTICE AND COMMENT REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT TO GUIDANCE VOTED ON BY THE COMMISSION.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)), as amended by sections 205 and 207 of this Act, is amended by adding at the end the following:

''(D) APPLICABILITY OF NOTICE AND COMMENT RULES TO GUIDANCE VOTED ON BY THE COMMISSION.—The notice and comment requirements of section 553 of title 5, United States Code, shall also apply with respect to any Commission statement or guidance, including interpretive rules, general statements of policy, or rules of Commission organization, procedure, or practice, that has the effect of implementing, interpreting or prescribing law or policy and that is voted on by the Commission.''.

SEC. 210. JUDICIAL REVIEW OF COMMISSION RULES.

The Commodity Exchange Act (7 U.S.C. 1 et seq.) is amended by adding at the end the following:

''SEC. 24. JUDICIAL REVIEW OF COMMISSION RULES.

''(a) A person adversely affected by a rule of the Commission promulgated under this Act may obtain review of the rule in the United States Court of Appeals for the District of Columbia Circuit or the United States Court of Appeals for the circuit where the party resides or has the principal place of business, by filing in the court, within 60 days after publication in the Federal Register of the entry of the rule, a written petition requesting that the rule be set aside.

''(b) A copy of the petition shall be transmitted forthwith by the clerk of the court to an officer designated by the Commission for that purpose. Thereupon the Commission shall file in the court the record on which the rule complained of is entered, as provided in section 2112 of title 28, United States Code, and the Federal Rules of Appellate Procedure.

''(c) On the filing of the petition, the court has jurisdiction, which becomes exclusive on the filing of the record, to affirm and enforce or to set aside the rule in whole or in part.

''(d) The court shall affirm and enforce the rule unless the Commission's action in promulgating the rule is found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; contrary to constitutional right, power, privilege, or immunity; in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; or without observance of procedure required by law.''.

SEC. 211. GAO STUDY ON USE OF COMMISSION RESOURCES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the resources of the Commodity Futures Trading Commission that—

(1) assesses whether the resources of the Commission are sufficient to enable the Commission to effectively carry out the duties of the Commission;

(2) examines the expenditures of the Commission on hardware, software, and analytical processes designed to protect customers in the areas of—

(A) market surveillance and risk detection; and

(B) market data collection, aggregation, interpretation, standardization, harmonization, and streamlining;

(3) analyzes the additional workload undertaken by the Commission, and ascertains where self-regulatory organizations could be more effectively utilized; and

(4) examines existing and emerging post-trade risk reduction services in the swaps market, the notional amount of risk reduction transactions provided by the services, and the effects the services have on financial stability, including—

(A) market surveillance and risk detection;

(B) market data collection, aggregation, interpretation, standardization, harmonization, and streamlining; and

(C) oversight and compliance work by market participants and regulators.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit

to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains the results of the study required by subsection (a).

SEC. 212. DISCLOSURE OF REQUIRED DATA OF OTHER REGISTERED ENTITIES.

Section 8 of the Commodity Exchange Act (7 U.S.C. 12) is amended by adding at the end the following:

''(j) DISCLOSURE OF REQUIRED DATA OF OTHER REGISTERED ENTITIES.—

''(1) Except as provided in this subsection, the Commission may not be compelled to disclose any proprietary information provided to the Commission, except that nothing in this subsection—

''(A) authorizes the Commission to withhold information from Congress; or

''(B) prevents the Commission from—

''(i) complying with a request for information from any other Federal department or agency, any State or political subdivision thereof, or any foreign government or any department, agency, or political subdivision thereof requesting the report or information for purposes within the scope of its jurisdiction, upon an agreement of confidentiality to protect the information in a manner consistent with this paragraph and subsection (e); or

''(ii) making a disclosure made pursuant to a court order in connection with an administrative or judicial proceeding brought under this Act, in any receivership proceeding involving a receiver appointed in a judicial proceeding brought under this Act, or in any bankruptcy proceeding in which the Commission has intervened or in which the Commission has the right to appear and be heard under title 11 of the United States Code.

''(2) Any proprietary information of a commodity trading advisor or commodity pool operator ascertained by the Commission in connection with Form CPO-PQR, Form CTA-PR, and any successor forms thereto, shall be subject to the same limitations on public disclosure, as any facts ascertained during an investigation, as provided by subsection (a); provided, however, that the Commission shall not be precluded from publishing aggregate information compiled from such forms, to the extent such aggregate information does not identify any individual person or firm, or such person's proprietary information.

''(3) For purposes of section 552 of title 5, United States Code, this subsection, and the information contemplated herein, shall be considered a statute described in subsection (b)(3)(B) of such section 552.

''(4) For purposes of the definition of proprietary information in paragraph (5), the records and reports of any client account or commodity pool to which a commodity trading advisor or commodity pool operator registered under this title provides services that are filed with the Commission on Form CPO-PQR, CTA-PR, and any successor forms thereto, shall be deemed to be the records and reports of the commodity trading advisor or commodity pool operator, respectively.

''(5) For purposes of this section, proprietary information of a commodity trading advisor or commodity pool operator includes sensitive, nonpublic information regarding—

''(A) the commodity trading advisor, commodity pool operator or the trading strategies of the commodity trading advisor or commodity pool operator;

''(B) analytical or research methodologies of a commodity trading advisor or commodity pool operator;

''(C) trading data of a commodity trading advisor or commodity pool operator; and

''(D) computer hardware or software containing intellectual property of a commodity trading advisor or commodity pool operator;''.

SEC. 213. REPORT ON STATUS OF ANY APPLICATION OF METALS EXCHANGE TO REGISTER AS A FOREIGN BOARD OF TRADE; DEADLINE FOR ACTION ON APPLICATION.

(a) REPORT TO CONGRESS.—Within 90 days after the date of the enactment of this section, the Commodity Futures Trading Commission shall submit to the Congress a written report on—

(1) the status of the review by the Commission of any application submitted by a metals exchange to register with the Commission under section 4(b)(1) of the Commodity Exchange Act; and

(2) the status of Commission negotiations with foreign regulators regarding aluminum warehousing.

(b) DEADLINE FOR ACTION.—Not later than September 30, 2016, the Commission shall take action on any such application submitted to the Commission on or before August 14, 2012.

TITLE III—END-USER RELIEF

SEC. 301. RELIEF FOR HEDGERS UTILIZING CENTRALIZED RISK MANAGEMENT PRACTICES.

(a) IN GENERAL.—

(1) COMMODITY EXCHANGE ACT AMENDMENT.—Section 2(h)(7)(D)(i) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(D)(i)) is amended to read as follows:

''(i) IN GENERAL.—An affiliate of a person that qualifies for an exception under subparagraph (A) (including an affiliate entity predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge or mitigation of such commercial risk is addressed by entering into a swap with a swap dealer or major swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

(2) SECURITIES EXCHANGE ACT OF 1934 AMENDMENT.—Section 3C(g)(4)(A) of the Securities Exchange Act of 1934 (15 U.S.C. 78c-3(g)(4)(A)) is amended to read as follows:

''(A) IN GENERAL.—An affiliate of a person that qualifies for an exception under paragraph (1) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the security-based swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge or mitigation of such commercial risk is addressed by entering into a security-based swap with a security-based swap dealer or major security-based swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

(b) APPLICABILITY OF CREDIT SUPPORT MEASURE REQUIREMENT.—The requirements in section 2(h)(7)(D)(i) of the Commodity Exchange Act and section 3C(g)(4)(A) of the Securities Exchange Act of 1934, as amended by subsection (a), requiring that a credit support measure or other mechanism be utilized if the transfer of commercial risk referred to in such sections is addressed by entering into a swap with a swap dealer or major swap participant or a security-based swap with a security-based swap dealer or major security-based swap participant, as appropriate, shall not apply with respect to swaps or security-based swaps, as appropriate, entered into before the date of the enactment of this Act.

SEC. 302. INDEMNIFICATION REQUIREMENTS.

(a) DERIVATIVES CLEARING ORGANIZATIONS.—Section 5b(k)(5) of the Commodity Exchange Act (7 U.S.C. 7a-1(k)(5)) is amended to read as follows:

''(5) CONFIDENTIALITY AGREEMENT.—Before the Commission may share information with any entity described in paragraph (4), the Commission shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(b) SWAP DATA REPOSITORIES.—Section 21(d) of such Act (7 U.S.C. 24a(d)) is amended to read as follows:

''(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5)(H) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(n)(5)(H)) is amended to read as follows:

''(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.''.

SEC. 303. TRANSACTIONS WITH UTILITY SPECIAL ENTITIES.

Section 1a(49) of the Commodity Exchange Act (7 U.S.C. 1a(49)) is amended by adding at the end the following:

''(E) CERTAIN TRANSACTIONS WITH A UTILITY SPECIAL ENTITY.—

''(i) Transactions in utility operations-related swaps shall be reported pursuant to section 4r.

''(ii) In making a determination to exempt pursuant to subparagraph (D), the Commission shall treat a utility operations-related swap entered into with a utility special entity, as defined in section 4s(h)(2)(D), as if it were entered into with an entity that is not a special entity, as defined in section 4s(h)(2)(C).''.

SEC. 304. UTILITY SPECIAL ENTITY DEFINED.

Section 4s(h)(2) of the Commodity Exchange Act (7 U.S.C. 6s(h)(2)) is amended by adding at the end the following:

''(D) UTILITY SPECIAL ENTITY.—For purposes of this Act, the term 'utility special entity' means a special entity, or any instrumentality, department, or corporation of or established by a State or political subdivision of a State, that—

''(i) owns or operates, or anticipates owning or operating, an electric or natural gas facility or an electric or natural gas operation;

''(ii) supplies, or anticipates supplying, natural gas and or electric energy to another utility special entity;

''(iii) has, or anticipates having, public service obligations under Federal, State, or local law or regulation to deliver electric energy or natural gas service to customers; or

''(iv) is a Federal power marketing agency, as defined in section 3 of the Federal Power Act.''.

SEC. 305. UTILITY OPERATIONS-RELATED SWAP.

(a) SWAP FURTHER DEFINED.—Section 1a(47)(A)(iii) of the Commodity Exchange Act (7 U.S.C. 1a(47)(A)(iii)) is amended—

(1) by striking ''and'' at the end of subclause (XXI);

(2) by adding ''and'' at the end of subclause (XXII); and

(3) by adding at the end the following:

''(XXIII) a utility operations-related swap;''.

(b) UTILITY OPERATIONS-RELATED SWAP DEFINED.—Section 1a of such Act (7 U.S.C. 1a) is amended by adding at the end the following:

''(52) UTILITY OPERATIONS-RELATED SWAP.—The term 'utility operations-related swap' means a swap that—

''(A) is entered into by a utility to hedge or mitigate a commercial risk;

''(B) is not a contract, agreement, or transaction based on, derived on, or referencing—

''(i) an interest rate, credit, equity, or currency asset class; or

''(ii) except as used for fuel for electric energy generation, a metal, agricultural commodity, or crude oil or gasoline commodity of any grade; or

''(iii) any other commodity or category of commodities identified for this purpose in a rule or order adopted by the Commission in consultation with the appropriate Federal and State regulatory commissions; and

''(C) is associated with—

''(i) the generation, production, purchase, or sale of natural gas or electric energy, the supply of natural gas or electric energy to a utility, or the delivery of natural gas or electric energy service to utility customers;

''(ii) fuel supply for the facilities or operations of a utility;

''(iii) compliance with an electric system reliability obligation;

''(iv) compliance with an energy, energy efficiency, conservation, or renewable energy or environmental statute, regulation, or government order applicable to a utility; or

''(v) any other electric energy or natural gas swap to which a utility is a party.''.

SEC. 306. END-USERS NOT TREATED AS FINANCIAL ENTITIES.

(a) IN GENERAL.—Section 2(h)(7)(C)(iii) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)(iii)) is amended to read as follows:

''(iii) LIMITATION.—Such definition shall not include an entity—

''(I) whose primary business is providing financing, and who uses derivatives for the purpose of hedging underlying commercial risks related to interest rate and foreign currency exposures, 90 percent or more of which arise from financing that facilitates the purchase or lease of products, 90 percent or more of which are manufactured by the parent company or another subsidiary of the parent company; or

''(II) who is not supervised by a prudential regulator, and is not described in any of subclauses (I) through (VII) of clause (i), and—

''(aa) is a commercial market participant; or

''(bb) enters into swaps, contracts for future delivery, and other derivatives on behalf of, or to hedge or mitigate the commercial risk of, whether directly or in the aggregate, affiliates that are not so supervised or described.''.

(b) COMMERCIAL MARKET PARTICIPANT DEFINED.—

(1) IN GENERAL.—Section 1a of such Act (7 U.S.C. 1a), as amended by section 305(b) of this Act, is amended by redesignating paragraphs (8) through (52) as paragraphs (9) through (53), respectively, and by inserting after paragraph (6) the following:

''(7) COMMERCIAL MARKET PARTICIPANT.—The term 'commercial market participant' means any producer, processor, merchant, or commercial user of an exempt or agricultural commodity, or the products or byproducts of such a commodity.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1a of such Act (7 U.S.C. 1a) is amended—

(i) in subparagraph (A) of paragraph (18) (as so redesignated by paragraph (1) of this subsection), in the matter preceding clause (i), by striking ''(18)(A)'' and inserting ''(19)(A)''; and

(ii) in subparagraph (A)(vii) of paragraph (19) (as so redesignated by paragraph (1) of this subsection), in the matter following subclause (III), by striking ''(17)(A)'' and inserting ''(18)(A)''.

(B) Section 4(c)(1)(A)(i)(I) of such Act (7 U.S.C. 6(c)(1)(A)(i)(I)) is amended by striking ''(7), paragraph (18)(A)(vii)(III), paragraphs (23), (24), (31), (32), (38), (39), (41), (42), (46), (47), (48), and (49)'' and inserting ''(8), paragraph (19)(A)(vii)(III), paragraphs (24), (25), (32), (33), (39), (40), (42), (43), (47), (48), (49), and (50)''.

(C) Section 4q(a)(1) of such Act (7 U.S.C. 6o-1(a)(1)) is amended by striking ''1a(9)'' and inserting ''1a(10)''.

(D) Section 4s(f)(1)(D) of such Act (7 U.S.C. 6s(f)(1)(D)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(E) Section 4s(h)(5)(A)(i) of such Act (7 U.S.C. 6s(h)(5)(A)(i)) is amended by striking ''1a(18)'' and inserting ''1a(19)''.

(F) Section 4t(b)(1)(C) of such Act (7 U.S.C. 6t(b)(1)(C)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(G) Section 5(d)(23) of such Act (7 U.S.C. 7(d)(23)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(H) Section 5(e)(1) of such Act (7 U.S.C. 7(e)(1)) is amended by striking ''1a(9)'' and inserting ''1a(10)''.

(I) Section 5b(k)(3)(A) of such Act (7 U.S.C. 7a-1(k)(3)(A)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(J) Section 5h(f)(10)(A)(iii) of such Act (7 U.S.C. 7b-3(f)(10)(A)(iii)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(K) Section 21(f)(4)(C) of such Act (7 U.S.C. 24a(f)(4)(C)) is amended by striking ''1a(48)'' and inserting ''1a(49)''.

SEC. 307. REPORTING OF ILLIQUID SWAPS SO AS TO NOT DISADVANTAGE CERTAIN NON-FINANCIAL END-USERS.

Section 2(a)(13) of the Commodity Exchange Act (7 U.S.C. 2(a)(13)) is amended—

(1) in subparagraph (C), by striking ''The Commission'' and inserting ''Except as provided in subparagraph (D), the Commission''; and

(2) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively, and inserting after subparagraph (C) the following:

''(D) REQUIREMENTS FOR SWAP TRANSACTIONS IN ILLIQUID MARKETS.—Notwithstanding subparagraph (C):

''(i) The Commission shall provide by rule for the public reporting of swap transactions, including price and volume data, in illiquid markets that are not cleared and entered into by a non-financial entity that is hedging or mitigating commercial risk in accordance with subsection (h)(7)(A).

''(ii) The Commission shall ensure that the swap transaction information referred to in clause (i) of this subparagraph is available to the public no sooner than 30 days after the swap transaction has been executed or at such later date as the Commission determines appropriate to protect the identity of participants and positions in illiquid markets and to prevent the elimination or reduction of market liquidity.

''(iii) In this subparagraph, the term 'illiquid markets' means any market in which the volume and frequency of trading in swaps is at such a level as to allow identification of individual market participants.''.

SEC. 308. RELIEF FOR GRAIN ELEVATOR OPERATORS, FARMERS, AGRICULTURAL COUNTERPARTIES, AND COMMERCIAL MARKET PARTICIPANTS.

The Commodity Exchange Act (7 U.S.C. 1 et seq.) is amended by inserting after section 4t the following:

''SEC. 4u. RECORDKEEPING REQUIREMENTS APPLICABLE TO NON-REGISTERED MEMBERS OF CERTAIN REGISTERED ENTITIES.

''Except as provided in section 4(a)(3), a member of a designated contract market or a swap execution facility that is not registered with the Commission and not required to be registered with the Commission in any capacity shall satisfy the recordkeeping requirements of this Act and any recordkeeping rule, order, or regulation under this Act by maintaining a written record of each transaction in a contract for future delivery, option on a future, swap, swaption, trade option, or related cash or forward transaction. The written record shall be sufficient if it includes the final agreement between the parties and the material economic terms of the transaction.''.

SEC. 309. RELIEF FOR END-USERS WHO USE PHYSICAL CONTRACTS WITH VOLUMETRIC OPTIONALITY.

Section 1a(47)(B)(ii) of the Commodity Exchange Act (7 U.S.C. 1a(47)(B)(ii)) is amended to read as follows:

''(ii) any purchase or sale of a nonfinancial commodity or security for deferred shipment or delivery, so long as the transaction is intended to be physically settled, including any standalone or embedded option for which exercise results in a physical delivery obligation;''.

SEC. 310. COMMISSION VOTE REQUIRED BEFORE AUTOMATIC CHANGE OF SWAP DEALER DE MINIMIS LEVEL.

Section 1a(49)(D) of the Commodity Exchange Act (7 U.S.C. 1a(49)(D)) is amended—

(1) by striking all that precedes ''shall exempt'' and inserting the following:

''(D) EXCEPTION.—

''(i) IN GENERAL.—The Commission''; and

(2) by adding after and below the end the following new clause:

''(ii) DE MINIMIS QUANTITY.—The de minimis quantity of swap dealing described in clause (i) shall be set at a quantity of $8,000,000,000, and may be amended or changed only through a new affirmative action of the Commission undertaken by rule or regulation.''.

SEC. 311. CAPITAL REQUIREMENTS FOR NON-BANK SWAP DEALERS.

(a) COMMODITY EXCHANGE ACT.—Section 4s(e) of the Commodity Exchange Act (7 U.S.C. 6s(e)) is amended—

(1) in paragraph (2)(B), by striking ''shall'' and inserting the following: ''and the Securities and Exchange Commission, in consultation with the prudential regulators, shall jointly''; and

(2) in paragraph (3)(D)—

(A) in clause (ii), by striking ''shall, to the maximum extent practicable,'' and inserting ''shall''; and

(B) by adding at the end the following:

''(iii) FINANCIAL MODELS.—To the extent that swap dealers and major swap participants that are banks are permitted to use financial models approved by the prudential regulators or the Securities and Exchange Commission to calculate minimum capital requirements and minimum initial and variation margin requirements, including the use of non-cash collateral, the Commission shall, in consultation with the prudential regulators and the Securities and Exchange Commission, permit the use of comparable financial models by swap dealers and major swap participants that are not banks.''.

(b) SECURITIES EXCHANGE ACT OF 1934.—Section 15F(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-10(e)) is amended—

(1) in paragraph (2)(B), by striking ''shall'' and inserting the following: ''and the Commodity Futures Trading Commission, in consultation with the prudential regulators, shall jointly''; and

(2) in paragraph (3)(D)—

(A) in clause (ii), by striking ''shall, to the maximum extent practicable,'' and inserting ''shall''; and

(B) by adding at the end the following:

''(iii) FINANCIAL MODELS.—To the extent that security-based swap dealers and major security-based swap participants that are banks are permitted to use financial models approved by the prudential regulators or the Commodity Futures Trading Commission to calculate minimum capital requirements and minimum initial and variation margin requirements, including the use of non-cash collateral, the Commission shall, in consultation with the Commodity Futures Trading Commission, permit the use of comparable financial models by security-based swap dealers and major security-based swap participants that are not banks.''.

SEC. 312. HARMONIZATION WITH THE JUMPSTART OUR BUSINESS STARTUPS ACT.

Within 90 days after the date of the enactment of this Act, the Commodity Futures Trading Commission shall—

(1) revise section 4.7(b) of title 17, Code of Federal Regulations, in the matter preceding paragraph (1), to read as follows:

''(b) Relief available to commodity pool operators. Upon filing the notice required by paragraph (d) of this section, and subject to compliance with the conditions specified in paragraph

(d) of this section, any registered commodity pool operator who sells participations in a pool solely to qualified eligible persons in an offering which qualifies for exemption from the registration requirements of the Securities Act pursuant to section 4(2) of that Act or pursuant to Regulation S, 17 CFR 230.901 et seq., and any bank registered as a commodity pool operator in connection with a pool that is a collective trust fund whose securities are exempt from registration under the Securities Act pursuant to section 3(a)(2) of that Act and are sold solely to qualified eligible persons, may claim any or all of the following relief with respect to such pool:''; and

(2) revise section 4.13(a)(3)(i) of such title to read as follows:

''(i) Interests in the pool are exempt from registration under the Securities Act of 1933, and such interests are offered and sold pursuant to section 4 of the Securities Act of 1933 and the regulations thereunder;''.

SEC. 313. BONA FIDE HEDGE DEFINED TO PROTECT END-USER RISK MANAGEMENT NEEDS.

Section 4a(c) of the Commodity Exchange Act (7 U.S.C. 6a(c)) is amended—

(1) in paragraph (1)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''future for which'' and inserting ''future, to be determined by the Commission, for which either an appropriate swap is available or'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''subsection (a)(2)'' and all that follows through ''position as'' and inserting ''paragraphs (2) and (5) of subsection (a) for swaps, contracts of sale for future delivery, or options on the contracts or commodities, a bona fide hedging transaction or position is''; and

(B) in subparagraph (A)(ii), by striking ''of risks'' and inserting ''or management of current or anticipated risks''; and

(3) by adding at the end the following:

''(3) The Commission may further define, by rule or regulation, what constitutes a bona fide hedging transaction, provided that the rule or regulation is consistent with the requirements of subparagraphs (A) and (B) of paragraph (2).''.

SEC. 314. CROSS-BORDER REGULATION OF DERIVATIVES TRANSACTIONS.

(a) RULEMAKING REQUIRED.—Within 1 year after the date of the enactment of this Act, the Commodity Futures Trading Commission shall issue a rule that addresses—

(1) the nature of the connections to the United States that require a non-U.S. person to register as a swap dealer or a major swap participant under the Commodity Exchange Act and the regulations issued under such Act;

(2) which of the United States swaps requirements apply to the swap activities of non-U.S. persons and U.S. persons and their branches, agencies, subsidiaries, and affiliates outside of the United States, and the extent to which the requirements apply; and

(3) the circumstances under which a U.S. person or non-U.S. person in compliance with the swaps regulatory requirements of a foreign jurisdiction shall be exempt from United States swaps requirements.

(b) CONTENT OF THE RULE.—

(1) CRITERIA.—In the rule, the Commission shall establish criteria for determining that 1 or more categories of the swaps regulatory requirements of a foreign jurisdiction are comparable to and as comprehensive as United States swaps requirements. The criteria shall include—

(A) the scope and objectives of the swaps regulatory requirements of the foreign jurisdiction;

(B) the effectiveness of the supervisory compliance program administered;

(C) the enforcement authority exercised by the foreign jurisdiction; and

(D) such other factors as the Commission, by rule, determines to be necessary or appropriate in the public interest.

(2) COMPARABILITY.—In the rule, the Commission shall—

(A) provide that any non-U.S. person or any transaction between two non-U.S. persons shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of a foreign jurisdiction which the Commission has determined to be comparable to and as comprehensive as United States swaps requirements; and

(B) set forth the circumstances in which a U.S. person or a transaction between a U.S. person and a non-U.S. person shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of a foreign jurisdiction which the Commission has determined to be comparable to and as comprehensive as United States swaps requirements.

(3) OUTCOMES-BASED COMPARISON.—In developing and applying the criteria, the Commission shall emphasize the results and outcomes of, rather than the design and construction of, foreign swaps regulatory requirements.

(4) RISK-BASED RULEMAKING.—In the rule, the Commission shall not take into account, for the purposes of determining the applicability of United States swaps requirements, the location of personnel that arrange, negotiate, or execute swaps.

(5) No part of any rulemaking under this section shall limit the Commission's antifraud or antimanipulation authority.

(c) APPLICATION OF THE RULE.—

(1) ASSESSMENTS OF FOREIGN JURISDICTIONS.—Beginning on the date on which a final rule is issued under this section, the Commission shall begin to assess the swaps regulatory requirements of foreign jurisdictions, in the order the Commission determines appropriate, in accordance with the criteria established pursuant to subsection (b)(1). Following each assessment, the Commission shall determine, by rule or by order, whether the swaps regulatory requirements of the foreign jurisdiction are comparable to and as comprehensive as United States swaps requirements.

(2) SUBSTITUTED COMPLIANCE FOR UNASSESSED MAJOR MARKETS.—Beginning 18 months after the date of enactment of this Act—

(A) the swaps regulatory requirements of each of the 8 foreign jurisdictions with the largest swaps markets, as calculated by notional value during the 12-month period ending with such date of enactment, except those with respect to which a determination has been made under paragraph (1), shall be considered to be comparable to and as comprehensive as United States swaps requirements; and

(B) a non-U.S. person or a transaction between 2 non-U.S. persons shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of any of such unexcepted foreign jurisdictions.

(3) SUSPENSION OF SUBSTITUTED COMPLIANCE.—If the Commission determines, by rule or by order, that—

(A) the swaps regulatory requirements of a foreign jurisdiction are not comparable to and as comprehensive as United States swaps requirements, using the categories and criteria established under subsection (b)(1);

(B) the foreign jurisdiction does not exempt from its swaps regulatory requirements U.S. persons who are in compliance with United States swaps requirements; or

(C) the foreign jurisdiction is not providing equivalent recognition of, or substituted compliance for, registered entities (as defined in section 1a(41) of the Commodity Exchange Act) domiciled in the United States,

the Commission may suspend, in whole or in part, a determination made under paragraph (1) or a consideration granted under paragraph (2).

(d) PETITION FOR REVIEW OF FOREIGN JURISDICTION PRACTICES.—A registered entity, commercial market participant (as defined in section 1a(7) of the Commodity Exchange Act), or Commission registrant (within the meaning of such Act) who petitions the Commission to make or change a determination under subsection (c)(1) or (c)(3) of this section shall be entitled to expedited consideration of the petition. A petition shall include any evidence or other supporting materials to justify why the petitioner believes the Commission should make or change the determination. Petitions under this section shall be considered by the Commission any time following the enactment of this Act. Within 180 days after receipt of a petition for a rulemaking under this section, the Commission shall take final action on the petition. Within 90 days after receipt of a petition to issue an order or change an order issued under this section, the Commission shall take final action on the petition.

(e) REPORT TO CONGRESS.—If the Commission makes a determination described in this section through an order, the Commission shall articulate the basis for the determination in a written report published in the Federal Register and transmitted to the Committee on Agriculture of the House of Representatives and Committee on Agriculture, Nutrition, and Forestry of the Senate within 15 days of the determination. The determination shall not be effective until 15 days after the committees receive the report.

(f) DEFINITIONS.—As used in this Act and for purposes of the rules issued pursuant to this Act, the following definitions apply:

(1) U.S. PERSON.—The term ''U.S. person''—

(A) means—

(i) any natural person resident in the United States;

(ii) any partnership, corporation, trust, or other legal person organized or incorporated under the laws of the United States or having its principal place of business in the United States;

(iii) any account (whether discretionary or non-discretionary) of a U.S. person; and

(iv) any other person as the Commission may further define to more effectively carry out the purposes of this section; and

(B) does not include the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the United Nations, their agencies or pension plans, or any other similar international organizations or their agencies or pension plans.

(2) UNITED STATES SWAPS REQUIREMENTS.—The term ''United States swaps requirements'' means the provisions relating to swaps contained in the Commodity Exchange Act (7 U.S.C. 1a et seq.) that were added by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 8301 et seq.) and any rules or regulations prescribed by the Commodity Futures Trading Commission pursuant to such provisions.

(3) FOREIGN JURISDICTION.—The term ''foreign jurisdiction'' means any national or supranational political entity with common rules governing swaps transactions.

(4) SWAPS REGULATORY REQUIREMENTS.—The term ''swaps regulatory requirements'' means any provisions of law, and any rules or regulations pursuant to the provisions, governing swaps transactions or the counterparties to swaps transactions.

(g) CONFORMING AMENDMENT.—Section 4(c)(1)(A) of the Commodity Exchange Act (7 U.S.C. 6(c)(1)(A)) is amended by inserting ''or except as necessary to effectuate the purposes of the Commodity End-User Relief Act,'' after ''to grant exemptions,''.

SEC. 315. EXEMPTION OF QUALIFIED CHARITABLE ORGANIZATIONS FROM DESIGNATION AND REGULATION AS COMMODITY POOL OPERATORS.

(a) EXCLUSION FROM DEFINITION OF COMMODITY POOL.—Section 1a(10) of the Commodity

Exchange Act (7 U.S.C. 1a(10)) is amended by adding at the end the following:

''(C) EXCLUSION.—The term 'commodity pool' shall not include any investment trust, syndicate, or similar form of enterprise excluded from the definition of 'investment company' pursuant to sections 3(c)(10) or 3(c)(14) of the Investment Company Act of 1940.''.

(b) INAPPLICABILITY OF PROHIBITION ON USE OF INSTRUMENTALITIES OF INTERSTATE COMMERCE BY UNREGISTERED COMMODITY TRADING ADVISOR.—Section 4m of such Act (7 U.S.C. 6m) is amended—

(1) in paragraph (1), in the 2nd sentence, by inserting '': Provided further, That the provisions of this section shall not apply to any commodity trading advisor that is: (A) a charitable organization, as defined in section 3(c)(10)(D) of the Investment Company Act of 1940, or a trustee, director, officer, employee, or volunteer of such a charitable organization acting within the scope of the employment or duties of the person with the organization, whose trading advice is provided only to, or with respect to, 1 or more of the following: (i) any such charitable organization, or (ii) an investment trust, syndicate or similar form of enterprise excluded from the definition of 'investment company' pursuant to section 3(c)(10) of the Investment Company Act of 1940; or (B) any plan, company, or account described in section 3(c)(14) of the Investment Company Act of 1940, any person or entity who establishes or maintains such a plan, company, or account, or any trustee, director, officer, employee, or volunteer for any of the foregoing plans, persons, or entities acting within the scope of the employment or duties of the person with the organization, whose trading advice is provided only to, or with respect to, any investment trust, syndicate, or similar form of enterprise excluded from the definition of 'investment company' pursuant to section 3(c)(14) of the Investment Company Act of 1940'' before the period; and

(2) by adding at the end the following:

''(4) DISCLOSURE CONCERNING EXCLUDED CHARITABLE ORGANIZATIONS.—The operator of or advisor to any investment trust, syndicate, or similar form of enterprise excluded from the definition of 'commodity pool' by reason of section 1a(10)(C) of this Act pursuant to section 3(c)(10) of the Investment Company Act of 1940 shall provide disclosure in accordance with section 7(e) of the Investment Company Act of 1940.''.

SEC. 316. SMALL BANK HOLDING COMPANY CLEARING EXEMPTION.

Section 2(h)(7)(C) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)) is amended by adding at the end the following:

''(iv) HOLDING COMPANIES.—A determination made by the Commission under clause (ii) shall, with respect to small banks and savings associations, also apply to their respective bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956), or savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act of 1933)), if the total consolidated assets of the holding company are no greater than the asset threshold set by the Commission in determining small bank and savings association eligibility under clause (ii).''.

SEC. 317. CORE PRINCIPLE CERTAINTY.

Section 5h(f) of the Commodity Exchange Act (7 U.S.C. 7b–3(f)) is amended—

(1) in paragraph (1)(B), by inserting ''except as described in this subsection,'' after ''Commission by rule or regulation'';

(2) in paragraph (2), by amending subparagraph (D) to read as follows:

''(D) have reasonable discretion in establishing and enforcing its rules related to trade practice surveillance, market surveillance, real-time marketing monitoring, and audit trail given that a swap execution facility may offer a trading system or platform to execute or trade swaps through any means of interstate commerce. A swap execution facility shall be responsible for monitoring trading in swaps only on its own facility.'';

(3) in paragraph (4)(B), by adding at the end the following: ''A swap execution facility shall be responsible for monitoring trading in swaps only on its own facility.'';

(4) in paragraph (6)(B)—

(A) by striking ''shall—'' and all that follows through ''compliance with the'' and insert ''shall monitor the trading activity on its facility for compliance with any'';

(B) by striking ''or through''; and

(C) by adding at the end the following: ''A swap execution facility shall be responsible for monitoring positions only on its own facility.'';

(5) in paragraph (8), by striking ''to liquidate'' and all that follows and inserting ''to suspend or curtail trading in a swap on its own facility.'';

(6) in paragraph (13)(B), by striking ''1-year period, as calculated on a rolling basis'' and inserting ''90-day period, as calculated on a rolling basis, or conduct an orderly wind-down of its operations, whichever is greater''; and

(7) in paragraph (15)—

(A) in subparagraph (A), by adding at the end the following: ''The individual may also perform other responsibilities for the swap execution facility.'';

(B) in subparagraph (B)—

(i) in clause (i), by inserting '', a committee of the board,'' after ''directly to the board'';

(ii) by striking clauses (iii) through (v) and inserting the following:

''(iii) establish and administer policies and procedures that are reasonably designed to resolve any conflicts of interest that may arise;

''(iv) establish and administer policies and procedures that reasonably ensure compliance with this Act and the rules and regulations issued under this Act, including rules prescribed by the Commission pursuant to this section; and''; and

(iii) by redesignating clause (vi) as clause (v);

(C) in subparagraph (C), by striking ''(B)(vi)'' and inserting ''(B)(v)''; and

(D) in subparagraph (D)—

(i) in clause (i)—

(I) by striking ''In accordance with rules prescribed by the Commission, the'' and inserting ''The''; and

(II) by striking ''and sign''; and

(ii) in clause (ii)—

(I) in the matter preceding subclause (I), by inserting ''or senior officer'' after ''officer'';

(II) by amending subclause (I) to read as follows:

''(I) submit each report described in clause (i) to the Commission; and''; and

(III) in subclause (II), by inserting ''materially'' before ''accurate''.

SEC. 318. TREATMENT OF FEDERAL HOME LOAN BANK PRODUCTS.

(a) Section 1a(2) of the Commodity Exchange Act (7 U.S.C. 1a(2)) is amended—

(1) in subparagraph (B), by striking ''and'';

(2) in subparagraph (C), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(D) is the Federal Housing Finance Agency for any Federal Home Loan Bank (as defined in section 2 of the Federal Home Loan Bank Act).''.

(b) Section 402(a) of the Legal Certainty for Bank Products Act of 2000 (7 U.S.C. 27(a)) is amended—

(1) by striking ''or'' at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting ''; or''; and

(3) by adding at the end the following:

''(8) any Federal Home Loan Bank (as defined in section 2 of the Federal Home Loan Bank Act).''.

SEC. 319. TREATMENT OF CERTAIN FUNDS.

(a) AMENDMENT TO THE DEFINITION OF COMMODITY POOL OPERATOR.—Section 1a(11) of the Commodity Exchange Act (7 U.S.C. 1a(11)) is amended by adding at the end the following:

''(C)(i) The term 'commodity pool operator' does not include a person who serves as an investment adviser to an investment company registered pursuant to section 8 of the Investment Company Act of 1940 or a subsidiary of such a company, if the investment company or subsidiary invests, reinvests, owns, holds, or trades in commodity interests limited to only financial commodity interests.

''(ii) For purposes of this subparagraph only, the term 'financial commodity interest' means a futures contract, an option on a futures contract, or a swap, involving a commodity that is not an exempt commodity or an agricultural commodity, including any index of financial commodity interests, whether cash settled or involving physical delivery.

''(iii) For purposes of this subparagraph only, the term 'commodity' does not include a security issued by a real estate investment trust, business development company, or issuer of asset-backed securities, including any index of such securities.''.

(b) AMENDMENT TO THE DEFINITION OF COMMODITY TRADING ADVISOR.—Section 1a(12) of such Act (7 U.S.C. 1a(12)) is amended by adding at the end the following:

''(E) The term 'commodity trading advisor' does not include a person who serves as an investment adviser to an investment company registered pursuant to section 8 of the Investment Company Act of 1940 or a subsidiary of such a company, if the commodity trading advice relates only to a financial commodity interest, as defined in paragraph (11)(C)(ii) of this section. For purposes of this subparagraph only, the term 'commodity' does not include a security issued by a real estate investment trust, business development company, or issuer of asset-backed securities, including any index of such securities.''.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 401. CORRECTION OF REFERENCES.

(a) Section 2(h)(8)(A)(ii) of the Commodity Exchange Act (7 U.S.C. 2(h)(8)(A)(ii)) is amended by striking ''5h(f) of this Act'' and inserting ''5h(g)''.

(b) Section 5c(c)(5)(C)(i) of such Act (7 U.S.C. 7a-2(c)(5)(C)(i)) is amended by striking ''1a(2)(i))'' and inserting ''1a(19)(i))''.

(c) Section 23(f) of such Act (7 U.S.C. 26(f)) is amended by striking ''section 7064'' and inserting ''section 706''.

SEC. 402. ELIMINATION OF OBSOLETE REFERENCES TO DEALER OPTIONS.

(a) IN GENERAL.—Section 4c of the Commodity Exchange Act (7 U.S.C. 6c) is amended by striking subsections (d) and (e) and redesignating subsections (f) and (g) as subsections (d) and (e), respectively.

(b) CONFORMING AMENDMENTS.—

(1) Section 2(d) of such Act (7 U.S.C. 2(d)) is amended by striking ''(g) of'' and inserting ''(e) of''.

(2) Section 4f(a)(4)(A)(i) of such Act (7 U.S.C. 6f(a)(4)(A)(i)) is amended by striking ''(d), (e), and (g)'' and inserting ''and (e)''.

(3) Section 4k(5)(A) of such Act (7 U.S.C. 6k(5)(A)) is amended by striking ''(d), (e), and (g)'' and inserting ''and (e)''.

(4) Section 5f(b)(1)(A) of such Act (7 U.S.C. 7b-1(b)(1)(A)) is amended by striking '', (e) and (g)'' and inserting ''and (e)''.

(5) Section 9(a)(2) of such Act (7 U.S.C. 13(a)(2)) is amended by striking ''through (e)'' and inserting ''and (c)''.

SEC. 403. UPDATED TRADE DATA PUBLICATION REQUIREMENT.

Section 4g(e) of the Commodity Exchange Act (7 U.S.C. 6g(e)) is amended by striking ''exchange'' and inserting ''each designated contract market and swap execution facility''.

SEC. 404. FLEXIBILITY FOR REGISTERED ENTITIES.

Section 5c(b) of the Commodity Exchange Act (7 U.S.C. 7a-2(b)) is amended by striking ''contract market, derivatives transaction execution

facility, or electronic trading facility'' each place it appears and inserting ''registered entity''.

SEC. 405. ELIMINATION OF OBSOLETE REFERENCES TO ELECTRONIC TRADING FACILITIES.

(a) Section 1a(18)(A)(x) of the Commodity Exchange Act (7 U.S.C. 1a(18)(A)(x)) is amended by striking ''(other than an electronic trading facility with respect to a significant price discovery contract)''.

(b) Section 1a(40) of such Act (7 U.S.C. 1a(40)) is amended—

(1) by adding ''and'' at the end of subparagraph (D); and

(2) by striking all that follows ''section 21'' and inserting a period.

(c) Section 4a(e) of such Act (7 U.S.C. 6a(e)) is amended—

(1) in the 1st sentence—

(A) by striking ''or by any electronic trading facility'';

(B) by striking ''or on an electronic trading facility''; and

(C) by striking ''or electronic trading facility'' each place it appears; and

(2) in the 2nd sentence, by striking ''or electronic trading facility with respect to a significant price discovery contract''.

(d) Section 4g(a) of such Act (7 U.S.C. 6g(a)) is amended by striking ''any significant price discovery contract traded or executed on an electronic trading facility or''.

(e) Section 4i(a) of such Act (7 U.S.C. 6i(a)) is amended—

(1) by striking '', or any significant price discovery contract traded or executed on an electronic trading facility or any agreement, contract, or transaction that is treated by a derivatives clearing organization, whether registered or not registered, as fungible with a significant price discovery contract''; and

(2) by striking ''or electronic trading facility''

(f) Section 6(b) of such Act (7 U.S.C. 8(b)) is amended by striking ''or electronic trading facility'' each place it appears.

(g) Section 12(e)(2) of such Act (7 U.S.C. 16(e)(2)) is amended by striking ''in the case of—'' and all that follows and inserting ''in the case of an agreement, contract, or transaction that is excluded from this Act under section 2(c) or 2(f) of this Act or title IV of the Commodity Futures Modernization Act of 2000, or exempted under section 4(c) of this Act (regardless of whether any such agreement, contract, or transaction is otherwise subject to this Act).''.

SEC. 406. ELIMINATION OF OBSOLETE REFERENCE TO ALTERNATIVE SWAP EXECUTION FACILITIES.

Section 5h(h) of the Commodity Exchange Act (7 U.S.C. 7b-3(h)) is amended by striking ''alternative'' before ''swap''.

SEC. 407. ELIMINATION OF REDUNDANT REFERENCES TO TYPES OF REGISTERED ENTITIES.

Section 6b of the Commodity Exchange Act (7 U.S.C. 13a) is amended in the 1st sentence by striking ''as set forth in sections 5 through 5c''.

SEC. 408. CLARIFICATION OF COMMISSION AUTHORITY OVER SWAPS TRADING.

Section 8a of the Commodity Exchange Act (7 U.S.C. 12a) is amended—

(1) in paragraph (7)—

(A) by inserting ''the protection of swaps traders and to assure fair dealing in swaps, for'' after ''appropriate for'';

(B) in subparagraph (A), by inserting ''swaps or'' after ''conditions in''; and

(C) in subparagraph (B), by inserting ''or swaps'' after ''future delivery''; and

(2) in paragraph (9)—

(A) by inserting ''swap or'' after ''or liquidation of any''; and

(B) by inserting ''swap or'' after ''margin levels on any''.

SEC. 409. ELIMINATION OF OBSOLETE REFERENCE TO THE COMMODITY EXCHANGE COMMISSION.

Section 13(c) of the Commodity Exchange Act (7 U.S.C. 13c(c)) is amended by striking ''or the Commission''.

SEC. 410. ELIMINATION OF OBSOLETE REFERENCES TO DERIVATIVE TRANSACTION EXECUTION FACILITIES.

(a) Section 1a(12)(B)(vi) of the Commodity Exchange Act (7 U.S.C. 1a(12)(B)(vi)) is amended by striking ''derivatives transaction execution facility'' and inserting ''swap execution facility''.

(b) Section 1a(34) of such Act (7 U.S.C. 1a(34)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(c) Section 1a(35)(B)(iii)(I) of such Act (7 U.S.C. 1a(35)(B)(iii)(I)) is amended by striking ''or registered derivatives transaction execution facility''.

(d) Section 2(a)(1)(C)(ii) of such Act (7 U.S.C. 2(a)(1)(C)(ii)) is amended—

(1) by striking '', or register a derivatives transaction execution facility that trades or executes,'';

(2) by striking '', and no derivatives transaction execution facility shall trade or execute such contracts of sale (or options on such contracts) for future delivery''; and

(3) by striking ''or the derivatives transaction execution facility,''.

(e) Section 2(a)(1)(C)(v)(I) of such Act (7 U.S.C. 2(a)(1)(C)(v)(I)) is amended by striking '', or any derivatives transaction execution facility on which such contract or option is traded,''.

(f) Section 2(a)(1)(C)(v)(II) of such Act (7 U.S.C. 2(a)(1)(C)(v)(II)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(g) Section 2(a)(1)(C)(v)(V) of such Act (7 U.S.C. 2(a)(1)(C)(v)(V)) is amended by striking ''or registered derivatives transaction execution facility''.

(h) Section 2(a)(1)(D)(i) of such Act (7 U.S.C. 2(a)(1)(D)(i)) is amended in the matter preceding subclause (I)—

(1) by striking ''in, or register a derivatives transaction execution facility''; and

(2) by striking '', or registered as a derivatives transaction execution facility for,''.

(i) Section 2(a)(1)(D)(i)(IV) of such Act (7 U.S.C. 2(a)(1)(D)(i)(IV)) is amended by striking ''registered derivatives transaction execution facility,'' each place it appears.

(j) Section 2(a)(1)(D)(ii)(I) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(I)) is amended to read as follows:

''(I) the transaction is conducted on or subject to the rules of a board of trade that has been designated by the Commission as a contract market in such security futures product; or''.

(k) Section 2(a)(1)(D)(ii)(II) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(II)) is amended by striking ''or registered derivatives transaction execution facility''.

(l) Section 2(a)(1)(D)(ii)(III) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(III)) is amended by striking ''or registered derivatives transaction execution facility member''.

(m) Section 2(a)(9)(B)(ii) of such Act (7 U.S.C. 2(a)(9)(B)(ii)) is amended—

(1) by striking ''or registration'' each place it appears;

(2) by striking ''or derivatives transaction execution facility'' each place it appears;

(3) by striking ''or register'';

(4) by striking ''registering,'';

(5) by striking ''or registering,'' each place it appears; and

(6) by striking ''registration,''.

(n) Section 2(c)(2) of such Act (7 U.S.C. 2(c)(2)) is amended by striking ''or a derivatives transaction execution facility'' each place it appears.

(o) Section 4(a)(1) of such Act (7 U.S.C. 6(a)(1)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(p) Section 4(c)(1) of such Act (7 U.S.C. 6(c)(1)) is amended—

(1) by striking ''or registered'' after ''designated''; and

(2) by striking ''or derivative transaction execution facility''.

(q) Section 4a(a)(1) of such Act (7 U.S.C. 6a(a)(1)) is amended by striking ''or derivatives transaction execution facilities'' each place it appears.

(r) Section 4a(e) of such Act (7 U.S.C. 6a(e)) is amended—

(1) by striking '', derivatives transaction execution facility,'' each place it appears; and

(2) by striking ''or derivatives transaction execution facility''.

(s) Section 4c(g) of such Act (7 U.S.C. 6c(g)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(t) Section 4d of such Act (7 U.S.C. 6d) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(u) Section 4e of such Act (7 U.S.C. 6e) is amended by striking ''or derivatives transaction execution facility''.

(v) Section 4f(b) of such Act (7 U.S.C. 6f(b)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(w) Section 4i of such Act (7 U.S.C. 6i) is amended by striking ''or derivatives transaction execution facility''.

(x) Section 4j(a) of such Act (7 U.S.C. 6j(a)) is amended by striking ''and registered derivatives transaction execution facility''.

(y) Section 4p(a) of such Act (7 U.S.C. 6p(a)) is amended by striking '', or derivatives transaction execution facilities''.

(z) Section 4p(b) of such Act (7 U.S.C. 6p(b)) is amended by striking ''derivatives transaction execution facility,''.

(aa) Section 5c(f) of such Act (7 U.S.C. 7a-2(f)) is amended by striking ''and registered derivatives transaction execution facility''.

(bb) Section 5c(f)(1) of such Act (7 U.S.C. 7a-2(f)(1)) is amended by striking ''or registered derivatives transaction execution facility''.

(cc) Section 6 of such Act (7 U.S.C. 8) is amended—

(1) by striking ''or registered'';

(2) by striking ''or derivatives transaction execution facility'' each place it appears; and

(3) by striking ''or registration'' each place it appears.

(dd) Section 6a(a) of such Act (7 U.S.C. 10a(a)) is amended—

(1) by striking ''or registered'';

(2) by striking ''or a derivatives transaction execution facility''; and

(3) by inserting ''shall'' before ''exclude''.

(ee) Section 6a(b) of such Act (7 U.S.C. 10a(b)) is amended—

(1) by striking ''or registered''; and

(2) by striking ''or a derivatives transaction execution facility''.

(ff) Section 6d(1) of such Act (7 U.S.C. 13a-2(1)) is amended by striking ''derivatives transaction execution facility,''.

SEC. 411. ELIMINATION OF OBSOLETE REFERENCES TO EXEMPT BOARDS OF TRADE.

(a) Section 1a(18)(A)(x) of the Commodity Exchange Act (7 U.S.C. 1a(18)(A)(x)) is amended by striking ''or an exempt board of trade''.

(b) Section 12(e)(1)(B)(i) of such Act (7 U.S.C. 16(e)(1)(B)(i)) is amended by striking ''or exempt board of trade''.

SEC. 412. ELIMINATION OF REPORT DUE IN 1986.

Section 26 of the Futures Trading Act of 1978 (7 U.S.C. 16a) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 413. COMPLIANCE REPORT FLEXIBILITY.

Section 4s(k)(3)(B) of the Commodity Exchange Act (7 U.S.C. 6s(k)(3)(B)) is amended to read as follows:

''(B) REQUIREMENTS.—A compliance report under subparagraph (A) shall—

''(i) include a certification that, under penalty of law, the compliance report is materially accurate and complete; and

''(ii) be furnished at such time as the Commission determines by rule, regulation, or order, to be appropriate.''.

SEC. 414. MISCELLANEOUS CORRECTIONS.

(a) Section 1a(12)(A)(i)(II) of the Commodity Exchange Act (7 U.S.C. 1a(12)(A)(i)(II)) is amended by adding at the end a semicolon.

(b) Section 2(a)(1)(C)(ii)(III) of such Act (7 U.S.C. 2(a)(1)(C)(ii)(III)) is amended by moving the provision 2 ems to the right.

(c) Section 2(a)(1)(C)(iii) of such Act (7 U.S.C. 2(a)(1)(C)(iii)) is amended by moving the provision 2 ems to the right.

(d) Section 2(a)(1)(C)(iv) of such Act (7 U.S.C. 2(a)(1)(C)(iv)) is amended by striking ''under or'' and inserting ''under''.

(e) Section 2(a)(1)(C)(v) of such Act (7 U.S.C. 2(a)(1)(C)(v)) is amended by moving the provision 2 ems to the right.

(f) Section 2(a)(1)(C)(v)(VI) of such Act (7 U.S.C. 2(a)(1)(C)(v)(VI)) is amended by striking ''III'' and inserting ''(III)''.

(g) Section 2(c)(1) of such Act (7 U.S.C. 2(c)(1)) is amended by striking the 2nd comma.

(h) Section 4(c)(3)(H) of such Act (7 U.S.C. 6(c)(3)(H)) is amended by striking ''state'' and inserting ''State''.

(i) Section 4c(c) of such Act (7 U.S.C. 6c(c)) is amended to read as follows:

''(c) The Commission shall issue regulations to continue to permit the trading of options on contract markets under such terms and conditions that the Commission from time to time may prescribe.''.

(j) Section 4d(b) of such Act (7 U.S.C. 6d(b)) is amended by striking ''paragraph (2) of this section'' and inserting ''subsection (a)(2)''.

(k) Section 4f(c)(3)(A) of such Act (7 U.S.C. 6f(c)(3)(A)) is amended by striking the 1st comma.

(l) Section 4f(c)(4)(A) of such Act (7 U.S.C. 6f(c)(4)(A)) is amended by striking ''in developing'' and inserting ''In developing''.

(m) Section 4f(c)(4)(B) of such Act (7 U.S.C. 6f(c)(4)(B)) is amended by striking ''1817(a)'' and inserting ''1817(a))''.

(n) Section 5 of such Act (7 U.S.C. 7) is amended by redesignating subsections (c) through (e) as subsections (b) through (d), respectively.

(o) Section 5b of such Act (7 U.S.C. 7a-1) is amended by redesignating subsection (k) as subsection (j).

(p) Section 5f(b)(1) of such Act (7 U.S.C. 7b-1(b)(1)) is amended by striking ''section 5f'' and inserting ''this section''.

(q) Section 6(a) of such Act (7 U.S.C. 8(a)) is amended by striking ''the the'' and inserting ''the''.

(r) Section 8a of such Act (7 U.S.C. 12a) is amended in each of paragraphs (1)(E) and (3)(B) by striking ''Investors'' and inserting ''Investor''.

(s) Section 9(a)(2) of such Act (7 U.S.C. 13(a)(2)) is amended by striking ''subsection 4c'' and inserting ''section 4c''.

(t) Section 12(b)(4) of such Act (7 U.S.C. 16(b)(4)) is amended by moving the provision 2 ems to the left.

(u) Section 14(a)(2) of such Act (7 U.S.C. 18(a)(2)) is amended by moving the provision 2 ems to the left.

(v) Section 17(b)(9)(D) of such Act (7 U.S.C. 21(b)(9)(D)) is amended by striking the semicolon and inserting a period.

(w) Section 17(b)(10)(C)(ii) of such Act (7 U.S.C. 21(b)(10)(C)(ii)) is amended by striking ''and'' at the end.

(x) Section 17(b)(11) of such Act (7 U.S.C. 21(b)(11)) is amended by striking the period and inserting a semicolon.

(y) Section 17(b)(12) of such Act (7 U.S.C. 21(b)(12)) is amended—

(1) by striking ''(A)''; and

(2) by striking the period and inserting ''; and''.

(z) Section 17(b)(13) of such Act (7 U.S.C. 21(b)(13)) is amended by striking ''A'' and inserting ''a''.

(aa) Section 17 of such Act (7 U.S.C. 21) is amended by redesignating subsection (q), as added by section 233(5) of Public Law 97–444, and subsection (r) as subsections (r) and (s), respectively.

(bb) Section 22(b)(3) of such Act (7 U.S.C. 25(b)(3)) is amended by striking ''of registered'' and inserting ''of a registered''.

(cc) Section 22(b)(4) of such Act (7 U.S.C. 25(b)(4)) is amended by inserting a comma after ''entity''.

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 114–136. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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.

AMENDMENT NO. 1 OFFERED BY MR. CONAWAY

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–136.

Mr. CONAWAY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 7, strike ''(s)'' and insert ''(t)''.

Page 4, line 15, strike ''(t)'' and insert ''(u)''.

Page 6, line 9, strike ''(u)'' and insert ''(v)''.

Page 6, line 16, strike ''(v)'' and insert ''(w)''.

Page 7, line 4, strike ''(w)'' and insert ''(x)''.

Page 12, line 10, strike ''(17)'' and insert ''(16)''.

Page 13, line 6, strike ''(17)'' and insert ''(16)''.

Page 14, line 8, strike ''(18)'' and insert ''(17)''.

Page 30, line 18, strike ''or''.

Page 33, line 12, strike ''(8)'' and insert ''(7)''.

Page 33, line 13, strike ''(9)'' and insert ''(8)''.

Page 38, line 8, strike ''1a(47)(B)(ii)'' and insert ''1a(48)(B)(ii)''.

Page 38, line 9, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 38, line 21, strike ''1a(49)(D)'' and insert ''1a(50)(D)''.

Page 38, line 22, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 52, line 15, strike ''1a(10)'' and insert ''1a(11)''.

Page 52, line 16, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 55, line 13, strike ''subsection,'' and insert ''subsection''.

Page 56, line 11, insert ''and'' after the semicolon.

Page 56, strike line 12.

Page 56, line 13, strike ''(C)'' and insert ''(B)''.

Page 59, line 16, strike ''1a(11)'' and insert ''1a(12)''.

Page 59, line 17, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 60, line 18, strike ''1a(12)'' and insert ''1a(13)''.

Page 60, line 19, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,'' after ''(7 U.S.C. 1a(12))''.

Page 61, line 3, strike ''(11)(C)(ii)'' and insert ''(12)(C)(ii)''.

Page 62, line 7, strike ''(d),'' and insert '', (d),''.

Page 62, line 10, strike ''(d),'' and insert '', (d),''.

Page 62, line 13, strike ''(e)'' and insert ''(e),''.

Page 63, line 9, strike ''1a(18)(A)(x)'' and insert ''1a(19)(A)(x)''.

Page 63, line 10, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 63, line 13, strike ''1a(40)'' and insert ''1a(41)''.

Page 63, line 14, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 64, line 10, strike ''4i(a)'' and insert ''4i''.

Page 64, line 10, strike ''6i(a)'' and insert ''6i''.

Page 66, line 18, strike ''1a(12)(B)(vi)'' and insert ''1a(13)(B)(vi)''.

Page 66, line 19, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 66, line 22, strike ''1a(34)'' and insert ''1a(35)''.

Page 66, line 22, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 67, line 1, strike ''1a(35)(B)(iii)(I)'' and insert ''1a(36)(B)(iii)(I)''.

Page 67, line 2, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 69, strike lines 6 through 9 and insert the following:

(4) by striking '', registering,''; and

(5) by striking ''registration,''.

Page 69, line 12, strike ''each place it appears''.

Page 69, line 20, strike ''derivative'' and insert ''derivatives''.

Page 69, strike lines 22 through 24 and insert the following:

(q) Section 4a(a)(1) of such Act (7 U.S.C. 6a(a)(1)) is amended—

(1) by striking ''or derivatives transaction execution facilities''; and

(2) by striking ''or derivatives transaction execution facility''.

Page 70, line 7, strike ''4c(g)'' and insert ''4c(e)''.

Page 70, line 7, after the parenthetical phrase, insert '', as so redesignated by section 402(a) of this Act,''.

Page 71, line 21, strike ''before 'exclude'.'' and insert ''before 'exclude' the first place it appears.''.

Page 72, line 8, strike ''1a(18)(A)(x)'' and insert ''1a(19)(A)(x)''.

Page 72, line 9, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 73, line 5, strike ''1a(12)(A)(i)(II)'' and insert ''1a(13)(A)(i)(II)''.

Page 73, line 6, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 75, line 7, strike ''(1)(E)'' and insert ''(2)(E)''.

Page 76, line 6, after the parenthetical phrase, insert '', as amended by sections 101 through 103 of this Act,''.

Page 76, beginning on line 8, strike ''subsection (r) as subsections (r) and (s)'' and insert ''subsections (s) through (w) as subsections (r) through (x)''.

The CHAIR. Pursuant to House Resolution 288, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, this amendment corrects the technical errors found by legislative counsel in the

process of preparing the Ramseyer for the reported bill, including section, subsection, and paragraph references, punctuation, and pluralization. I urge my colleagues to support this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

The amendment was agreed to.

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–136.

It is now in order to consider amendment No. 3 printed in House Report 114–136.

□ 1615

AMENDMENT NO. 4 OFFERED BY MS. MOORE

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–136.

Ms. MOORE. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, strike line 4 and all that follows through page 28, line 2, and insert the following:

(b) SWAP DATA REPOSITORIES.—Section 21 of such Act (7 U.S.C. 24a) is amended—

(1) in subsection (c)(7)—

(A) in the matter preceding subparagraph (A), by striking ''all'' and inserting ''swap''; and

(B) in subparagraph (E)—

(i) in clause (ii), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(iv) other foreign authorities; and''; and

(2) by striking subsection (d) and inserting the following:

''(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5) of the Securities Exchange Act of 1934 25 (15 U.S.C. 78m(n)(5)) is amended—

(1) in subparagraph (G)—

(A) in the matter preceding clause (i), by striking ''all'' and inserting ''security-based swap''; and

(B) in subclause (v)—

(i) in subclause (II), by striking ''; and'' and inserting a semicolon;

(ii) in subclause (III), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(IV) other foreign authorities.''; and

(2) by striking subparagraph (H) and inserting the following:

''(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted on July 21, 2010.

The CHAIR. Pursuant to House Resolution 288, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chair, my amendment is simple. It really seeks to harmonize the regulatory regime for both the security- and commodity-based swaps. I am so pleased to be joined on a bipartisan basis with Representatives RICK CRAWFORD, BILL HUIZENGA, and SEAN PATRICK MALONEY in offering this amendment.

As we all know, Mr. Chairman, the regulation of the swaps market is under the jurisdiction of both the Securities and Exchange Commission and the Commodity Futures Trading Commission. As such, legislation that amends the swap regulation must be addressed in both the securities law and the Commodity Exchange Act.

Mr. Chairman, I have worked with Chairman HENSARLING, Ranking Member WATERS, and the Committee on Financial Services, and we have offered the same language to amend the securities law section of a bill. This amendment in committee, Mr. Chairman, was adopted by a voice vote.

This amendment makes the same minor change to the Commodity Exchange Act section so that the regulatory regime is the same for both security- and commodity-based swaps.

This section of H.R. 2289 mirrors legislation, H.R. 1847, sponsored by Representative CRAWFORD and has enjoyed broad bipartisan support and passed both the Committee on Financial Services and Committee on Agriculture without controversy and with the support and blessing of the SEC.

So why the amendment? Foreign regulators and some industry participants reached out to the SEC seeking to tighten the language to narrow the requirement to share data to clarify that swap data repositories are only required to share data related to the swap trade.

The amendment will in no way weaken swap regulation or inhibit the aggregation of swap data; rather, the amendment will make a narrow modification to protect market participant information. This change is supported by both industry and the SEC.

This bill has global impact on swap participants and regulators, so I think it is important to get it right. I applaud the SEC for working with industry to refine the bill, and I want to thank the chairman and ranking members of both the Committee on Financial Services and the Committee on Agriculture for working with me on this amendment and to the sponsor and cosponsors of this legislation for also working with me for their support on this amendment.

I do have some concerns about the underlying bill. The cost-benefit analysis, I think, will hamper the regulatory ability of the CFTC, but I do urge the adoption of this amendment.

I reserve the balance of my time.

Mr. CRAWFORD. Mr. Chairman, I claim time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. CRAWFORD. Mr. Chair, I would like to thank the cosponsors of this amendment. I would like to thank the gentlewoman from Wisconsin for introducing the amendment and the cosponsors—Ms. MOORE, Mr. HUIZENGA, Mr. MALONEY—for joining me in efforts to help bring transparency to the global swap markets.

While I may not agree with every position in the Dodd-Frank law, today, I believe we are working towards its bipartisan goal of giving regulators the tools they need to improve systemic risk mitigation in global financial markets.

I think everyone agrees that the lack of transparency into the over-the-counter derivatives market escalated the financial crisis of 2008. In order to provide market transparency, the Dodd-Frank law requires posttrade reporting to swap data repositories, or SDRs, so that regulators and market participants have access to real-time market data that will help identify systemic risk in the financial system.

So far, we have made great strides in reaching this goal, but unfortunately, a provision in the law threatens to undermine our progress unless we fix it.

Currently, Dodd-Frank includes a provision requiring a foreign regulator to indemnify a U.S.-based SDR for any expenses arising from litigation relating to a request for market data. Although well intentioned, the effect has been a reluctance of foreign regulators to comply, which threatens to fragment global data on swap markets and making it harder for regulators to see a complete picture of the marketplace.

Without effective coordination between international regulators and SDRs, monitoring and mitigating global systemic risk is severely limited. H.R. 2289 includes a bipartisan provision that removes the indemnification provisions in Dodd-Frank.

This provision received broad bipartisan support when it came to the floor as a stand-alone last year, passing the House by a vote of 420–2. Additionally, both the CFTC and the SEC support the fix.

This amendment makes a small technical change to make clear that only swap data can be shared with foreign regulators. It will ensure that regulators will have access to a global set of swap market data, which is essential to maintaining the highest degree of market transparency and systemic risk mitigation.

Again, I thank the gentlewoman for introducing the amendment.

I reserve the balance of my time.

Ms. MOORE. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentlewoman from Wisconsin has 2 minutes remaining.

Ms. MOORE. Mr. Chair, I yield the balance of my time to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, I thank the gentlewoman from Wisconsin (Ms. MOORE), and I rise in full support of her amendment, but I join Ranking Member PETERSON in his opposition of the bill before us.

Although reauthorization of the Commodity Exchange Act is an important endeavor, this legislation rolls back critical Dodd-Frank reforms and places unnecessary restrictions on the Commodity Futures Trading Commission. The changes proposed in this underlying bill would stifle the Commission's capacities to respond to a rapidly changing market and would add unneeded layers of government bureaucracy.

The underlying bill, H.R. 2289, threatens the financial stability of hard-working Americans by encouraging the same type of risky behavior that led to the recession just 7 years ago.

I urge my colleagues to join me in supporting the Moore amendment. However, I urge my colleagues to use great caution and join me in voting against the underlying bill.

Ms. MOORE. Mr. Chair, I yield back the balance of my time.

Mr. CRAWFORD. I yield 1 minute to the gentleman from Texas (Mr. CONAWAY), the distinguished chairman of the full committee.

Mr. CONAWAY. Mr. Chair, I don't oppose the amendment. It does improve the bill. We appreciate that. I am looking forward to supporting the amendment. I would also expect support on the underlying bill itself.

We have had a good discussion on why this bill is the right answer, bringing the right relief to the right people at the right time and does not do the things that have been spoken of in terms of rolling back Dodd-Frank.

This is a very light touch on Dodd-Frank, and it improves a bill that I don't think anybody would argue is perfect, but maybe they do argue that Dodd-Frank is perfect. I don't think it is perfect, and it does need these light touches.

Mr. CRAWFORD. Mr. Chair, I thank the chairman. I would urge adoption of the amendment, as well as support of the underlying bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MRS. WALORSKI

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–136.

Mrs. WALORSKI. Mr. Chairman, I have an amendment made in order by the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 2, strike ''and''.

Page 24, line 4, strike the period and insert ''; and''.

Page 24, after line 4, insert the following:

(3) the status of consultations with all United States market participants including major producers and consumers.

The CHAIR. Pursuant to House Resolution 288, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, I would like to thank Congressman GOODLATTE and Chairman CONAWAY for their continued leadership in support of my amendment.

My amendment today would encourage the CFTC to keep both U.S. producers and users of aluminum firmly in mind as they proceed in their work. We might take it for granted, but aluminum is part of our everyday life. It is used in everything from food packaging to commercial buildings and homes to automotive and air transportation.

In my home State of Indiana, aluminum is home to 10,000 industry jobs that account for over $5 billion in economic activity every year. About 1,800 of those workers are employed at an integrated facility in southern Indiana that boasts the largest operating smelter in the United States and is one of eight still in use in the country.

My amendment would require the CFTC provide this body with an update of the status of its consultations with U.S. producers and consumers of aluminum. To better protect the thousands of workers in my district and businesses and consumers across the country, we must ensure the CFTC is operating in a transparent manner where the rules are designed to help fair and open price discovery.

It is imperative that everyone who participates in the physical aluminum market have confidence in the system, and my amendment will ensure the protection of our workers, businesses, and consumers.

I ask my colleagues to join me in support of my amendment.

I reserve the balance of my time.

The CHAIR. Does any Member claim time in opposition? If not, the gentlewoman from Indiana is recognized.

Mrs. WALORSKI. Mr. Chair, may I inquire how much time I have remaining?

The CHAIR. The gentlewoman from Indiana has 3½ minutes remaining.

Mrs. WALORSKI. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chair, I thank the gentlewoman for yielding me the time.

As someone who has worked very hard to ensure that this CFTC reauthorization process is transparent for commodity purchasers, users, and the markets that facility these transactions, I was pleased to work with Mrs. WALORSKI on her amendment to bring further transparency and openness to the issue of aluminum warehousing.

Her amendment would clarify that the bill's required report on the status of any application of metal exchange to register as a foreign board of trade should also include the status of consultations with all U.S. market participants, including major producers and consumers.

I applaud her for offering this targeted amendment to improve the underlying legislation and help everyone in the aluminum market have the best information possible to strengthen aluminum supplies and bring the best cost for consumers, helping to create jobs and grow our economy.

I support her amendment.

Mrs. WALORSKI. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The amendment was agreed to.

Mr. CONAWAY. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMALFA) having assumed the chair, Mr. SIMPSON, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, had come to no resolution thereon.

PERMISSION TO CONSIDER AMENDMENTS OUT OF SEQUENCE DURING FURTHER CONSIDERATION OF H.R. 2289, COMMODITY END-USER RELIEF ACT

Ms. PLASKETT. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2289, pursuant to House Resolution 288, amendment Nos. 2 and 3 printed in House Report 114–136 may be considered out of sequence.

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

There was no objection.

COMMODITY END-USER RELIEF ACT

The SPEAKER pro tempore. Pursuant to House Resolution 288 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. 2289.

Will the gentleman from Idaho (Mr. SIMPSON) kindly resume the chair.

□ 1630

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. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole House rose earlier today, amendment No. 5 printed in House Report 114–136 offered by the gentlewoman from Indiana (Mrs. WALORSKI) had been disposed of.

AMENDMENT NO. 2 OFFERED BY MS. PLASKETT

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 2 printed in House Report 114–136.

Ms. PLASKETT. Mr. Chairman, I offer an amendment as the designee of the gentleman from Arizona (Mr. GALLEGO).

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, after line 6, insert the following:

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Commodity Futures Trading Commission should take all appropriate actions to encourage applications for positions in the Office of the Chief Economist from members of minority groups, women, disabled persons, and veterans.

The CHAIR. Pursuant to House Resolution 288, the gentlewoman from the Virgin Islands (Ms. PLASKETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

Ms. PLASKETT. Mr. Chairman, this amendment is very straightforward. It simply urges the CFTC Office of the Chief Economist to encourage applicants for employment by members of minority groups, women, disabled persons, and veterans.

This is a basic standard that I believe every corporation and Federal agency in America should and is willing to strive to meet. Our government is stronger when its workforce reflects the rich diversity of the American people, and this is especially true when it comes to our financial regulatory agencies.

In the years preceding the financial crash, CFTC and the SEC fell down on the job. Their failures helped set the stage for the crushing recession that followed, an economic downturn that disproportionately impacted communities of color.

In the wake of this crisis, Dodd-Frank wisely established the Offices of Minority and Women Inclusion to promote diversity at the Nation's financial regulators and to ensure that the interests of women and minorities would be protected by these agencies.

I was pleased when, earlier this month, six regulatory bodies came together to announce the creation of joint standards for assessing the diversity practices of the financial institutions they oversee.

Though long overdue, this is a critical step forward that will help to promote a more inclusive financial industry. While CFTC did not participate in crafting these standards, I hope that by passing this amendment today we can send a clear message that Congress expects the agency to demonstrate a strong commitment to diversity and inclusion moving forward.

Mr. Chairman, this amendment is narrowly crafted, but it promotes a far-reaching goal, advancing the fundamentally American principles of equal opportunity for all.

I urge all Members to support this amendment, and I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

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

There was no objection.

Mr. CONAWAY. Mr. Chairman, I am not opposed to the amendment, as I said. The CFTC in fact does have an office of diversity and inclusion and has three people employed there to work at this very important issue.

I would like to put in the RECORD a statement from Chairman Massad. He says:

Our greatest resource is our employees, and each of us plays a role in ensuring that we recognize the benefits of the differences and the diversity that we bring to our environment.

The protections provided by the Equal Opportunity Act extend to everything we do at the agency, be it recruitment, hiring, appraisal systems, promotions, training and career development programs, or any other actions . . . All persons should be afforded equal employment opportunities at the Commission in an environment in which they can do their best.

I urge support of the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from the Virgin Islands (Ms. PLASKETT).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. TAKAI

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 3 printed in House Report 114–136.

Mr. TAKAI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 4, strike ''and''.

Page 15, line 7, strike the period and insert ''; and''.

Page 15, after line 7, insert the following:

''(iii) include a summary of any plan of action and milestones to address any known information security vulnerability, as identified pursuant to a widely accepted industry or Government standard, including—

''(I) specific information about the industry or Government standard used to identify the known information security vulnerability;

''(II) a detailed time line with specific deadlines for addressing the known information security vulnerability; and

''(III) an update of any such time line and the rationale for any deviation from the time line.''.

The CHAIR. Pursuant to House Resolution 288, the gentleman from Hawaii (Mr. TAKAI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Hawaii.

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

My amendment is simple and would help to address cyber vulnerabilities for stored government information at the Commodity Futures Trading Commission.

As the bill is currently written, section 206 would require the Commodity Futures Trading Commission to come up with a 5-year plan on technology acquisition. My amendment would add reporting requirements to Congress on plans of actions and milestones for any known information security vulnerability.

My amendment would include a detailed timeline with specific deadlines for addressing the known threats to make sure we get any threat dealt with and solved in a reasonable amount of time.

Mr. Chairman, we have seen recently that cybersecurity is a serious threat to our security, where just last week the personal information of over 4 million Federal employees was compromised. This was one of the largest known cyber attacks on Federal networks in our history and only further underscores the necessity of this amendment.

As we know, this threat is very real. Networks are being attacked constantly by a variety of different actors and for different reasons. For example, there is evidence that our financial institutions have been targeted, and other actors are out to steal one of the best drivers that we have of our economic growth: intellectual property.

Cybersecurity is a problem that the entire government needs to address. The CFTC will be storing very sensitive information, and they should have a plan to place privacy safeguards on this information when storing government data.

If we are going to discuss budgeting for technology acquisition, we should also be discussing looking at information security vulnerabilities, a plan to address them, and have reporting requirements along the way.

This amendment is common sense, and I urge my colleagues to support its adoption.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Hawaii (Mr. TAKAI).

The amendment was agreed to.

The CHAIR. The question is on the amendment in the nature of the substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH of Nebraska) having assumed the chair, Mr. SIMPSON, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, and, pursuant to House Resolution 288, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. PETERSON. 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.

PERMANENT INTERNET TAX FREEDOM ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 235) to permanently extend the Internet Tax Freedom Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Permanent Internet Tax Freedom Act''.

SEC. 2. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

(a) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''during the period beginning November 1, 2003, and ending October 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxes imposed after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 235, currently under consideration.

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

There was no objection.

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

The clock is ticking down on a key law that protects Internet freedom. On October 1, 2015, a temporary moratorium on State taxation of Internet access will expire.

In 1998, Congress temporarily banned State and local governments from newly taxing Internet access or placing multiple or discriminatory taxes on Internet commerce. With minor modifications, this ban was extended five times, with enormous bipartisan support. The most recent extension passed in 2014.

If the moratorium is not renewed, the potential tax burden on consumers will be substantial. The average tax rate on communications services in 2007 was 13.5 percent, more than twice the average rate on all other goods and services. The FCC's recent reclassification of the Internet as a telecom service emboldens States to apply these telecom taxes to Internet access immediately, should ITFA lapse.

To make matters worse, this tax is regressive. Low-income households pay 10 times as much in communications taxes as high-income households as a share of income.

The Permanent Internet Tax Freedom Act converts the moratorium into a permanent ban—on which consumers, innovators, and investors can permanently rely—by simply striking the 2015 end date.

This legislation prevents a surprise tax hike on Americans' critical services this fall. It also maintains unfettered access to one of the most unique gateways to knowledge and engines of self-improvement in all of human history.

□ 1645

This is not an exaggeration. During the 2007 renewal of the moratorium, the Judiciary Committee heard testimony that more than 75 percent of the remarkable productivity growth that increased jobs and income between 1995 and 2007 was due to investment in telecommunications networks technology and the information transported across them.

Everyone in Silicon Valley knows Max Levchin's story. He came to America from the Soviet Union at age 16. He had $300 in his pocket, and he learned English by watching an old TV set he hauled out of a dumpster and repaired. Ten years later, he sold PayPal, a well-known Internet payments platform he cofounded, for $1.5 billion.

That is the greatness of the Internet. It is a liberating technology that is a vast meritocracy. It does not care how you look or where you come from. It offers opportunity to anyone willing to invest time and effort.

That is precisely why Congress has worked assiduously for 16 years to keep Internet access tax-free. Now we must act again, once and for all.

The Permanent Internet Tax Freedom Act has 188 cosponsors. Identical legislation passed last year on suspension by a voice vote.

Nevertheless, small pockets of resistance remain. They argue that the Internet is no longer a fledgling technology in need of protection. But it is precisely the ubiquity of the Internet that counsels for a permanent extension. It has become an indispensable gateway to scientific, educational, and economic opportunities.

It is the platform that turned Max Levchin from an impoverished immigrant into a billionaire. The case for permanent Internet tax-free access to this gateway technology is stronger today than it ever has been.

It is important to note that PITFA does not address the issue of State taxes on remote sales made over the Internet. It merely prevents Internet access taxes and unfair multiple or discriminatory taxes on e-commerce, whether inside the taxing State or without.

That said, the committee is also eager to proceed with legislation that levels the playing field between traditional and online retailers without letting States tax and regulate beyond their borders. Productive discussions continue.

I would like to specifically thank Ms. ESHOO, Mr. CHABOT, Subcommittee Chairman MARINO, and Subcommittee Ranking Member COHEN for their work on and support of this legislation.

This bipartisan legislation is about giving every American unfettered access to the Internet, which is the modern gateway to the American Dream. I urge all of my colleagues to support it, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

We have often worked, in the Judiciary Committee, as Mr. GOODLATTE has so noted, because of the bipartisan leadership, including the offerer of this bill, the gentlewoman from California

(Ms. ESHOO), in a bipartisan manner as it deals with this new phenomena, and when I say ''new phenomena,'' continually changing phenomena, the Internet and the entire world of social media and the new technologies that we face today in communications.

So, I am always eager to find common ground and would have liked to have done so as we worked together on this very important bill, H.R. 235.

As a senior member of the House Judiciary Committee, and as the ranking member on the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, coming from Houston, I rise with great concern on H.R. 235, the Permanent Internet Tax Freedom Act.

When originally enacted in 1998, the Internet Tax Freedom Act established a temporary moratorium on multiple discriminatory taxation of the Internet, as well as new taxes on Internet access. This moratorium, however, is due to expire on October 1 of this year.

Since 1998, Congress has extended the moratorium on a temporary basis. The bill before us, H.R. 235, will make that moratorium permanent.

Unfortunately, in doing so, H.R. 235 also ends the act's grandfather protection for States that imposed such taxes prior to the act's enactment. There lies the crux of the problem: intrusion into individual States' authority dealing with taxation and providing them with a bridge of revenue.

H.R. 235 is problematic for several reasons. First, Congress, instead of supporting this seriously flawed legislation, should be focusing on meaningful ways to help State and local governments, taxpayers, and local retailers. The House can do that by addressing the remote sales tax issue.

In addition to extending the expiring moratorium on a temporary basis, the House should take up and send to the Senate legislation that would give States the authority to collect sales taxes from remote sellers. Such a proposal would incentivize remote sellers to collect and remit such taxes, as well as require States to simplify several procedures that would benefit retailers. Such legislation would enable States and local governments to collect more than $23 billion in estimated uncollected sales taxes each year.

The measure would also help level the playing field for local retailers who must collect sales taxes when they compete with out-of-state businesses that do not collect these taxes. Retail competitors should be able to compete fairly with their Internet counterparts, at least with respect to sales tax policy.

Now, I do know that a lot of our businesses are taking to the Internet, and I applaud that. But before I came here today I spoke before at least 100-plus small businesses. I can tell you that they are worth considering, for many of them are in bricks-and-mortar, and they are small businesses trying to increase their revenue and trying to employ a number of employees. We should thank them for the energy that they provide to the economy.

I believe the House should do its part and address the remote sales tax disparity before the end of this Congress.

Second, this legislation will severely impact the immediate revenues for the grandfather-protected States and all States progressively in the long term.

The CBO, for example, estimates that this bill will cost certain States several hundred million dollars annually in lost revenues.

Indeed, the Federation of Tax Administrators has estimated that the bill will cause the grandfather-protected States to lose at least $500 million in lost revenue.

For my home State of Texas, enactment of this bill will result in a revenue loss of $358 million, and Texas will not be alone in those losses annually.

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

Mr. Speaker, as senior member of the House Judiciary Committee; as the ranking member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations; and as the representative from Houston, I rise in opposition to H.R. 235, the ''Permanent Internet Tax Freedom Act.''

When originally enacted in 1998, the Internet Tax Freedom Act established a temporary moratorium on multiple and discriminatory taxation of the Internet as well as new taxes on Internet access.

This moratorium, however, is due to expire on October 1st, of this year.

Since 1998, Congress has extended the moratorium on a temporary basis. The bill before us, H.R. 235 will make that moratorium permanent.

Unfortunately, in doing so, H.R. 235 also ends the Act's grandfather protections for states that imposed such taxes prior to the Act's enactment date.

Mr. Speaker, H.R. 235 is problematic for several reasons.

First, Congress, instead of supporting this seriously flawed legislation, should be focusing on meaningful ways to help state and local governments, taxpayers, and local retailers. The House can do that by addressing the remote sales tax issue.

In addition to extending the expiring moratorium on a temporary basis, the House should take up and send to the Senate legislation that would give states the authority to collect sales taxes from remote sellers.

Such a proposal would incentivize remote sellers to collect and remit sales taxes as well as require states to simplify several procedures that would benefit retailers.

Such legislation would enable states and local governments to collect more than $23 billion in estimated uncollected sales taxes each year.

The measure would also help level the playing field for local retailers—who must collect sales taxes—when they compete with out-of state businesses that do not collect these taxes.

Retail competitors should be able to compete fairly with their Internet counterparts at least with respect to sales tax policy.

The House should do its part and address the remote sales tax disparity before the end of this Congress.

Second, this legislation will severely impact the immediate revenues for the grandfather-protected states and all states progressively in the long term.

The Congressional Budget Office, for example, estimates that this bill will cost certain states ''several hundred million dollars annually'' in lost revenues.

Indeed, the Federation of Tax Administrators has estimated that the bill will cause the grandfather-protected states to lose at least $500 million in lost revenue annually.

For my home state of Texas, enactment of this bill will result in a revenue loss of $358 million per year. Texas will not be alone in these losses, annually: Wisconsin will lose about $127 million, Ohio will lose about $65 million, and South Dakota will lose about $13 million.

Should this bill become law, state and local governments will have to choose whether they will cut essential government services—such as educating our children, maintaining needed transportation infrastructure, and providing essential public health and safety services—or shift the tax burden onto other taxpayers through increased property, income, and sales taxes.

Meanwhile, the Center on Budget and Policy Priorities has estimated that the permanent moratorium will deny the non-grandfathered states of almost $6.5 billion in potential state and local sales tax revenues each year in perpetuity.

H.R. 235 will burden taxpayers, while excluding an entire industry from paying their fair share of taxes.

Finally, this bill ignores the fundamental nature of the Internet.

The original moratorium was intentionally made temporary to ensure that Congress, industry, and state and local governments would be able to monitor the issue and make adjustments where necessary to accommodate new technologies and market realities.

The Act was intended as a temporary measure to assist and nurture the fledgling Internet that—back in 1998—was still in its commercial infancy. Yet, this bill ignores the significantly changed environment of today's Internet.

The bill's supporters continue to believe that the Internet still is in need of extraordinary protection in the form of exemption from all state taxation.

But, the Internet of 2015 is drastically different from its 1998 predecessor. And, surely the Internet and its attendant technology will continue to evolve.

Permanently extending the tax moratorium severely limits Congress's ability to revisit and make any necessary adjustments.

Simply put, a permanent moratorium is unwise.

In closing, urge my colleagues to oppose H.R. 235.

Mr. GOODLATTE. Mr. Speaker, at this time it is my pleasure to yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Judiciary Committee and chairman of the Small Business Committee.

Mr. CHABOT. Mr. Speaker, I want to thank the chairman of the Judiciary Committee, Mr. GOODLATTE, not only for yielding me this time but also for his leadership on promoting and pushing for this bill.

The Internet is an essential component of our economy. It drives innovation, job creation, and has resulted in a higher standard of living for virtually every American.

The bill before us today provides certainty to Americans by making the current law of the land permanent and protecting access to the Internet against new taxes.

Mr. Speaker, there is common ground in this Chamber today. We all agree that the Internet is an essential part of our lives and an incredibly powerful tool for communication, education, and job creation. Let's not make accessing the Internet more costly and more difficult.

The Permanent Internet Tax Freedom Act, H.R. 235, makes the current law of the land permanent and protects access to the Internet from new taxes, and that is why I would urge my colleagues to support the bill.

The Internet, it is essential to our everyday lives. Americans use it to run small businesses, to do research, to apply for jobs, to listen to music, to communicate with friends and family, to check the weather and the traffic, and for so many other things.

Since 1998, Congress has made sure that access to the Internet remains tax-free. Unfortunately, this protection expires in October, at which point taxes could go up on every American who wants to get online.

Now is the time to make sure that this policy remains permanent. Now is the time to protect access to the Internet.

So I want to again thank the chairman of the Judiciary Committee, Mr. GOODLATTE, for his leadership on this issue. Let's make sure that access to the Internet stays tax-free. That is the way it is under the existing law. What we are trying to do is to make that permanent. I would urge my colleagues to do that.

Ms. JACKSON LEE. Mr. Speaker, it gives me great pleasure to yield 4 minutes to the gentlewoman from California (Ms. ESHOO), the longstanding author of this legislation.

Ms. ESHOO. I thank the gentlewoman from Texas.

Mr. Speaker, I rise in strong support of H.R. 235, the Permanent Internet Tax Freedom Act.

Now, whether it is communication, commerce, business, education, research, access to the Internet is today an integral part of the everyday life of millions of Americans and people around the world. And we take great pride in this because this is an American invention.

Just this month, the GAO released a new report which found that broadband affordability continues to be the most frequently identified barrier to adoption.

Now, this whole issue of taxation for access to the Internet, this is not the collection of taxes across State lines. That is another issue.

There are over 10,000 taxing agencies in the United States today. Imagine if we, you, your constituents, everyone in the country who uses the Internet has to pay for access to the Internet every time they go to use it, that they would be taxed on that.

So, the temporary, or the moratorium bill that we have, now this one makes it permanent. This is a bipartisan effort. Over 200 cosponsors in the Congress are on it.

We want to encourage expanded broadband adoption. If you tax it, you are going to shrink it. And I think in the communities that are of lower economic means, this is going to hurt them even more.

We need to do everything we can to ensure that Internet access is universally affordable. This bill is an important component of that effort by permanently eliminating the taxation of Internet access.

The current moratorium, as my colleagues have said, expires October 1, and we want to be ahead of that to keep the door open, but no taxation to access.

I want to salute the chairman, Chairman GOODLATTE. We are good friends. We have worked on other efforts.

As I said, this bill has nearly 200 bipartisan cosponsors and strong support of the communications, Internet, and e-commerce industries. So I would urge all of my colleagues to support this, and understand that, from the ground up, we want to expand the use of broadband in our country for every community. Whether they are poor, whether they are rural, whether they are in a city, whether they are middle class individuals, we don't want to weigh the Internet down with taxation of average people in this country. It would really be unfair, and I think it would smother the Internet as we know it.

Mr. GOODLATTE. Mr. Speaker, I have only one speaker remaining. I believe I have the right to close, so if the gentlewoman has additional speakers, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I am delighted to yield 1½ minutes to the distinguished gentleman from Tennessee (Mr. COHEN), who is the ranking member on the Judiciary Committee's Regulatory Reform, Commercial and Antitrust Law Subcommittee.

Mr. COHEN. Mr. Speaker, I thank the gentlewoman for providing the time, and I want to thank her for her good work.

I also want to thank the chairman of the committee for bringing this bipartisan bill, which is bipartisan. I signed on to this bill, I guess, with Representative ESHOO and maybe Representative GOODLATTE, back in 2007 because it is my belief that the Internet is a necessity, and it is a necessity in minority communities who need that outreach to information, whether it is educational or commercial, to reach out and be a part of the society. Without the Internet, you can't do that.

Now, the gentlewoman from Texas and my State, Tennessee, neither have an income tax, and therefore, our governments rely on taxes that tend to be regressive. I think Tennessee is the most regressive State in the country on its taxes, very high sales tax.

And the local governments will reach out for anything they can find to tax to make up for the fact that our State doesn't have a progressive tax base.

□ 1700

I want to protect my constituents against regressive taxes at all levels and protect them against taxes that might limit their potentiality of getting access to the World Wide Web and information they need.

So I am proud to be a sponsor of this, to work with the gentleman from Ohio (Mr. CHABOT), with whom I have worked on so many bills together, trying to get the Delta Queen going back down the river and all these other things, and the gentleman from Virginia (Mr. GOODLATTE), the chairman on the Judiciary Committee. I thank them for their work and hope they will all vote for this in a bipartisan fashion. I hope the Senate will, as they did on the USA FREEDOM Act, follow the lead of the House and show that the House leads.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself the balance of my time.

First of all, let me again say that in the Judiciary Committee, we have consistently worked together on issues dealing with the Internet, continue to work together on issues dealing with innovation, so I would hope as this bill makes its way to the Senate we will find an opportunity to work together again.

But I want to make mention of the fact that in addition to Texas, Wisconsin will lose about $127 million, Ohio will lose about $65 million, and South Dakota will lose about $13 million. Should this bill become law, State and local governments will have to choose whether they will cut essential government services, such as educating our children, maintaining needed transportation infrastructure, and providing essential public health and safety services, or shift the tax burden onto other taxpayers to increase property income and sales taxes.

Now let me be very clear: I am not interested in taxing the Internet. I am

interested in the process that most States are utilizing. It is the purchase of items that juxtapose against those who have bricks and mortar, and particularly small businesses.

Meanwhile, the Center on Budget and Policy Priorities has estimated that the permanent moratorium will deny the non-grandfathered States of almost $6.5 billion in potential State and local sales tax revenue—sales tax, not access to the Internet.

H.R. 235 will burden taxpayers while excluding an entire industry from paying their fair share of taxes. I want this industry to grow, and, again, I do not want taxing on access. You can be on the Internet from morning until the early sunrise again, the next day. But for those States who have worked and worked with our committee, trying to find a pathway forward, I would like to see us find a compromise.

Finally, this bill ignores the fundamental nature of the Internet. The original moratorium was intentionally made temporary to ensure Congress, industry, and State and local governments would be able to monitor the issue and make adjustments where necessary to accommodate new technologies and market realities, such as acts. The act was intended as a temporary measure to assist and nurture the fledgling Internet that back in 1998 was still in its commercial infancy, yet this bill ignores the significantly changed environment of today's Internet.

The bill's supporters continue to believe that the Internet still is in need of extraordinary protection in the form of exemptions from State taxation, but the Internet of 2015 is drastically different from 1998. It is standing on its own two legs. It is not a toddler. It is a full-grown adult.

Permanently extending the tax moratorium severely limits Congress' ability to revisit and make any necessary adjustments, though I hope we will.

Simply put, the permanent moratorium is unwise, and I urge my colleagues to consider the problems of H.R. 235. H.R. 235, I think, should be addressing these issues dealing with the many who have opposed it.

Let me, as I close, mention that the National Governors Association recently introduced the following statement: ''The National Governors Association is disappointed that the House Judiciary Committee is moving to make the Internet access tax moratorium permanent.''

NGA STATEMENT REGARDING INTERNET ACCESS TAX

[For Immediate Release, June 17, 2014]

WASHINGTON—The National Governors Association today released the following statement regarding the Internet access tax moratorium:

''The National Governors Association (NGA) is disappointed that the House Judiciary Committee is moving to make the Internet access tax moratorium permanent.

''Federal prohibitions on state taxing authority are contrary to federalism and the sovereign authority of states to structure and manage their own fiscal systems.

''NGA encourages the committee instead to act to address the disparity between Main Street retailers and online sellers regarding the collection of state and local sales taxes. Leveling the playing field for all retailers is a priority for governors, consistent with federalism and the best opportunity for states, Congress and the business community to work together.''

Ms. JACKSON LEE. I would like to make note that I came from local government, so I have a letter signed by representatives of the National Association of Counties, National League of Cities, U.S. Conference of Mayors, International City/County Management Association, Government Finance Officers Association, and the National Association of Telecommunications Officers and Advisors. In part, they simply say that they are writing on behalf of local governments: ''We urge you to oppose the legislation. . . . The most recent estimates provided by the Congressional Budget Office,'' they write, ''indicate that, if enacted, H.R. 3086 would cost State and local governments hundreds of millions of dollars in lost revenues.''

NATIONAL ASSOCIATION OF COUNTIES, NATIONAL LEAGUE OF CITIES, U.S. CONFERENCE OF MAYORS, INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION, GOVERNMENT FINANCE OFFICERS ASSOCIATION, NATIONAL ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS

July 8, 2014.

DEAR REPRESENTATIVE: On behalf of local governments across the nation, our organizations write to express our continuing opposition to H.R. 3086, the Permanent Internet Tax Freedom Act. We urge you to oppose the legislation when it is considered on the House floor.

The most recent estimates provided by the Congressional Budget Office indicate that, if enacted, H.R. 3086 would cost state and local governments hundreds of millions of dollars in lost revenues. These are revenues that local governments rely upon to fund essential services in their communities, including well-trained firefighters and police officers; schools, parks, community centers and libraries to support youth; retirement security for dedicated career employees; and continued investments to fix aging infrastructure.

In addition, now that Internet access is ubiquitous and its use generates scores of billions of dollars in revenue annually, it no longer justifies protection from state and local taxation. When the law was first enacted in 1998, the Internet access and commerce industries were in their infancy and only beginning to be significantly available to households. The intent of the moratorium was to give the then-nascent Internet industry time to grow and become established. However, even at that time, Congress recognized that the ban should not be permanent.

Finally, as the telecommunications and cable service industries transition to broadband, the scope of what the ITFA immunizes from state and local taxation is rapidly expanding. Over time, the ITFA would arbitrarily exempt this fast growing, prosperous sector of the economy from taxation, and unfairly shift the burden of supporting essential local services onto other businesses and residents in a community.

For all of these reasons, we urge you to vote against the Permanent Internet Tax Freedom Act, H.R. 3086.

Sincerely,

Matthew D. Chase, Executive Director, National Association of Counties;

Clarence E. Anthony, Executive Director, National League of Cities;

Tom Cochran, Executive Director, U.S. Conference of Mayors;

Robert J. O'Neill, Executive Director, International City/County Management Association;

Jeffrey L. Esser, Executive Director, Government Finance Officers Association;

Stephen Traylor, Executive Director, National Association of Telecommunications Officers and Advisors.

Ms. JACKSON LEE. I want to be very clear: I am here, as many Members are, to extend our hand of friendship for the protection of the Internet and the question of sales on the Internet. I hope we will be able to do that. I ask my colleagues to consider the failings of the present bill and to, in its present form, oppose it.

TO MEMBERS OF THE TEXAS CONGRESSIONAL DELEGATION: As some of you already know, this bill would make permanent the Internet Tax Freedom Act and, importantly for Texas, would repeal the existing grandfather clause that has been in place since the original passage of the Act in 1998 that has allowed Texas to impose sales and use taxes on Internet access services at the state and local level.

The Texas legislature just finished its regular session on June 1, and while it decided to cut property and franchise taxes, it chose to maintain the sales and use tax imposed on these services and anticipates receiving that revenue during the next two year budget cycle.

The estimated revenue loss to the state and local jurisdictions if the grandfather is not extended is as follows:

State: $280 million
City: 51
Transit: 18
County: 5
Special districts: 4
Total: $358 million (per year)

Please feel free to get in touch with me if you need input from the Comptroller's office on this or any other state/local tax bills that come before the House.

Thanks,

NANCY L. PROSSER,
Special Counsel to the Deputy Comptroller, Texas Comptroller of Public Accounts.

JUNE 8, 2015.

LABOR UNIONS OPPOSE H.R. 235 (PITFA) BAN ON STATE & LOCAL GOVERNMENT TAXES ON INTERNET ACCESS.

DEAR REPRESENTATIVE: We, the undersigned labor unions, oppose a federal ban on the authority of state and local governments to impose taxes on internet access. We strenuously oppose the ''Permanent Internet Tax Freedom Act'' (H.R. 235), which would ban these internet access taxes permanently. This type of federal tax preemption is typically unwarranted because it restricts state and local government taxing authority unnecessarily, narrows the tax base, and often leads to harmful unintended consequences. In this case, the internet's huge economic value, its vast and expanding importance to daily life, and the vague statutory definition of ''internet access'' makes this particular carve out especially troubling and likely to cause fiscal problems. By restricting state

and local taxing authority, this bill reduces the ability of state and local governments to raise funds to invest in needed infrastructure, education, health care, job training, and other vital public services.

While a short-term ban is less troubling than a permanent ban, any ban remains problematic and harmful to state and local government finances. Ideally, the existing temporary ban should be allowed to expire as scheduled on September 30, 2015. As new internet-based technology and related applications increasingly affect our daily lives and rapidly transform our economy, we are extremely wary of a ban that is permanent. Congress should be extremely cautious before supporting a permanent tax exemption for internet access. Moreover, it would set harmful, inappropriate, and costly precedents that could spillover into other sectors of our economy.

Years ago, some opined the internet needed time to grow because it was weak, tiny, or immature. In contrast, today's internet is an enormously powerful driver of our economy, a central part of our daily lives, and an enormously valuable well developed industry. As the internet continues providing new transformative services to businesses and consumers, its importance to America's economy grows. Prohibiting these taxes would unfairly exempt this economic sector from contributing to our common well being and communities. In addition, this unneeded and undeserved carve out would unfairly shift its share of taxes to other services, sectors, and stakeholders. There is no reason to exempt internet providers and users from state and local government taxes.

Our labor unions urge you to oppose the ''Permanent Internet Tax Freedom Act'' (H.R. 235) and any similar ban on state and local government taxes on internet access.

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO); American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers (AFT); Amalgamated Transit Union (ATU); Communications Workers of America (CWA); Department for Professional Employees, AFL-CIO (DPE); International Association of Fire Fighters (IAFF); International Federation of Professional and Technical Engineers (IFPTE); International Union of Police Associations (IUPA); National Education Association (NEA); Service Employees International Union (SEIU); International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW).

Ms. JACKSON LEE. With that, I yield back the balance of my time.

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

The last thing the American people need is another tax bill at their door come October. If the ban lapses, State telecommunications taxes could take effect, and those rates are already too high. Basic economics teaches that, as price rises, demand falls.

Former White House Chief Economist Austan Goolsbee estimated that a tax that increased the price of Internet access by 1 percent would reduce demand for Internet access by 2.75 percent. This bill ensures that access to the Internet—this unparalleled engine of social mobility—remains tax-free. That is why this bill is so overwhelmingly popular. Nevertheless, I believe it is proper to counter the criticisms of the small pockets of resistance that remain.

The opponents' chief argument is that the bill would cost the States $6.5 billion annually. This argument confuses an out-of-pocket loss with prevention of a gain. States cannot currently tax Internet access, so they will suffer no actual revenue loss. The only out-of-pocket loss would be to taxpayers in 44 States who will owe an additional $6.5 billion annually should it expire. They will have to pay taxes that they don't have to pay now.

Nevertheless, some of our colleagues would prefer to extend the moratorium temporarily rather than permanently. That is simply inefficient. The moratorium has been periodically renewed by enormous bipartisan margins in both Houses for 16 years. No serious expectations are being upset by codifying what everyone knows is the case: the moratorium is not going away.

The grandfathers will be eliminated, but that only affects six States that have had more than enough time to transition to other sources of revenue, which was the original intent of the grandfather clauses. If those States still need more time, I am open to working with the Senate on a final phaseout.

Opponents also argue that PITFA creates unequal treatment of similar services. The example given is landline phone service, which is taxable, versus Skype which, under PITFA, is accessible tax-free. But this happens because Skype's basic service is free; Skype's paid service is taxable. Indeed, PITFA specifically provides that Internet phone service is taxable.

More importantly, this neutrality argument conflates a service with the access to it.

The toll road on the way to the shopping mall is not the same as the sales tax paid at the mall. PITFA is neutral because Skype's paid service remains taxable, just like landline service.

True, there is no tax on Skype's basic service because it is free, but that is the function of Skype's revenue model, not a different tax treatment of the same service.

This legislation has enormous bipartisan support precisely because Members on both sides of the aisle already understand the flaws in these objections. I catalog them here merely to complete the record.

This is a great issue for the Congress to move forward on in a bipartisan fashion that will help to create jobs and economic growth and foster continued greater access to the unparalleled opportunities that Internet access provides. I urge my colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 235.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FOREIGN CULTURAL EXCHANGE JURISDICTIONAL IMMUNITY CLARIFICATION ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 889) to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Cultural Exchange Jurisdictional Immunity Clarification Act''.

SEC. 2. CLARIFICATION OF JURISDICTIONAL IMMUNITY OF FOREIGN STATES.

(a) IN GENERAL.—Section 1605 of title 28, United States Code, is amended by adding at the end the following:

''(h) JURISDICTIONAL IMMUNITY FOR CERTAIN ART EXHIBITION ACTIVITIES.—

''(1) IN GENERAL.—If—

''(A) a work is imported into the United States from any foreign country pursuant to an agreement that provides for the temporary exhibition or display of such work entered into between a foreign state that is the owner or custodian of such work and the United States or one or more cultural or educational institutions within the United States,

''(B) the President, or the President's designee, has determined, in accordance with subsection (a) of Public Law 89–259 (22 U.S.C. 2459(a)), that such work is of cultural significance and the temporary exhibition or display of such work is in the national interest, and

''(C) the notice thereof has been published in accordance with subsection (a) of Public Law 89–259 (22 U.S.C. 2459(a)),

any activity in the United States of such foreign state, or of any carrier, that is associated with the temporary exhibition or display of such work shall not be considered to be commercial activity by such foreign state for purposes of subsection (a)(3).

''(2) NAZI-ERA CLAIMS.—Paragraph (1) shall not apply in any case asserting jurisdiction under subsection (a)(3) in which rights in property taken in violation of international law are in issue within the meaning of that subsection and—

''(A) the property at issue is the work described in paragraph (1);

''(B) the action is based upon a claim that such work was taken in connection with the acts of a covered government during the covered period;

''(C) the court determines that the activity associated with the exhibition or display is commercial activity, as that term is defined in section 1603(d); and

''(D) a determination under subparagraph (C) is necessary for the court to exercise jurisdiction over the foreign state under subsection (a)(3).

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'work' means a work of art or other object of cultural significance;

''(B) the term 'covered government' means—

''(i) the Government of Germany during the covered period;

''(ii) any government in any area in Europe that was occupied by the military forces of the Government of Germany during the covered period;

''(iii) any government in Europe that was established with the assistance or cooperation of the Government of Germany during the covered period; and

''(iv) any government in Europe that was an ally of the Government of Germany during the covered period; and

''(C) the term 'covered period' means the period beginning on January 30, 1933, and ending on May 8, 1945.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to any civil action commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Tennessee (Mr. COHEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 889, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I would like to begin by thanking the gentleman from Ohio (Mr. CHABOT) for introducing this legislation and the gentleman from Michigan (Mr. CONYERS) and the gentleman from Tennessee (Mr. COHEN) for their support as well.

The Foreign Cultural Exchange Jurisdictional Immunity Clarification Act strengthens the ability of U.S. museums and educational institutions to borrow foreign-government-owned artwork and cultural artifacts for temporary exhibition or display in the United States.

The United States has long recognized the importance of encouraging the cultural exchange of ideas through exhibitions of artworks and other artifacts loaned from other countries. These exchanges expose Americans to other cultures and foster understanding between people of different nationalities, languages, religions, and races.

Unfortunately, the future success of cultural exchanges is severely threatened by a disconnect between the Immunity from Seizure Act and the Foreign Sovereign Immunities Act.

Loans of artwork and cultural objects depend on foreign lenders having confidence that the items they loan will be returned and that the loan will not open them up to lawsuits in U.S. courts.

For 40 years, the Immunity from Seizure Act provided foreign government lenders with this confidence. However, rulings in several recent Federal cases have undermined the protection provided by this law. In these decisions, the Federal courts have held that the Immunity from Seizure Act does not preempt the Foreign Sovereign Immunities Act. The effect has been to open foreign governments up to the jurisdiction of U.S. courts simply because they loaned artwork or cultural objects to an American museum or educational institution.

This has significantly impeded the ability of U.S. institutions to borrow foreign-government-owned items. It has also resulted in cultural exchanges being curtailed as foreign governments have become hesitant to permit their cultural property to travel to the United States.

This bill addresses this situation. It provides that if the State Department grants immunity to a loan of artwork or cultural objects from the Immunity from Seizure Act, then the loan cannot subject a foreign government to the jurisdiction of U.S. courts under the Foreign Sovereign Immunities Act.

This is very narrow legislation. It only applies to one of many grounds for jurisdiction under the Foreign Sovereign Immunities Act, and it requires the State Department to grant the artwork immunity before its provisions apply. Moreover, in order to preserve the claims of the victims of the Nazi government and its allies during World War II, the bill has an exception for claims brought by these victims.

If we want to encourage foreign governments to continue to lend artwork and other artifacts, we must enact this legislation. Without the protections this bill provides, foreign governments will avoid the risk of lending their cultural items to American museums and educational institutions, and the American public will lose the opportunity to view and appreciate these cultural objects from abroad.

Last Congress, this legislation passed the House with broad bipartisan support by a vote of 388–4. I, once again, urge my colleagues to support this bill.

I reserve the balance of my time.

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

I rise in support of H.R. 889, the Foreign Cultural Exchange Jurisdictional Immunity Clarification Act.

This bill makes a modest but important amendment to the ''expropriation exception'' of the Foreign Sovereign Immunities Act of 1976. Specifically, it ensures that foreign states are immune from suits for damages concerning the ownership of cultural property when three particularly important ingredients are present: one, that the property is in the United States pursuant to an agreement between the foreign state and the U.S. or a U.S.-based cultural or educational institution; two, the President has granted the work at issue immunity from seizure pursuant to the Immunity from Seizure Act; and three, that the President's grant of immunity from seizure is published in the Federal Register. All three of those conditions must be met.

The expropriation exception remains available to all claims concerning misappropriated cultural property to which these factual circumstances do not apply.

I would not support this bill if it did not contain a sufficient exception for claims arising from artwork stolen by the Nazis, their allies, and their affiliates.

H.R. 889 has such an exception, ensuring that victims of Nazi art theft continue to have the opportunity to pursue justice in court. This exception is appropriate and important in light of the sheer scale and the particularly concerted efforts of the Nazis to seize artwork and other cultural property from their victims.

A movie that was directed and starred in by George Clooney called ''The Monuments Men'' brought to America's attention, really, the extreme depth to which the Nazis went to confiscate art, steal art, and try to keep it for their own uses and for the future of what they saw as a Nazi world.

□ 1715

In that film, American soldiers were shown in extreme danger to themselves in great heroic acts to locate and save that artwork for generations to come. In fact, those particular survivors will be given a Congressional Gold Medal for their work.

Another recent film, ''Woman in Gold,'' tells the story of Maria Altmann. It surrounds compensation for artwork stolen by the Nazis and has been highlighted recently in the theatres.

Mrs. Altmann's effort to retrieve works by Gustav Klimt that the Nazis had taken from her uncle in Austria in the thirties led to an important Supreme Court decision that held that the expropriation exception applied to claims arising prior to the FSIA's enactment in 1976, which allowed Nazi-era victims to file suit for damages in Federal court.

It is critical to note that the bill sponsors worked with the Conference on Jewish Material Claims Against Germany to revise the Nazi-era exception to ensure that it was broad enough to be a meaningful exception. As a result, the conference has stated, for itself and for the American Jewish community, that it will not oppose the bill.

I also note that all of the FSIA's other exceptions to sovereign immunity remain available to potential plaintiffs with claims concerning the ownership of cultural property.

In particular, I note this bill does nothing to affect the attempts of Chabad to seek enforcement of its 2011 judgment against Russia, both because such judgment would predate the effective date of this bill and because it was not predicated on the loan of any artwork to the U.S., meaning this bill would not have any effect in that case even if it had been in effect in 2011.

To the extent it may be necessary, I would encourage consideration of adding clarifying language that this bill

does nothing to affect enforcement of an already entered judgment.

H.R. 89 is narrowly tailored to ensure that it provides for just enough immunity to encourage foreign states to lend their cultural property to American museums and universities, accordingly, then, to the American people, young people and older, for temporary exhibits and displays without protecting more than we intend to protect.

The bill ensures that works that have already been granted immunity from seizure by the President, pursuant to the Immunity from Seizure Act, are also immune from suits for damages, which is in keeping with the act's purpose in encouraging foreign countries to lend their works to American institutions without fear of litigation based on the act of lending these works.

In essence, if you believe in art, you like art, you think people should see art, and you like your museums, you ought to be for this bill. That is why I thank Representative STEVE CHABOT, Judiciary Committee Chairman BOB GOODLATTE, and Ranking Member JOHN CONYERS for their leadership on this issue and for allowing me to manage this time and be part of this initiative.

I would urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield as much time as he may consume to the gentleman from Ohio (Mr. CHABOT), who is the chief sponsor of this legislation.

Mr. CHABOT. Mr. Speaker, I would like to begin by thanking Chairman GOODLATTE, Ranking Member CONYERS, and also Mr. COHEN of Tennessee for their leadership in cosponsoring this legislation.

As Mr. COHEN had mentioned earlier, he and I have found a number of pieces of legislation which we have been able to support together in a bipartisan manner, such as the Delta Queen, which we are still working on. I would like to think that we can look forward to other pieces of legislation down the road to work together on, again in a bipartisan manner. There is a lot better chance you can get things accomplished in this House if you do that. He has reached out, and I certainly appreciate that.

H.R. 889, which I authored, is simple, straightforward legislation that restores American museums the protections of the Immunities from Seizures Act and clarifies the relationship that that act and the Foreign Sovereign Immunities Act share. This bill would revise existing law to clarify that the temporary importation of artwork is not legally considered commercial activity and assure foreign government lenders that if they are granted immunity from seizures, their loan of artwork and artifacts will not subject them to the jurisdiction of U.S. courts and lawsuits and disputes about that property, so that it is much more likely that they will allow their artifacts and artworks to come here and then be enjoyed by the American public.

Furthermore, it is important to note that the immunity provided under this bill does not apply to artwork taken in violation of international law, as was already mentioned by both Mr. GOODLATTE and Mr. COHEN, in particular, to those pieces of art seized during World War II by the Nazi government or by the Nazi government's allies or impact ongoing cases to get the Russians to return a collection of sacred Jewish books and manuscripts claimed by the Chabad movement.

By enacting the Immunity from Seizure Act, Congress recognized that cultural exchanges produce substantial benefits for the United States, both artistically and diplomatically. Foreign lending has and should continue to aid cultural understanding and increase public exposure to archeological artifacts.

However, for artwork and cultural objects owned by foreign governments, the intent of the Immunity from Seizure Act is being frustrated by the Foreign Sovereign Immunities Act. Some interpretations of the Foreign Sovereign Immunities Act have exposed foreign governments to the jurisdiction of U.S. courts based solely upon the temporary importation into the U.S. of foreign-government-owned artwork. According to the American Association of Museum Directors, this has led, on several occasions, to foreign governments declining to exchange artwork and cultural objects with the United States for temporary exhibits.

In a recent survey of 38 museums across the U.S., it was found that, over the past 5 years, these museums had 1,000 pieces denied to showcase here in the United States for very questionable reasons. These were works that museum curators reasonably believed would be loaned to their museum for special exhibits. Therefore, in order to continue the exchange of foreign-government-owned art and reaffirm our country's commitment to the promotion of foreign lending to American museums, Congress needs to clarify the relationship between the two acts I already referred to: the Immunity from Seizure Act and the Foreign Sovereign Immunities Act. That is what this legislation does.

This is a relatively minor change to the law, but it will provide enormous cultural benefits by ensuring that museums, like the Cincinnati Museum Center and the Cincinnati Art Museum and other similar museums throughout the State of Ohio and across the country, may continue to present first-class exhibits that educate the public on cultural heritage and artwork from all over the globe. Through enactment of this legislation, we can secure foreign lending to American museums and ensure that foreign art lenders are not entangled in unnecessary litigation.

Mr. Speaker, this legislation is supported by the Association of Art Museum Directors, which represents 240 museums, including the Smithsonian and several within my district and all across the country.

Last Congress, this body showed overwhelming support for this bill, and I urge my colleagues to support this legislation once again. I also urge our colleagues in the other body to swiftly move similar legislation through their Chamber. Again I thank Chairman GOODLATTE and Ranking Member CONYERS and Mr. COHEN for their support.

Mr. COHEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the ranking member of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, let me thank Mr. GOODLATTE, Mr. CHABOT, and Mr. COHEN for their great work on this instructive legislation. My appreciation for the Judiciary Committee is how we clarify the law, and in this instance the subcommittee has brought two conflicting legal tenets as relate to statutes and clarified them. So I want to celebrate it because it is directly impacting on the Nation's museums and educational institutions. Let me cite some in my congressional district.

Texas Southern University has an African American history museum. It is a beautiful display. This legislation will allow a small entity that could not stand under a lawsuit to be able to secure international gifts which they have received without the burden of litigation.

In the early stages of my career in Congress, I represented, extensively, Houston's museum district: the Museum of Foreign Arts, with an outstanding curator, museum director; the Children's Museum; the Health Museum; and the Museum of Natural Science. All of those have the tendency to receive these international gifts and also be subjected, potentially, because of the conflict to seizure.

In particular, I remember working with the Museum of Fine Arts, maybe one of my greatest early opportunities of service, and to help them bring the Russian jewels to Houston, Texas. It was a long, long journey, not because of the distance but because of the conflicting laws and the entanglement of imports and protection of the jewels. I remember being at the dock receiving those jewels after a long wait. Just imagine if there had been this potential of seizure, which there was, but that there was the glaring opportunity there for seizure and it had occurred. What would have happened to this great art exchange and, as well, to what we were doing in Houston?

Let me close by saying, Mr. Speaker, I want to support this bill extensively, and it will help all of these institutions across America.

Mr. COHEN. Mr. Speaker, I rise in support of H.R. 889, the "Foreign Cultural Exchange Jurisdictional Immunity Clarification Act."

H.R. 889 makes a modest but important amendment to the "expropriation exception" of the Foreign Sovereign Immunities Act of 1976. Specifically, it ensures that foreign states are immune from suits for damages concerning

the ownership of cultural property when: that property is in the United States pursuant to an agreement between the foreign state and the U.S. or a U.S.-based cultural or educational institution; the President has granted the work at issue immunity from seizure pursuant to the Immunity from Seizure Act; and the President's grant of immunity from seizure is published in the Federal Register.

The expropriation exception remains available to all claims concerning misappropriated cultural property to which these factual circumstances do not apply.

I would not support this bill if it did not contain a sufficient exception for claims arising from artwork stolen by the Nazis, their allies, and their affiliates.

H.R. 889 has just such an exception, ensuring that victims of Nazi art theft continue to have the opportunity to pursue justice in court.

This exception is appropriate in light of the sheer scale and the particularly concerted efforts of the Nazis to seize artwork and other cultural property from their victims.

The particular sensitivity surrounding compensation for artwork stolen by the Nazis has been highlighted in recent months by the motion picture Woman in Gold, which tells the story of Maria Altmann.

Mrs. Altmann's efforts to retrieve works by Gustav Klimt that the Nazis had taken from uncle in Austria in the 1930's led to an important Supreme Court decision that held that the expropriation exception applied to claims arising prior to the FSIA's enactment in 1976, which allowed Nazi-era victims to file suit for damages in federal court.

It is also critical to note that the bill's sponsors worked with the Conference on Jewish Material Claims Against Germany to revise the Nazi-era exception to ensure that it was broad enough to be a meaningful exception.

As a result, the Conference has stated, for itself and for the American Jewish Committee, that it will not oppose this bill.

I also note that all of the FSIA's other exceptions to sovereign immunity remain available to potential plaintiffs with claims concerning the ownership of cultural property.

In particular, I note that this bill does nothing to affect the attempts by Chabad to seek enforcement of its 2011 judgment against Russia, both because such judgment would predate the effective date of this bill and because it was not predicated on the loan of any artwork to the U.S., meaning that this bill would not effect that case even if it had been in effect in 2011.

To the extent it may be necessary, I would encourage consideration of adding clarifying language that this bill does nothing to affect enforcement of an already-entered judgment.

H.R. 889 is narrowly tailored to ensure that it provides for just enough immunity to encourage foreign states to lend their cultural property to American museums and universities for temporary exhibits and displays without protecting more than we intend to protect.

I recognize that some people may instinctively recoil at the idea of any bill that grants any level of immunity to a foreign state when ownership of a work of art or other cultural object is at issue.

But I would not support a bill that foreclosed all possibility of redress for such people.

And, H.R. 889 does not do that.

It simply ensures that works that have already been granted immunity from seizure by the President pursuant to the Immunity from Seizure Act are also immune from suits for damages, which is in keeping with the Act's purpose of encouraging foreign countries to lend their works to American institutions without fear of litigation based on the act of lending those works.

I thank Representative STEVE CHABOT, Judiciary Committee Chairman BOB GOODLATTE, and Committee Ranking Member JOHN CONYERS, Jr. for their leadership on this issue and I urge my colleagues to support this bill.

Mr. GOODLATTE. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I have no further requests for time, but I would like to recognize Lafayette and Washington. The Hermione, the boat that brought Lafayette to Washington, a replica thereof, has just come to Virginia, and there is a recognition of that at Mount Vernon tonight. I think we should recognize their portraits here. They helped this country become free from the shackles of Great Britain and become the great country we are.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 889.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORTING LOCAL LAW ENFORCEMENT AGENCIES

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 295) supporting local law enforcement agencies in their continued work to serve our communities, and supporting their use of body worn cameras to promote transparency to protect both citizens and officers alike.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 295

Whereas the United States Department of Justice issued a report titled, ''Police Officer Body-Worn Cameras'', which details a number of benefits of body-worn cameras, including—

(1) increased transparency and citizen views of police legitimacy;

(2) improved behavior and civility among both police officers and citizens; and

(3) increased evidentiary benefits that expedite resolution of citizen complaints or lawsuits and improving evidence for arrest and prosecution; and

Whereas the University of Cambridge's Institute of Criminology conducted a 12-month study on the use of body-worn cameras used by law enforcement in the United Kingdom and estimated that the cameras led to a 50 percent reduction in use of force, and in addition, complaints against police fell approximately by 90 percent: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes all law enforcement agencies and officers for their tireless work to protect us and make our communities safer;

(2) recognizes the potential for the use of body-worn cameras by on-duty law enforcement officers to improve community relations, increase transparency, and protect both citizens and police; and

(3) encourages State and local law enforcement agencies to consider the use of body-worn cameras, including policies and protocols to handle privacy, storage, and other relevant concerns.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H. Res. 295, currently under consideration.

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

There was no objection.

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

I would like to begin by thanking the gentleman from Texas (Mr. AL GREEN) and the gentleman from Missouri (Mr. CLEAVER) for introducing this resolution and commend them for their work on this important issue.

Policing is an inherently dangerous job. Our law enforcement officers deserve our gratitude for the work they do on a daily basis to make sure that our streets are safe, the most helpless in our communities are protected, and those who commit crimes are brought to justice.

I am very concerned that force is used appropriately and that police officers are taking appropriate steps to protect innocent civilians when they make encounters. There is increasing unrest in our urban communities about policing.

I am also concerned with the repeated targeting of our police and law enforcement personnel. Last week, a terror suspect believed to be plotting to behead a Boston officer was killed in a confrontation with Boston police. Last month, two police officers were killed by criminals hoping to become cop killers. Officers Dean and Tate, responding to a routine traffic stop in Hattiesburg, Mississippi, were gunned down by a group of five men.

□ 1730

This comes on the heels of more widely known murders last year of Officers Ramos and Liu in New York, who were reportedly targeted by a man looking to kill a police officer.

It is clear that we must find a better way for our police and citizens to interact both in everyday situations and when more difficult circumstances

arise. In May, the Judiciary Committee held a very informative and productive hearing on policing in the 21st Century, where we looked at many of these issues, including the use of body-worn cameras by police officers.

Body-worn cameras present an opportunity to strengthen police and citizens' interactions, but there are many issues surrounding the use of body-worn cameras that should be addressed by legislators, law enforcement, and the general public before Congress or State legislatures mandate widespread use of this technology.

We must be cognizant of the cost and resources associated not just with outfitting officers with body-worn cameras, but with the regulations, training, and compliance associated with their use. We should also be aware of the costs and privacy implications associated with storing the footage of body-worn cameras.

Police routinely interact with crime victims, including minors, and members of the general public. Would all of these interactions be recorded and stored by law enforcement agencies? For how long? Who would have access to this information? For instance, could it be obtained in a civil suit, a divorce or custody case, or as part of a Freedom of Information Act request?

If an officer exercises his or her discretion to turn off a camera, it is possible the courts would impose an adverse inference against the government if a defendant then argued that something improper happened while the camera was not filming. The courts could also impose an adverse inference if there is a technical or storage glitch that interferes with taping or access to the video.

Society must also decide if it wants this technology recording us on a constant basis. Last week, the President signed the House-passed USA FREEDOM Act into law, which ended bulk metadata collection by the NSA.

We should exercise caution before mandating use of a technology that has the potential to gather and store information about Americans, many of them innocent civilians, based simply on a person's interaction with a police officer.

Body-worn police cameras can serve an important purpose in improving interactions between law enforcement and the general public and be a valuable source of evidence of wrongdoing; but we, as lawmakers and as a society, must ensure that this technology is used appropriately.

We have achieved this before when addressing the use of police dashboard cameras, but we must now do so again in a situation that is potentially much more intrusive.

Several police departments have already begun using body-worn cameras, and various pilot programs are also underway. Their successes and pitfalls will be instructive as we explore expanded use of this technology.

I once again thank the gentleman from Texas for his work on this resolution and also applaud the work of our law enforcement officers nationwide.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise today to support this resolution and to thank my colleagues for putting forward H. Res. 295, particularly Mr. AL GREEN of Texas and Mr. CLAY and Mr. CLEAVER—both of whom represent the Missouri area—and a number of other Members who have joined in on sponsoring this legislation.

I like this because it is a kick-start to what Members of Congress, Mr. Speaker, have been talking about, and what we have talked about, criminal justice reform.

As we well know, we in the Judiciary Committee are receiving information. We are listening to Members; we are obviously listening to Members who are committed and dedicated, and we are committed to criminal justice reform.

This is the right kind of kick-start to be able to put on minds of individuals that we know that this effort of criminal justice reform requires the communication and cooperation of our law enforcement officers and as well to recognize the vitality and the importance of communities who have argued Black lives matter—or they have just argued that lives matter, which they do.

Let me, first of all, join Mr. GOODLATTE on acknowledging the tragedy of police shootings. Whether or not it was the heinous shootings in New York on two occasions and probably more or whether or not it was a recent incident in Houston, Texas, when a valiant officer was mowed down by a fleeing felon, or any number of incidents that have caught our men and women in the line of fire—and their families have seen their service, their life, and their contributions snuffed out by violence—that is not something that we applaud and we certainly abhor.

I believe the language in this resolution gives us the sense of Congress that allows us to recognize all law enforcement agencies and officers, thanking them for their tireless work to protect us and make our communities safer, and recognize the potential for the use of body-worn cameras by on-duty law enforcement officers, to improve community relations, increase transparency, and protect both citizens and police.

I will assure you that the Judiciary Committee will thoughtfully look at legislation that fits squarely on the framework of this taking into consideration many concerns and encourages State and local law enforcement agencies to consider the use of body-worn cameras, including policies and protocols, to handle privacy, storage, and other relevant issues.

I am glad those are recognized because we are a country of laws, and we recognize the civil liberties and civil rights of all citizens.

As we discuss this legislation, however, I want to emphasize the importance of the timing. It is time for comprehensive policing and criminal justice reform. We are witnessing a sea change unlike many others with support for this great cause spanning the ideological and party divide. We in the Judiciary Committee have spoken about it and are finding common ways to work together.

In the area of policing, the problems revealed by several of the more notorious incidents involving the use of lethal force against unarmed citizens have captured the attention of the Nation over the past few months and demonstrates a critical need for a national response.

Law enforcement officers individually will indicate training is a key element of this. Any response to these tragic events must go hand in hand with a holistic view of criminal justice reform. It will do us no good to be able to point at one group and not try to help another, so I am very grateful that my State, the State of Texas, has contributed to this dialogue and most recently in grand jury reform.

As I have joined with my colleagues to acknowledge and celebrate law enforcement and encourage the move forward on criminal justice reform, I am grateful to again do it today, but we should also look at a vast array of opportunities.

Sentencing and prison reform should be on our agenda. One such proposal would give the Federal Bureau of Prisons the discretion to release nonviolent prisoners who served at least half of their sentence, are 45 or more years old, and who have not been disciplined for a violent offense. This would not only alleviate some prison overcrowding, but it would dip into the $75 billion that we are paying for incarceration.

Congress should also look at the fact in the Federal system that right now we give 47 days for 54 days of good time. If we did one for one, it would be an opportunity to save millions of dollars, at least $41 million; and 4,000 persons would be able to be lifted who would be able to be rehabilitated.

One of the more difficult parts of coming into the criminal justice system is the journey of coming out of it. Where an individual has paid his or her debt, the process of reentering society is paid with tremendous and often insurmountable obstacles.

I have drafted legislation that will allow those with a criminal conviction to have a fair chance to compete for jobs with Federal agencies and contractors. This ''ban the box'' measure delays a potential employer's inquiry into the applicant's criminal history until later in the hiring process. Employers can still ask, but pushing the inquiry into a later stage in the process where you have seen whether this person is ready and able to have a job.

Again, this resolution speaks about our view and affection for our law enforcement and adding more tools. Each of us have had wonderful experiences with those men and women who serve.

Mr. Speaker, the time for comprehensive policing and criminal justice reform has arrived. We are witnessing a sea shift unlike any others, with support for this great cause spanning the ideological and party divide.

In the area of policing, the problems revealed by several of the more notorious incidents involving the use of lethal force against unarmed citizens has captured the attention of the nation over the past few months and demonstrates the critical need for a national response.

And any response to these tragic events must go hand-in-hand with changes to the entirety of our criminal justice system.

As a member of the House Judiciary Committee; as the ranking member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations; and as a Representative from Houston, let me extend my thanks to the Congressman from my home state of Texas for contributing to the discussion of this very important and timely issue.

Just as I have joined with him in Houston before—to acknowledge and celebrate law enforcement and to encourage and move forward criminal justice reform—I am grateful to do so again today.

The very fact that this measure is on the floor today is a great indicator that Congress is ready for comprehensive criminal justice and policing reform.

This is why I am looking at reforms that will address all aspects of our criminal justice system and drafting legislation accordingly.

One such proposal would give the Bureau of Prisons discretion to release nonviolent prisoners who have served at least half their sentence, are 45 or more years old, and who have not been disciplined for violent conduct while in prison.

This would would not only alleviate some prison over-crowding, it would result in substantial cost savings by removing the expensive medical care for older prisoners.

By including a clarification of the federal prisoner good time credit law, the cost savings of this proposal is even more significant. Congress intended for all federal prisoners to be eligible for 54 days of good time credit, not 47 days as currently interpreted by the Federal Bureau of Prisons.

This small change—just one week per year—will not only reflect our original intent, it will save at least $41 million annually.

One of the most difficult parts of coming into the criminal justice system is the journey of coming out of it.

For an individual who has paid his or her debt, the process of re-entering society is paved with tremendous, and often insurmountable, obstacles.

I have drafted legislation that will allow those with a criminal conviction to have a fair chance to compete for jobs with federal agencies and contractors. This ''ban-the-box'' measure delays a potential employer's inquiry into the applicant's criminal history until later in the hiring process.

Employers can still ask—but pushing the inquiry until a later stage in the process allows applicants to get a foot in the door and be considered at the early stage on their merits alone.

Many studies, including one released by the Journal of Adolescent Health, demonstrate that the adolescent brain continues to develop as young persons mature well into their 20s. Yet, we begin holding our young offenders accountable as adults when they reach the age of 18, 16, and sometimes even earlier. And we send them off to what many describe as ''criminal college.''

This is why I am developing legislation that will provide judges with new and different options when a young offender comes before them. These options will give judges discretion to tailor a punishment to that young offender's needs.

And, when sending a young offender to prison is necessary, my legislation will ensure that the Bureau of Prisons separates these young offenders out from the rest of the prison population and provides specialized programs for their needs. This will put young offenders on a path for change, not one of crime.

It is not enough to improve the system of criminal justice, we must also address the unnecessary loss of life that can result from police and civilian interactions. Reform must take a step towards increasing trust between our communities and law enforcement.

This is why I am developing legislation that will provide law enforcement agencies with the funding and assistance to put in place the policies, protocols, and training programs in accord with national accreditation standards.

But rebuilding the trust in this relationship also requires greater transparency when government responds to incidents involving the use of lethal force against unarmed citizens.

This is why I have drafted legislation that provides incentives and support for jurisdictions to bring in an independent investigation and prosecution team for an unbiased review of such incidents.

Mr. Speaker, I reserve the balance of my time on this debate.

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

Ms. JACKSON LEE. Mr. Speaker, it is my pleasure at this time to yield 5 minutes to the distinguished gentleman from Texas (Mr. AL GREEN), the author of this legislation.

Mr. AL GREEN of Texas. Mr. Speaker, it is always an honor to stand in the well of the House and have an opportunity to advocate on behalf of the constituents of the Ninth Congressional District. Today is no exception.

Mr. Speaker, I am honored to stand here in support of bipartisan legislation, legislation that encourages law enforcement to use body cameras. This legislation is legislation that I am proud to say has received a good deal of support and a good deal of consideration and deliberation.

I would like to thank the Speaker of the House, Mr. BOEHNER, for his assistance in bringing this legislation forward. Of course, the Honorable NANCY PELOSI must be given kudos as well. I thank her for allowing the legislation to come forward and assisting.

The Democratic whip, Mr. HOYER, I want to thank him because we had a conversation concerning this legislation. Of course, the chairperson of the Judiciary Committee, the Honorable BOB GOODLATTE, he and I have had an opportunity to talk through this legislation, and I am eternally grateful for the consideration that you have given, sir, and I thank you.

I also would like to thank the dean of the House of Representatives, the Honorable JOHN CONYERS. He has been here on so many occasions when legislation that is exceedingly important has been passed upon and has been a voice, a voice on all of these issues through the years. I am proud to say that I had an opportunity to speak to him about this legislation.

Of course, I want to thank Mr. TED POE of Texas. He and I came to Congress together, and we worked together. This is a piece of legislation that he was the first to sign onto, H. Res. 295.

Mr. EMANUEL CLEAVER of Missouri, he and I have worked together to shepherd this from the very beginning, and he is still a part of it. He is not here tonight, but he is with us on this legislation. I am proud to say he is a friend, and he has been a partner throughout the effort to bring this legislation to the floor of the House.

Mr. LUETKEMEYER, he has been a friend in this; Mr. CLAY of Missouri; Mr. YODER of Kansas; and, of course, Ms. CLARKE of New York—all friends and all supportive of this resolution.

Mr. Speaker, this resolution, as has been indicated, is the beginning. I don't see it as the end of a process. I see it as more of a preamble with the Constitution to follow. I see it as a lawyer might see an opening statement with the closing statement yet to come.

Of course, as a Christian, I see it as a part of Genesis, with many revelations yet to come. It is a good first step, and it is a good step in the right direction. I don't see it as the end of the process, but I do want to commend and thank those who have helped us to get to this point.

I would cite now, if I may, a Justice Department report. This report styled ''Police Officer Body-Worn Cameras'' found that body-worn cameras increased transparency. People have the opportunity to see what actually took place. It makes a difference because this will increase police legitimacy.

Officers don't have to get into disputes about what actually occurred. The empirical evidence is there by way of the camera's eye.

It will improve citizen and police behavior. Once the camera is on and once people know that it is on—that is both citizens and police officers—their behavior tends to be adjusted such that we get better results.

It will improve effective prosecution. This is evidence that can be introduced into court. When it is introduced, it can help effectuate positive results.

Another study, a study from the University of Cambridge, its Institute of Criminology, after a 12-month study, found a 50 percent reduction in the use of force as a result of body cameras, a 50 percent reduction in use of force, a 90 percent reduction in complaints against police officers as a result of body cameras being utilized.

Of course, there is a final study that I will cite in Rialto, California. This

report from Rialto, California, indicates that, after 1 year of use of body cameras, there was a 60 percent reduction in the use of force and an 88 percent reduction in complaints against police officers.

The evidence is in. It is clear that these body cameras do provide an opportunity for us to have the transparency we need, for us to provide legitimacy for both police officers and citizenry but, more importantly, to reduce the complaints that we see emanating from scenes that are disputed.

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

Ms. JACKSON LEE. I yield the gentleman an additional 2 minutes.

□ 1745

Mr. AL GREEN of Texas. Mr. Speaker, as I indicated, we see a reduction in complaints. As we view the many incidents that have occurred around the country, there is no question that there is a divide. I believe that these body cameras can span the chasm across the divide and make a difference in the perception that we have in the way our police and our communities interact with each other.

I am proud to be a sponsor, and I am proud to have the cosponsors that we have. I am proud that the chairperson of the Judiciary Committee has signed onto this and that the ranking member of the Judiciary Committee is on board.

I want to thank my colleague from Houston, Texas, the Honorable SHEILA JACKSON LEE, who has served on the Judiciary Committee for many, many years, and I am most appreciative that she, too, finds favor with this piece of legislation. I am honored that she is on the floor tonight to shepherd it through, and I pray that my colleagues all will support what I believe to be a piece of legislation that can span the chasm between the police and the community in a most positive way.

Mr. GOODLATTE. Mr. Speaker, I have no speakers remaining, and I am prepared to yield back.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume as I am the final speaker.

First of all, I thank the gentleman from Texas for his very eloquent explanation of this legislation. Let me add my appreciation as well to Chairman GOODLATTE, to Ranking Member CONYERS, and to Chairman SENSENBRENNER. It is certainly my pleasure to manage and to work with this legislation, in the purpose of this legislation.

I close with just a few points that I feel compelled to comment on. As I do so, I am not giving all of the names of those fallen. As I have indicated, we tragically buried an HPD officer just a couple of weeks ago and, of course, officers in Mississippi, officers in New Mexico, in Omaha, Nebraska, and in Pennsylvania, among others. We recognize that we are challenged and that we must find that common ground. Again, I note that this kick start will help us to look at comprehensive criminal justice reform.

Let me just add one last point on the young offenders issue that may be somewhat similar to the video that has now imploded across the airwaves of America in McKinney, Texas. One study dealing with young offenders or individual adolescents includes a report by the Journal of Adolescent Health which demonstrates that the adolescent brain continues to develop as young persons mature well into their twenties; yet we begin holding our young offenders accountable as adults when they reach the age of 18 and sometimes earlier, and we send them off to what many describe as a criminal college. So I am hoping that we will have legislation that can address by science the concept, if you will, of how we treat those from 18 to 24.

This legislation allows us to build on policing and community trust. I am looking forward to working with law enforcement agencies with the funding and assistance to put in place the policies and protocols dealing with training, deescalation, accreditation. That is, of course, something that we hope to be working on with the full Judiciary Committee.

There are some stark differences of treatment between two cities—the city of Charleston, South Carolina, where a tragic incident occurred and where the city responded immediately, and the city of Cleveland, where a tragic incident occurred and where the city did not respond immediately.

Then, this past weekend, we saw confusing footage, I think, that dealt with teenagers at a pool party. We know that police were called. We know that this party was, really, a party of girls who happened to be African American, and we understand that some boys, who tend to like to find girls, came and may have caused somewhat of a disturbance. The reason I think it is important as we discuss this legislation is that the bill does indicate our appreciation for law enforcement. My words say that this will allow us to kick-start and look at issues where we can work together to get along. But as the video indicates, we see a scattering of young people, and we see a number of foul-mouthed comments being made coming from one particular officer. They are quotes I will not offer to repeat on this floor.

I submit for the RECORD, Mr. Speaker, an article from The Atlantic as, I think, this is a testament to how we can work to avoid this kind of public incident.

[From the Atlantic, June 8, 2015]

(By Yoni Appelbaum)

On Friday, a large group of teens gathered for a pool party in the city of McKinney, Texas. Shortly thereafter, someone called the police. And by Sunday night, as footage of the police response spread across the internet, the McKinney Police Department announced it was placing Eric Casebolt, the patrol supervisor shown in the video, on administrative leave.

It is the latest in a string of incidents of police using apparently excessive force against African Americans that has captured public attention. And it took place at a communal pool—where, for more than a century, conflicts over race and class have often surfaced.

The video shows a foul-mouthed police corporal telling the young men he encounters to get down, and the young women to take off, although far more obscenely. When several seated young men appear to ask, politely, for permission to leave, he explodes at them: ''Don't make me fucking run around here with thirty pounds of goddamn gear in the sun because you want to screw around out here.'' The corporal was white. The young people he detained were, almost without exception, black.

The video next shows him repeatedly cursing at a group of young women, telling them to move on. Then he wrestles one to the ground. As bystanders react in horror, and several rush toward the young woman as if to her assistance, he draws his sidearm. They flee. He returns to the teenager, wrestles her back down, forces her face into the ground, and places both knees on her back.

The McKinney police said, in a statement, that they were called to respond to the Craig Ranch North Community Pool for a report of ''a disturbance involving multiple juveniles at the location, who do not live in the area or have permission to be there, refusing to leave.'' They added that additional calls reported fighting, and that when the crowd refused to comply with the first responding officers, nine additional units were deployed.

The mayor, Brian Loughmiller, described himself as ''disturbed and concerned,'' and the police chief vowed ''a complete, and thorough, investigation.''

Like many flourishing American suburbs, McKinney has struggled with questions of equity and diversity. The city is among the fastest-growing in America, and its residents hail from a wide range of backgrounds. Formal, legal segregation is a thing of the past. Yet stark divides persist.

In 2009, McKinney was forced to settle a lawsuit alleging that it was blocking the development of affordable housing suitable for tenants with Section 8 vouchers in the more affluent western portion of the city. East of Highway 75, according to the lawsuit, McKinney is 49 percent white; to its west, McKinney is 86 percent white. The plaintiffs alleged that the city and its housing authority were ''willing to negotiate for and provide low-income housing units in east McKinney, but not west McKinney, which amounts to illegal racial steering.''

All three of the city's public pools lie to the east of Highway 75. Craig Ranch, where the pool party took place, lies well to its west. BuzzFeed reports that the fight broke out when an adult woman told the teens to go back to ''Section 8 housing.''

Craig Ranch North is the oldest residential portion of a 2,200 acre master-planned community. ''The neighborhood is made up of single-family homes,'' says the developer's website, ''and includes a community center with two pools, a park and a playground.'' Private developments like Craig Ranch now routinely include pools, often paid for by dues to homeowners' associations, and governed by their rules. But that, in itself, represents a remarkable shift.

At their inception, communal swimming pools were public, egalitarian spaces. Most early public pools in America aimed more for hygiene than relaxation, open on alternate days to men and women. In the North, at least, they served bathers without regard for race. But in the 1920s, as public swimming

pools proliferated, they became sites of leisure and recreation. Alarmed at the sight of women and men of different races swimming together, public officials moved to impose rigid segregation.

As African Americans fought for desegregation in the 1950s, public pools became frequent battlefields. In Marshall, Texas, for example, in 1957, a young man backed by the NAACP sued to force the integration of a brand-new swimming pool. When the judge made it clear the city would lose, citizens voted 1,758–89 to have the city sell all of its recreational facilities rather than integrate them. The pool was sold to a local Lions' Club, which was able to operate it as a whites-only private facility.

The decisions of other communities were rarely so transparent, but the trend was unmistakable. Before 1950, Americans went swimming as often as they went to the movies, but they did so in public pools. There were relatively few club pools, and private pools were markers of extraordinary wealth. Over the next half-century, though, the number of private in-ground pools increased from roughly 2,500 to more than four million. The declining cost of pool construction, improved technology, and suburbanization all played important roles. But then, so did desegregation. As historian Jeff Wiltse argues in his 2007 book, Contested Waters: A Social History of Swimming Pools in America:

Although many whites abandoned desegregated public pools, most did not stop swimming. Instead, they built private pools, both club and residential, and swam in them. . . . Suburbanites organized private club pools rather than fund public pools because club pools enabled them to control the class and racial composition of swimmers, whereas public pools did not.

Today, that complicated legacy persists across the United States. The public pools of mid-century—with their sandy beaches, manicured lawns, and well-tended facilities—are vanishingly rare. Those sorts of amenities are now generally found behind closed gates, funded by club fees or homeowners' dues, and not by tax dollars. And they are open to those who can afford to live in such subdivisions, but not to their neighbors just down the road.

Whatever took place in McKinney on Friday, it occurred against this backdrop of the privatization of once-public facilities, giving residents the expectation of control over who sunbathes or doggie-paddles alongside them. Even if some of the teens were residents, and others possessed valid guest passes, as some insisted they did, the presence of ''multiple juveniles . . . who do not live in the area'' clearly triggered alarm. Several adults at the pool reportedly placed calls to the police. And none of the adult residents shown in the video appeared to manifest concern that the police response had gone too far, nor that its violence was disproportionate to the alleged offense.

To the contrary. Someone placed a sign by the pool on Sunday afternoon. It read, simply: ''Thank you McKinney Police for keeping us safe.''

Ms. JACKSON LEE. Mr. Speaker, this is not dealing with a vast group of protesters, which, ultimately, did occur in the last 24 hours in that area. This is dealing with youngsters. Many of us raise children and send them to pools and various camps, and we hope they will be well, but this is understanding the whole level of law enforcement. Again, I believe it is time for the Congress to re-create the criminal justice system.

Juveniles are naturally fearful of authority and lack maturity when faced with fearful events. Running is the natural instinct of most youth, and in this case, the youth attempted to leave when the police approached to disperse the crowd. Then the police chased, shooting a Taser. When the officer confronted the young girl with aggression, other youth attempted to help her—that is, teenagers—who were also threatened with force by the officers. These children received mixed messages. Establishing trusting relationships between youth and police officers is of the utmost responsibility.

What I would say is that the outrage and the expressions of a community and parents came about because we were not talking to each other, because actions did not track what those young people were doing in McKinney. They were being teenagers. They were running. They may have had the incidences of misbehavior, and, frankly, they could have been handled in a way that the misbehavior could have been addressed.

Why now?

Again, I opened with the remarks that we now have an opportunity to kick-start this wonderful discussion of criminal justice reform. Wonderful? Yes, because, in America, we are a nation of civilians and law. The civilian law enforcement is made up of those who implement those laws, but the Constitution reigns as well. I look forward to working with the chairman and the ranking member and all of the Members of this body and the Judiciary Committee for a very constructive journey on letting the American people know that we hear their pain, that we respect those who uphold the law, and that we are going to work constructively to do that.

I left Houston while talking to a police officer. I know he is not listening, but let me just simply say thank you for the service that you give. Hopefully, he will hear this and will know that we are committed to working together in this Congress. I ask my colleagues to support House Resolution 295.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, in closing, I want to thank the gentleman from Texas (Mr. AL GREEN) and the gentleman from Missouri (Mr. CLEAVER) for their hard work on this, for coming to see me and others on our side of the aisle about this important issue, and for working with us on getting the language straight in this resolution in order to make sure that we are properly encouraging this exploration while also taking into account the issues that arise with the use of body cameras.

I want to thank the ranking member and the former chairman of the Judiciary Committee, Mr. CONYERS, and the ranking member of the subcommittee, Ms. JACKSON LEE, for their work on this as well. I also want to thank all of the staff involved.

This is an important issue, and it will help to inform us as we move ahead on a number of issues related to criminal justice reform. I urge my colleagues to support the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and agree to the resolution, H. Res. 295.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. JACKSON LEE. 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 motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 54 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 30 minutes p.m.

COMMODITY END-USER RELIEF ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, 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 passage of the bill.

The vote was taken by electronic device, and there were—yeas 246, nays 171, not voting 15, as follows:

[Roll No. 309]

YEAS—246

Abraham	Black	Carter (GA)
Aderholt	Blackburn	Carter (TX)
Allen	Blum	Chabot
Amash	Bost	Chaffetz
Amodei	Boustany	Clawson (FL)
Ashford	Brady (TX)	Coffman
Babin	Brat	Cole
Barletta	Bridenstine	Collins (GA)
Barr	Brooks (AL)	Collins (NY)
Barton	Brooks (IN)	Comstock
Benishek	Buchanan	Conaway
Bilirakis	Bucshon	Cook
Bishop (GA)	Burgess	Costa
Bishop (MI)	Byrne	Costello (PA)
Bishop (UT)	Calvert	Cramer

Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—171

Aguilar
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Adams
Bass
Buck
Cárdenas
Cleaver
DeFazio
Doggett
Duncan (TN)
Fincher
Lamborn
Lujan Grisham (NM)
Lummis
Maloney, Carolyn
Vargas
Woodall

□ 1857

Messrs. CARNEY, HUFFMAN, CUMMINGS, Ms. PELOSI, Mr. VEASEY, and Mrs. BEATTY changed their vote from ''yea'' to ''nay.''

Messrs. GIBSON, DUNCAN of South Carolina, and COSTA changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, on rollcall No. 309, had I been present, I would have voted "no."

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 4, 2015.

Hon. JOHN BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from The Honorable C. Delbert Hosemann, Jr., Mississippi Secretary of State, indicating that, according to the preliminary results of the Special Election held June 2, 2015, the Honorable Trent Kelly was elected Representative to Congress for the First Congressional District, State of Mississippi.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

Re Unofficial Results—First Congressional Special Runoff Election

KAREN L. HAAS,
House of Representatives, Washington, DC.

DEAR MS. HAAS, Per your request, enclosed please find a copy of unofficial results for the Special Runoff Election held on Tuesday, June 2, 2015, for Representative in Congress from the First Congressional District of Mississippi. To the best of our knowledge and belief at this time, there is no challenge to this election. The State of Mississippi does not require nor receive ''unofficial results'' from all counties and, at this time, we have only received unofficial results from four (4) counties. The attached numbers were obtained through The Daily Journal, Tupelo, Mississippi. The outcome of the election does not appear in doubt and we anticipate Mr. Trent Kelly will be certified.

The deadline for counties included in the First Congressional District to transmit certified election results to our office is 5:00 p.m. on June 12, 2015. As soon as the official results are certified to this office by all counties involved, an official Certificate of Election will be prepared for transmittal as required by law.

If you have any questions or need additional information, please call Kim Turner, Assistant Secretary of State at (601) 359–5137 or Amanda Frusha, Director of Elections Compliance at (601) 359–5213.

Sincerely,

C. DELBERT HOSEMANN, Jr.,
Mississippi Secretary of State.

SWEARING IN OF THE HONORABLE TRENT KELLY, OF MISSISSIPPI, AS A MEMBER OF THE HOUSE

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi, the Honorable TRENT KELLY, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. Will the Representative-elect and the members of the Mississippi delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise his right hand.

Mr. KELLY of Mississippi appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 114th Congress.

WELCOMING THE HONORABLE TRENT KELLY TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Mississippi (Mr. THOMPSON) is recognized for 1 minute.

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, friends and colleagues, I have the honor of welcoming the new representative from Mississippi's First Congressional District. For me, that means he will be representing the neighboring district in the northeast corner of the State, which most of you are familiar with; but also, for others, this means that he will be representing the birthplace of Elvis Presley.

TRENT KELLY is from the little-known town of Saltillo, Mississippi. The local folk call it Salt-illo, population 3,393. He knows the district well, having served as district attorney for the largest judicial district in that area. Representative KELLY has also served in our Nation's military and has spent 29 years in the Mississippi National Guard.

Representative KELLY will be serving out the term of our dear former colleague Alan Nunnelee, who passed away in February. As he steps into his seat, we hope that he will follow Alan's example of service and dedication to the people of Mississippi.

Our colleague GREGG HARPER will now join me in welcoming our friend from Lee County, Mississippi.

Mr. HARPER. Mr. Speaker, it is my great honor and pleasure to welcome the newest Member of this body, Congressman TRENT KELLY.

I am confident that TRENT KELLY will carry on the legacy of his predecessor, our late colleague, Representative Alan Nunnelee, one of impeccable constituent services and an unyielding commitment to this country and her citizens.

I look forward to working with Representative KELLY as he serves the First Congressional District and the people of the great State of Mississippi.

Congressman, I am so honored to stand here and welcome you to the floor of the House of Representatives.

TRENT KELLY.

Mr. KELLY of Mississippi. Mr. Speaker, I thank Congressman THOMPSON, Congressman HARPER, and the rest of the Mississippi delegation; and, most importantly, thank you, God.

I would also like to thank Senator WICKER and Senator COCHRAN, who are present.

Thank you to my family, which would include my mother and my wife and my three children and my brother, who cannot be here.

Thank you to my friends who are in the gallery above.

Thank you to the citizens of the First Congressional District of Mississippi and to my fellow Members.

I am humbled and honored to be able to serve this great Nation in this capacity.

Thank you, and God bless you, each and every one.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Mississippi, the whole number of the House is 434.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Pursuant to House Resolution 287 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. 2577.

Will the gentleman from North Carolina (Mr. HOLDING) kindly take the chair.

□ 1907

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. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. HOLDING (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 4, 2015, an amendment offered by the gentlewoman from Connecticut (Ms. ESTY) had been disposed of, and the bill had been read through page 156, line 15.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 7 by Mrs. BLACKBURN of Tennessee.

Amendment by Mr. GOSAR of Arizona.

Amendment by Mr. GOSAR of Arizona.

Amendment by Mr. POSEY of Florida.

Amendment by Mr. SESSIONS of Texas.

Amendment by Mr. SESSIONS of Texas.

Amendment by Mr. SCHIFF of California.

Amendment by Mr. POSEY of Florida.

Amendment by Mr. POSEY of Florida.

The Chair will reduce to 2 minutes the time of any electronic vote in this series.

AMENDMENT NO. 7 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 259, not voting 11, as follows:

[Roll No. 310]

AYES—163

Allen
Amash
Babin
Barr
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Crawford
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Lance
Latta
Long
Loudermilk
Love
Lucas
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Upton
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Yoho
Young (IA)
Young (IN)
Zinke

NOES—259

Abraham
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Dold

Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Posey
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Roby
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westmoreland
Whitfield
Wilson (FL)
Womack
Yarmuth
Yoder
Young (AK)
Zeldin

NOT VOTING—11

Adams
Buck
Cárdenas
Cleaver
DeFazio
Doggett
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1911

Mr. BARR changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 193, not voting 11, as follows:

[Roll No. 311]

AYES—229

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

NOES—193

Aguilar
Amodei
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meadows
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOT VOTING—11

Adams
Buck
Cárdenas
Cleaver
DeFazio
Doggett
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1916

Mr. SERRANO changed his vote from ''aye'' to ''no.''

Mr. MEEHAN changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 136, noes 286, not voting 11, as follows:

[Roll No. 312]

AYES—136

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Fleischmann
Fleming
Flores
Franks (AZ)
Gibbs
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (LA)
Grothman
Guinta
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
Meadows
Messer
Mica
Miller (FL)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Rice (SC)
Roe (TN)
Rogers (AL)
Rohrabacher
Rooney (FL)
Ross
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sessions
Smith (MO)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Tipton
Wagner
Walberg
Walker
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Yoder
Yoho
Young (IN)
Zinke

NOES—286

Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Goodlatte
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurt (VA)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Miller (MI)
Mooney (WV)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Richmond
Rigell
Roby
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Young (AK)
Young (IA)
Zeldin

NOT VOTING—11

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Granger
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1919

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. POSEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 260, not voting 10, as follows:

[Roll No. 313]

AYES—163

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Burgess
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Fleming
Flores
Forbes
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith
Grothman
Guinta
Guthrie
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Miller (FL)
Miller (MI)
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neugebauer
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Ribble
Roby
Roe (TN)
Rooney (FL)
Roskam
Rothfus
Royce
Russell
Ryan (WI)
Salmon
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Trott
Wagner
Walberg
Walden
Walker
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—260

Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fortenberry
Foster
Foxx

Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Meng
Mica
Moolenaar
Moore
Moulton
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Ross
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Yarmuth
Yoder
Zeldin

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1923

Mr. COLE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 218, not voting 10, as follows:

[Roll No. 314]

AYES—205

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Crawford
Crenshaw
Culberson
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)

NOES—218

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westerman
Wilson (FL)
Womack
Yarmuth
Zeldin
Zinke

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1926

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 237, not voting 10, as follows:

[Roll No. 315]

AYES—186

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Crawford
Crenshaw
Culberson
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Guinta
Guthrie
Hardy
Harris
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)

NOES—237

Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Gutiérrez
Hahn
Hanna
Harper
Hartzler
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Meng
Moolenaar
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Ross
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westerman
Whitfield
Wilson (FL)
Yarmuth
Zeldin
Zinke

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1930

Mrs. BROOKS of Indiana changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCHIFF

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SCHIFF) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 157, noes 266, not voting 10, as follows:

[Roll No. 316]

AYES—157

Aguilar
Ashford
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brooks (AL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Clyburn
Connolly
Conyers
Cooper
Courtney
Crowley
Culberson
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duncan (SC)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Gene
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Peterson
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Walz
Wasserman Schultz
Welch
Whitfield
Yoho
Zeldin

NOES—266

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Clarke (NY)
Clawson (FL)
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Cummings
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Ellmers (NC)
Emmer (MN)
Farenthold
Fattah
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam

Jolly
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lance
Larsen (WA)
Latta
Lawrence
Lewis
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Maloney, Sean
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takai
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1934

Messrs. CONYERS, JORDAN, and GUTIÉRREZ changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. POSEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 275, not voting 10, as follows:

[Roll No. 317]

AYES—148

Abraham
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Burgess
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Crawford
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Fleming
Flores
Franks (AZ)
Garrett
Gohmert
Gosar
Gowdy
Graves (GA)
Guinta
Guthrie
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Latta
LoBiondo
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
Meadows
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neugebauer
Noem
Nugent
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Rice (SC)
Roe (TN)
Rohrabacher
Rooney (FL)
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Trott
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)

NOES—275

Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Mica
Moore
Moulton
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Wittman
Yarmuth
Zeldin
Zinke

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1939

Mr. FORBES changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. POSEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 134, noes 287, not voting 12, as follows:

[Roll No. 318]

AYES—134

Abraham
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Burgess
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
Crawford
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Fleming
Flores
Franks (AZ)
Garrett
Gohmert
Gosar
Gowdy
Graves (GA)
Guinta
Guthrie
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McClintock
McHenry
Meadows
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Nugent
Olson
Palmer
Paulsen
Pearce
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Roe (TN)
Rohrabacher
Rooney (FL)
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Trott
Wagner
Walberg
Walden
Walker
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Yoder
Yoho
Young (IA)

NOES—287

Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Labrador
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCaul
McCollum
McDermott
McGovern
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Mica
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—12

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
McMorris Rodgers
O'Rourke
Woodall

□ 1944

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LAMBORN. Madam Chair, I was unavoidably detained on account of a flight delay. Had I been present I would have voted "aye" on rollcall vote 309, "aye" on rollcall vote 310, "aye" on rollcall vote 311, "aye" on rollcall vote 312, "aye" on rollcall vote 313, "aye" on rollcall vote 314, "aye" on rollcall vote 315, "nay" on rollcall vote 316, "aye" on rollcall vote 317, and "aye" on rollcall vote 318.

Mr. DIAZ-BALART. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

□ 1945

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2685, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016, AND PROVIDING FOR CONSIDERATION OF H.R. 2393, COUNTRY OF ORIGIN LABELING AMENDMENTS ACT OF 2015

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–145) on the resolution (H. Res. 303) providing for consideration of the bill (H.R. 2685) making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2393) to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 198

Mr. YOHO. Mr. Speaker, I ask unanimous consent that Congressman AMASH be removed as a cosponsor of H. Res. 198.

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

There was no objection.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

GENERAL LEAVE

Mr. DIAZ-BALART. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 2577, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 287 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. 2577.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly resume the chair.

□ 1949

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. 2577) making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Florida (Mr. POSEY) had been disposed of, and the bill had been read through page 156, line 15.

Mr. DIAZ-BALART. Madam Chair, I move to strike the last word.

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

Mr. DIAZ-BALART. Madam Chair, I yield to the gentleman from New Jersey (Mr. FRELINGHUYSEN) for the purpose of a colloquy.

Mr. FRELINGHUYSEN. I thank the chairman for yielding, and I thank him for his great work on this appropriations bill.

Madam Chairman, for over 20 years I have been a staunch advocate for reducing aircraft noise over northern New Jersey. I have attended dozens of public hearings and meetings with officials from the FAA and responded to thousands of calls from constituents whose lives have been affected by increased aircraft noise.

While the safety of airplane passengers is paramount and the vitality of our air transport system is important, people on the ground have a right to a quality of life with a minimum exposure to air noise overhead.

Despite spending over $70 million in taxpayer dollars on the New York, New Jersey, and Philadelphia airspace redesign project, time and time again the Federal Aviation Administration has turned a deaf ear to the tremendous impact air noise has had over northern New Jersey. I recently wrote two letters to the FAA to bring my constituent concerns directly to Administrator Michael Huerta's attention. To date, these letters and my constituents' pleas for help have gone unanswered.

As the FAA proceeds with the New York, New Jersey, and Philadelphia airspace redesign, they must factor air noise into their calculations. I look forward to working with the chairman to ensure that this is done.

I thank the gentleman for yielding.

Mr. DIAZ-BALART. I want to again thank the gentleman for raising this important issue. I appreciate his dedication to ensuring that his constituents' air noise concerns are adequately addressed by the FAA.

Again, I thank the gentleman, and I yield back the balance of my time.

AMENDMENT OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

Ms. MAXINE WATERS of California. Madam Chair, 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. 4____. None of the funds made available by this Act may be used to establish any asset management position (including any account executive, senior account executive, and troubled asset specialist position, as such positions are described in the Field Resource Manual (Wave 1) entitled ''Transformation: Multifamily for Tomorrow'' of the Department of Housing and Urban Development) of the Office of Multifamily Housing of the Department of Housing and Urban Development, or newly hire an employee for any asset management position, that is located at a Core office (as such term is used in such Field Resource Manual) before filling each such asset management position that is located at a Non-Core office (as such term is used in such Field Resource Manual) and has been vacated since October 1, 2015.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MAXINE WATERS of California. Madam Chair, I rise to offer an amendment regarding HUD's multifamily transformation plan. I will ultimately withdraw this amendment because I know that there will be Republican opposition, but I think it is important for me to speak out against the ill-advised plan.

The Department of Housing and Urban Development is currently in the process of a major consolidation of its multifamily offices, which it has dubbed the multifamily transformation plan. I have been vocal in my skepticism of HUD's assurances that this plan will bring about significant savings without impacting program delivery.

In fact, last year this House approved an amendment to the fiscal year 2015 appropriations bill that required HUD to follow a transformation plan that maintains asset management staff in its field offices. I fought for this amendment because I believe strongly that HUD's plan to consolidate the important function of asset management from 17 hubs overseeing 50 field offices into just 5 hub locations and 7 satellite offices would significantly impair program delivery without resulting in significant cost savings.

Asset management is a hands-on job which calls for an intimate knowledge of the local housing market and frequently requires staff to make on-site visits to troubled properties. That is why it is so important to have asset management staff in local field offices to respond to local needs.

Unfortunately, I have been hearing from advocates that HUD has been failing to replace vacancies in asset management positions in field offices and is only hiring new asset management staff in hub locations. This is unacceptable. There are already two field offices that have completely shuttered because they have no working staff. In Los Angeles, we have already lost 15 asset management staff who have not been replaced.

My amendment would ensure that HUD prioritizes the hiring of asset management staff in local field offices for vacancies that occur in the next fiscal year instead of continuing to consolidate this important function to a select few hub and satellite locations. It would help ensure that our multifamily field offices remain open and operating at current staffing levels. Without this amendment, local multifamily offices will continue to have more vacancies that go unfilled.

I regretfully ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. 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 in contravention of subpart E of part 5 of the regulations of the Secretary of Housing and Urban Development (24 C.F.R. Part 5, Subpart E; relating to restrictions on assistance to noncitizens).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Madam Chair, my amendment simply ensures that no funds can be used to circumvent current law which prevents illegal immigrants from obtaining housing assistance. Spending should be prioritized based on the needs of American taxpaying citizens, not those who are residing in our country illegally.

Constituents back in my district and throughout the country work hard every day, and their needs should not play second fiddle to those of immigrants who broke our laws and came into this country illegally.

With the continued efforts by some in this country to disregard the rule of law, much to the detriment of taxpaying Americans, I truly believe this amendment is necessary to clarify and reinforce the intent of Congress as it pertains to housing assistance providing via HUD.

This is a simple, commonsense amendment that shows the hard-working American citizens that we are serious when it comes to spending their tax dollars and that we will not use their hard-earned money to prioritize and reward those who break our laws. I urge my colleagues to support this amendment and support the rule of law.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition to the amendment.

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

Mr. PRICE of North Carolina. Madam Chair, I do oppose this amendment. On the face of it, it simply restates existing regulations, but I fear there is another motive at play, that is, an anti-immigrant agenda.

Let me explain what I mean. This amendment feeds into the widely held misperception that many undocumented individuals are, in fact, obtaining Federal benefits despite restrictions—verification procedures—specifically designed to prohibit such activity.

We must not allow this appropriations bill to become a platform to denigrate immigrants in this country or to score political points at their expense. We need real solutions. We need to actually fix our broken immigration system. We shouldn't be wasting valuable floor time on amendments such as these. We would be better served by moving comprehensive immigration reform, fully debating it in this Chamber.

□ 2000

We are ready to do that. We can pass comprehensive immigration reform, if the Speaker would bring it to the floor, this very week. Until then, I would ask restraint on amendments that in no way alter existing law and regulation and only serve to stir controversy, reinforce prejudices, and distract us from the business at hand.

I urge defeat of this amendment, and I yield back the balance of my time.

Mr. YOHO. Madam Chair, this amendment is strictly about the rule of law and following the rule of law. I agree we shouldn't have to debate immigration here. This is not about this. This is about following the rule of law.

At this point, I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Chair, this amendment has nothing to do with being anti-immigrant. In fact, the gentleman's comments play into that accusation. This is entirely incorrect and inappropriate. In fact, it reminds me of a comment a President made from right up there at that podium that no illegal aliens would get ObamaCare. Somebody thought that was not true and said so. It turns out it was not true. They have gotten it.

I went home and talked to a number of people that were in and around Walmart this weekend—immigrants, people that are here legally, and they can't find work and they need help. They did everything to come here legally and properly—Hispanic Americans, Asian Americans, African Americans, Anglo Americans—and they just need help.

I would submit, if we are going to be true to the oath we took to our Constitution and the laws which uphold our Constitution, we need to be about helping those that are under our care, those who have come legally.

I support the gentleman's amendment, and I appreciate him doing it. It is a pro-immigrant amendment for immigrants that will come legally, and there are plenty of those here.

Mr. YOHO. Madam Chair, to the ranking member, I would love to have that discussion down the road about responsible immigration reform, and I think we need to have that. The American people expect it. They deserve it, and I look forward to having that.

In the meantime, this is just a commonsense amendment that strictly puts the emphasis on following the rule of law, and I think all Americans, regardless of what side of the aisle, would stand supporting the Constitution, the very document that we all took an oath to.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. YOHO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 16 OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Madam Chair, I have an amendment at the desk.

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. ____. None of the funds made available by this Act may be used in contravention of section 5309 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me thank the ranking member, Mr. PRICE, and his staff, as well as the chairman, Mr. DIAZ-BALART, for their work on something that is very close and near and dear to many Members' hearts. It certainly is close to mine.

The Jackson Lee amendment was passed last year. I am grateful to have the opportunity this year to restate the fact that this amendment indicates that none of the funds made available by this act under the heading ''Federal Transit Administration: Transit Formula Grants'' may be used in contravention of section 5309.

This is, as I said, an amendment identical to the Jackson Lee amendment. Might I just briefly speak to this amendment. It affirms the importance to the Nation of projects that create economic development, particularly in the transportation area.

It particularly says that the Secretary of Transportation may make grants under this section to State and local governments; it has the authority to assist in financing capital projects, small start-up projects, including the acquisition of real property.

The key is that these grants under State and local authority can undertake capital projects, which means that, when local governments propose their projects, the Secretary has the authority to go forward. Nothing can contravene that authority.

It is well documented that nothing enhances the competitiveness of a Nation in this increasingly globalized economy than investments in transportation and infrastructure capital projects.

I will include an article about transportation dated March 31, 2015, into the RECORD.

[From the Houston Chronicle, Mar. 31, 2015]

STUDY FINDS HOUSTON TRAFFIC CONGESTION WORSENING

(By Dug Begley)

As workday commutes go, Raj Dada's isn't terrible. He lives east of Jersey Village, an easy drive from the freeway. His off-ramp from Interstate 10 puts him practically in front of his job near Bunker Hill.

In each of the past three years, though, the daily drive has gotten worse, Dada said.

''I leave earlier than I used to,'' he said Monday morning as he stopped for gas near his office. ''Even on weekends, it's taking longer to get around all the construction and traffic.''

It's a common dilemma for Houston motorists. Congestion in Houston increased sharply from 2013 to 2014, according to a report released Tuesday by TomTom, developer of the mapping and traffic data fed to phones and other GPS devices.

Analysts said trips in the region on average last year took 25 percent longer than they would have in free-flowing conditions, compared with 21 percent longer in 2013.

This means that a hypothetical 30-minute, congestion-free trip, on average, takes about 52 minutes at peak commuting times. For an entire year, it means drivers waste 85 hours—more than 3.5 days—plodding along the highways and streets of Houston.

It's the first increase in TomTom's traffic index for Houston in four years after three consecutive years of slight declines.

Growing cities with robust economies tend to experience the biggest increases in traffic. Oil price dips notwithstanding, Houston certainly fits the bill, said Tony Voigt, the program manager for the Texas A&M Transportation Institute's Houston office.

Voigt said local analysis supports the conclusion in the TomTom report: More local streets and highways are more congested for more hours of the day. Even weekend trips to some spots—notably retail corridors—can be increasingly time-consuming.

''This is a result of more people living here as compared to two or three years ago and our economy being very active and healthy,'' Voigt said.

Nick Cohn, senior traffic expert for TomTom, said the opposite is true in places where job prospects are not as strong, based on the company's worldwide traffic research.

''In Moscow, where there has really been an economic slowdown and gas prices are up, there has been a slowdown,'' Cohn said.

Moscow and other international cities continue to experience traffic far worse than cities in the U.S. In the United States, Houston ranked 12th-worst among major cities for traffic, compared to 85th worldwide.

News that 11 other American cities have worse congestion isn't comforting to Houston drivers.

''It's terrible,'' said Debbie Curry, 60, a lifelong Houstonian. ''Traffic in this city has gotten worse. When I moved (to western Houston) I thought it would get better. It did for a little while; now it's as bad as it's ever been.''

Reasons why Houston drivers spend so much of their time in traffic vary, but most theories circle back to explosive growth.

''Some of the congestion on U.S. 290 and on (Loop 610 North) is, of course, construction-related,'' Voigt said. ''But what we are really seeing is travel demand is greater overall, and this is causing the peak congestion periods to spread out.''

Peak commutes, once contained to two hours each in the morning and evening, are spreading to three and sometimes four hours. Though it means more days when traffic is heavy for longer periods, the gradual growth of peak commuting periods isn't all bad, Cohn said.

''It means at least when possible they are being flexible with those work-to-home and home-to-work trips,'' Cohn said, noting that an alternative could be a more compressed—but more severe—peak commuting period.

Houston-area officials have a long list of road-widening projects planned over the next decade, along with some transit growth. Suburban areas, notably Conroe and The Woodlands, are exploring their own transit options. It's a pattern across the U.S., Cohn said.

Each city faces different obstacles, Cohn said. Houston's lack of density could make transit less effective, but public transportation remains a critical part of any congestion relief as roads dominate.

Many municipalities, state transportation officials and counties in the area have made ''significant requests for roadway dollars,'' said Houston Councilman Stephen Costello, chairman of the Transportation Policy Council of the Houston-Galveston Area Council.

Those projects are not just about relieving traffic now, but about building before it gets worse, Costello said.

Any improvements are constrained by funding, which federal and state lawmakers have been slow to deliver. Federal officials remain at an impasse about a long-term transportation bill, and many have shown reluctance to increase federal highway spending. Texas voters last year approved $1.7 billion for state highways, leaving about $3.3 billion in additional money needed, according to the Texas A&M Transportation Institute.

That funding shortfall has many, especially officials in suburban Houston, worried as their traffic worsens and projects crawl toward completion, said West University Place Mayor Bob Fry.

''I think outside (Loop 610) is going to be worse for traffic than inside the Loop,'' Fry said. ''Inside is built out, and it's not going to get worse like it is outside.''

In the urban core, Fry said, transit is the important investment. He said Metro's upcoming redesign of bus service will ''help quite a bit.''

PERSONAL CHOICE

With projects slow to take shape, Cohn said drivers might see the best results by using an increasing and improving array of traffic information available to them. Houston's TranStar system—a partnership of Houston, Harris County, the Texas Department of Transportation and the Metropolitan Transit Authority—is one of the largest and most comprehensive real-time traffic systems in the country.

''There used to be a big difference between what the highway authority has and what real-time traffic systems have,'' Cohn said. ''It is more of a unified service now.''

When a motorist finds alternate routes to avoid congestion, it helps not just that driver but also others because one less vehicle is clogging up the problem spot.

Reliance on the information, and better personal planning, might be the best relief for traffic now.

''I don't think drivers can sit back and wait for some big infrastructure project,'' he said.

[From the Houston Chronicle, Feb. 5, 2013]

CONGESTION A CONSTANT FOR HOUSTON COMMUTERS

(By Dug Begley)

Houston region has been rated as having the sixth worst commute in the nation based on hours of delay.

The good news is that traffic congestion isn't getting much worse in the Houston area. The bad news is it was pretty bad to begin with.

Houston commuters continue to endure some of the worst traffic delays in the country, according to the 2012 Urban Mobility Report released Tuesday by the Texas A&M Transportation Commission. Area drivers wasted more than two days a year, on average, in traffic congestion, costing them each $1,090 in lost time and fuel.

And it's unlikely to get any better, researchers and public officials say.

''I think as rapidly as this area is growing, (the challenge) is just trying to stay where we are,'' Harris County Judge Ed Emmett said of the traffic congestion.

Planned toll projects on U.S. 290 and eventually Interstate 45 will help ease traffic, just as the Katy Freeway managed lanes did in 2008, Emmett said.

Drivers take the congestion in stride and devise their own strategies to deal with the hassle. Roger Wilson, 54, takes a park and ride bus from Katy, but his co-worker Brad Steele, 39, drives in from Spring. Over lunch Monday, both claimed their method was best.

''Yeah, you get to read or sleep,'' Steele told Wilson, ''but I would rather have my car.''

But as long as Houston attracts jobs, and those jobs attract workers, commuting hassles will persist, said Tim Lomax, a co-author of the mobility report.

''We're hitting the limits of improving traffic by widening the roads,'' said Stephen Klineberg, co-director of the Kinder Center for Urban Research at Rice University.

With 4 million people in Harris County, and another 1 million coming in the next 20 years, the region will embrace new development patterns that reduce the need for driving—but on its own terms and without abandoning the car, Klineberg said.

''Suburban areas are developing town centers and walkable urbanist developments,'' Klineberg said, pointing to developments in The Woodlands, Sugar Land and Pearland.

DRIVERS ADAPTING

The new patterns follow years of steady outward growth, leading to greater distances between homes and workplaces.

Based on the mobility report, in 1982 drivers spent about 22 hours each year stuck in congestion, a figure that has increased almost every year since. Traffic congestion peaked in 2008 at 55 hours, the same year two carpool/toll lanes along I–10 opened between downtown and Katy. The lanes took five years to complete and cost $2.8 billion.

But some of the best ways to reduce congestion are less costly. As Houston drivers have acclimated to rush-hour traffic jams, they've become more adept at saving themselves time.

''People are adjusting when they leave,'' Lomax said, noting resources that provide real-time traffic information. As smartphones and computers become more common, and workdays come with greater flexibility for some people to work from home, commuters can adjust to less-stressful drive times.

Thus, even though they have the sixth-worst commute in the country based on hours of delay, the region's drivers rank 21st on a new calculation that determines how much extra time drivers have to build into their trips. The new measure, called the freeway planning time index, shows drivers don't have to build in as much extra time as others, because planning and good freeway clearance rates by tow trucks keep roads moving, Lomax said.

Public transit can provide some relief, but with jobs in Houston divided among a dozen or so job areas, it's hard for public transit to carry everyone where they need to go efficiently, Lomax said.

Still, drivers and elected officials said traffic congestion is spreading farther from the urban core and growing.

TRUCKING HURT

''I think within the next two years it is going to get worse,'' said Liberty County Commissioner Norman Brown, who said traffic is already worsening for some Dayton-area drivers.

Some congestion on the region's fringes is the result of trucking and manufacturing, Brown said. The mobility report found congestion accounted for $646 million in cost to businesses reliant on trucking in 2011, up from $490 million in 2007.

Emmett said the shipping growth demonstrates the need for investment in rail and other methods to move goods.

Lomax said congestion caused by flourishing truck business can be a good problem to have.

''Economic recession seems to be the one foolproof way of controlling congestion,'' Lomax said. ''But nobody's saying that is a solution.''

Ms. JACKSON LEE. Just to emphasize, finally, whether it is seaways, dams, highways, or tollways, whether it involves other modes of transportation, transportation projects are major engines driving the economy. That is why we are here on the floor. It is important for the local communities to be drivers of that. The metropolitan regions will not be able to maintain economic vitality without this investment.

Finally, the Jackson Lee amendment clearly speaks to the global aspects of the Secretary of Transportation having the ability to work with our local and State governments.

I ask my colleagues to join me in restating that the Secretary of Transportation has authority to work with local and State entities on the proposed projects that they have and for these projects to continue to grow and develop to ease traffic congestion.

Madam Chair, Let me thank Subcommittee Chairman DIAZ-BALART and Ranking Member PRICE for their leadership on this important legislation and for the opportunity to explain my amendment.

The Jackson Lee Amendment adds at the end of the bill the following new section providing that:

SEC. _____. None of the funds made available by this Act under the heading '' Federal Transit Administration—Transit Formula Grants'' may be used in contravention of section 5309 of title 49, United States Code.

This amendment is identical to the Jackson Lee Amendment to H.R. 4775, the Transportation, Housing and Urban Development Appropriations Act for FY2015 adopted by the House last year by voice vote.

In particular, the Jackson Lee affirms the importance to the nation of projects that create economic development, particularly in the transportation area.

Pursuant to section 5309 of title 49, the Secretary of Transportation may make grants under this section to State and local government the authority to assist in financing capital projects, small startup projects, including the acquisition of real property.

This section further supports capacity improvements, including double tracking, and it specifically relates to work that deals with projects on approved transportation plans.

That is key; section 5309 of title 49 grants to State and local governments the authority to undertake capital projects, which means that when local governments propose their projects, the Secretary has the authority to go forward on them.

It's instructive to consider what some of the nation's leading transportation and economic development organizations have to say about the importance and economic impact of investments in local light rail capital projects.

It is well documented that nothing enhances the competitiveness of a nation in this increasingly globalized economy, than investments in transportation infrastructure capital projects.

Whether it is the seaways, dams, highways, or tollways, and whether it involves other modes of transportation, transportation projects are major engines driving the economy.

And it is important for the local community to be the drivers of that.

Metropolitan regions will not be able to maintain its economic vitality without the ability to create and preserve infrastructure that supports the movement of people and goods throughout our country.

The Jackson Lee Amendment clearly speaks to the global aspect of the Secretary of Transportation having the ability to work with our local and State governments.

Houston is the fourth most populous city in the country; but unlike other large cities, we have struggled to have an effective mass transit system.

Over many decades Houston's mass transit policy was to build more highways with more lanes to carry more drivers to and from work.

The city of Houston has changed course and is now pursuing Mass transit options that include light rail.

This decision to invest in light rail was and is strongly supported by Houstonians by their votes in a 2003 referendum and by their increased usage of light rail service made possible in part by transportation appropriations bills.

Specifically, Harris County voters passed a massive referendum proposal that was to set the stage for transit for the next 20 years.

It included a first stage of four light rail lines, to be complete by 2012, and a master plan for a 65-mile system, to be complete by 2025.

An April 2014 report by the Houston METRO on weekly ridership states that 44,267 used Houston's light rail service, which represented a 6,096 or 16% increase in ridership from April of the previous year.

This increase in light rail usage outpaced ridership of other forms of mass transit in the city of Houston: metro bus had a 2.3% increase over April 2013; metro bus-local had a 1.3% increase over April 2013; and Metro bus-Park and ride had a 8.0% increase over April 2013.

In a story published February 5, 2013, the Houston Chronicle reported on the congestion Houston drivers face under daily commute to and from work.

According to the Chronicle article, in 2011 Houston commuters continue to enjoy some of the worst traffic delays in the country, and Houston area drivers wasted more than two days a year, on average, in traffic congestion, costing them each $1,090 in lost time and fuel.

Today, those figures have increased to 3.5 days a year wasted in traffic congestion, costing them each $1,850 in lost time and fuel.

To put it in simpler and starker terms: A driver in Houston could see 154 movies this year or purchase 21 tickets to a home Texans game with the money wasted because of poorly maintained or traffic-clogged roads.

Expanded light rail is critical to Houston's plan to meet its transportation and environmental challenges, ease its traffic congestion, and improve its air quality.

Places most likely to see immediate benefit from light rail in Houston are the 50,000 students that attend the University of Houston and Texas Southern University.

Funds made available under this deal should be available to support local government decisions of the Houston Metropolitan Transit Authority and the city of Houston to expand rail service.

When we put our minds to it, we can get things done.

In Houston, we built a port 50 miles from the ocean, created the world's greatest medical center in the middle of open prairie, and convinced the federal government to base its astronauts in a hurricane zone 870 miles from the launch pad.

Each of those achievements shares a common element: elected officials have advocated, built public support, and brought the agencies together.

Members of Congress should respect the decisions of state and local governments when it comes to deciding how they will spend funding made available for public transportation under this appropriations bill.

I ask my colleagues to again support the Jackson Lee Amendment and affirm the authority of the Secretary of Transportation to work with local governments to develop local transit projects that will relieve traffic congestion, efficiently move people and goods, create jobs and maintain America's status as the leading economy in the world.

I ask my colleagues to support the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROOKS OF ALABAMA

Mr. BROOKS of Alabama. Madam Chair, 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 provide financial assistance in contravention of section 214(d) of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a(d)).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BROOKS of Alabama. Madam Chair, America recently blew through the $18 trillion debt mark. America's Comptroller General warns that America's debt path is unsustainable.

In short, Washington's financial irresponsibility threatens America with a debilitating insolvency and bankruptcy that risks destroying the America our ancestors sacrificed so much to build.

With this impending financial crisis as a backdrop, I ask the House of Representatives to have the courage, to have the backbone, to be financially responsible. The House can do that in part by adopting my amendment that eliminates Federal Government housing subsidies for illegal aliens.

How big is this problem? Census Bureau data analyzed by the Center for Immigration Studies in 2012 reflects that at least 130,000 households headed by self-identifying illegal aliens live in public or subsidized housing. That is potentially hundreds of millions of taxpayer dollars being illegally taken by illegal aliens with the tacit or open consent or even the encouragement of the United States Government.

Think about that for a moment. While American families struggle to make ends meet, while America faces a debilitating and destructive insolvency and bankruptcy, while American families and lawful immigrants are being forced to wait in line for public housing, this administration ignores the law to spend potentially hundreds of millions of taxpayer dollars subsidizing illegal aliens, thereby encouraging their illegal conduct.

Madam Chair, my amendment is simple. It prohibits funding to subsidized housing in violation of section 214(d) of the Housing and Community Development Act that, for clarity, bars HUD from providing taxpayer assistance for the benefit of an applicant ''before immigration documentation is presented and verified'' by DHS' automated Systematic Alien Verification for Entitlements system or a subsequent successful appeal.

Unfortunately, this administration ignores the law and permits illegal aliens to move into public housing before the legality of their status is finally determined.

Also, unfortunately, the administrative and legal process being what it is, it takes as much as 2 years to evict illegal alien tenants after their illegal alien status is discovered.

Madam Chair, it is unacceptable that, in a time of out-of-control United States debt and deficit, HUD violates the law to give limited public housing benefits to illegal aliens, rather than needy American citizens and lawful immigrants.

Madam Chair, I urge the adoption of my amendment that, first, denies public housing subsidies to illegal aliens; and, second, underscores the sense of

Congress that the law must be obeyed and that it is wrong to use public housing subsidies to reward illegal aliens for their illegal conduct.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, I rise in opposition to this amendment. Once again, we have an amendment that, on its face, simply restates existing law. In fact, the gentleman offering the amendment has acknowledged that existing law categorically prohibits HUD benefits from going to undocumented persons.

What is going on here? What is lurking beneath the surface? I fear something is. An anti-immigrant agenda based on fear and prejudice would appear to be the answer.

We are feeding into widely held misconceptions that so many undocumented immigrants are seeking and receiving Federal benefits, that Federal programs, Federal dollars, are being abused and misused.

Well, we do need to have a remedy for our broken immigration system. As I said earlier, a comprehensive immigration reform bill, bipartisan, passed the Senate last Congress. It could be placed on this floor tomorrow and pass overwhelmingly. That doesn't appear to be happening. Instead, what we have is this drumbeat of measures that are denigrating the immigrant community.

We need to have some restraint in this body on such amendments. They don't alter existing law. They do, I am afraid, though, stir controversy. They reinforce prejudice and stereotypes. They distract us from the business at hand.

I think it is an unworthy amendment. I urge my colleagues to reject it, and I yield to the gentleman from Florida (Mr. DIAZ-BALART), the chairman of the subcommittee.

Mr. DIAZ-BALART. I thank the gentleman for yielding.

I think it is important to just kind of always try to lower the decibels as much as we can.

This amendment, as both gentlemen have said, does not change current law. It doesn't change current HUD policies. It merely restates current law. I don't, frankly, see a reason to have the amendment. Likewise, I don't see a big reason to oppose the amendment that just, again, restates current law. I ask all sides to try to lower the rhetoric on this issue. This amendment does not change anything.

As the ranking member knows, I have been involved in trying to get immigration reform for a long, long time and have worked with a number of Republicans and Democrats. I will tell you that both sides have had opportunities to get it done, and neither side got it done when they had the opportunity to get it done. I am hoping that we will be able to get it done.

□ 2015

But this is not the time and place to have that debate. So, again, while I don't see the need for this amendment, I don't see what the issue is of objecting to an amendment that, in essence, does absolutely nothing.

I thank the gentleman from North Carolina (Mr. PRICE) for allowing me some of his time.

Mr. PRICE of North Carolina. I thank the chairman, and I yield back the balance of my time.

Mr. BROOKS of Alabama. Madam Chair, I find it interesting and somewhat perplexing how my good friend across the aisle talks about an anti-immigrant agenda appealing to fear and prejudice.

It seems that whenever we start talking about border security and lawful immigration, the race card is played. And I would submit that that is because, in part, there is an absence of rational sound public policy for the position taken.

Let's emphasize something. America has, far and away, the most generous lawful immigration policy in the world. No nation is as compassionate with respect to lawful immigrants as the United States of America is, and I challenge anyone to say different.

I wish that this kind of amendment was not necessary, but when you have got an executive branch that has shown itself to be willingly lawless, to the point that two Federal judges, one in Pennsylvania and one in Texas, have had to render a decision trying to force this administration to obey the law, then I would submit, Madam Chair, that it is important to have these kinds of amendments to also deny the funding that otherwise would be used for that lawless conduct.

I ask for support of the amendment. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BROOKS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. ENGEL

Mr. ENGEL. Madam Chair, I have an amendment at the desk.

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. ____. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Madam Chair, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

My amendment echoes the President's memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accord with the President's memorandum.

I have submitted identical amendments to 17 different appropriations bills over the past few years, and every time they have been accepted by both the majority and the minority. I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay $147 per barrel. But despite increased production here in the United States, the global price of oil is still largely determined by OPEC.

Spikes in oil prices have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum. We can change that with alternative technologies that exist today.

The Federal Government operates the largest fleet of light-duty vehicles in America, over 635,000 vehicles. More than 6,000 of these vehicles are within the jurisdiction of this bill, being used by the Department of Transportation and the Department of Housing and Urban Development.

When I was in Brazil a few years ago, I saw how they diversified their fuel by greatly expanding their use of ethanol. People there can drive to a gas station and choose whether to fill their vehicle with gasoline or with ethanol and also possible blends as well. They make their choice based on cost or whatever criteria they deem important.

So I want the same choice for America's consumers. That is why I am proposing a bill in Congress, as I have done many times in the past, which will provide for cars built in America to be able to run on a fuel instead of, or in addition to, gasoline. If they can do it in Brazil, we can do it here, and it would cost less than $100 per car to do.

So, in conclusion, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign-government-controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers.

I urge that my colleagues support the Engel amendment.

In conclusion, I would just say that energy policy is something that is really important, and we can take a very

small step tonight to move closer to energy independence and protecting the American consumer. I would urge all my colleagues on both sides, as they have in the past, to support this bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HULTGREN

Mr. HULTGREN. Madam Chair, 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 by the Federal Aviation Administration for the bio-data assessment in the hiring of Air Traffic Control Specialists.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. HULTGREN. Madam Chair, I rise today to offer my amendment, which defunds a troubling hiring test put forth by the FAA which has led to cheating and questionable hiring practices for air traffic controllers.

The intent of my amendment is not to slow hiring, but to stop the FAA's use of a discredited gatekeeper hiring test.

I represent more than 270 air traffic controllers in Illinois' 14th Congressional District. More than a year ago, the FAA made an inexplicable and obscure change to its longstanding hiring practices, with few details given about how the changes would be implemented and with little advance warning.

Setting aside its decades-long process by which qualified Collegiate Training Initiative students and military veterans were given preference in hiring, the FAA implemented a new biographical questionnaire, or Bio Q, which contains such questions as, ''How many sports did you play in high school?''

With no way to know what a right answer is, how to improve on the test, or what their final score was, many otherwise highly qualified applicants failed, after spending countless resources and time training to become air traffic controllers.

The new procedures caused the agency to divert the hiring process around highly qualified, CTI-certified trainees and experienced veterans, jeopardizing air travel safety in favor of off-the-street hires, some of whom have little experience or ambition.

Since then, the FAA has been under fire following a six-month investigation which uncovered that FAA or aviation-related employees may have assisted in giving potential air traffic controller recruits special access to answers on the Bio Q to help them gain jobs with the FAA.

This cheating is greatly disturbing and jeopardizes any shred of credibility of the Bio Q that it had any accurate or fair test to determine who should be an air traffic controller.

Yet, we are now finding out that the cheating may run deeper than first reported, possibly with knowledge at the highest levels of the FAA.

If additional FAA or aviation-related employees helped applicants cheat on the Bio Q, it is imperative that we expose those responsible and determine how widespread and systemic the misconduct is.

I have urged Congress to compel the FAA to appear before the American people to get to the bottom of this troubling discovery. These investigations uncover just how discredited the Bio Q is in any hiring process.

But until we get answers to these questions, like who knew about the cheating, when did they know about it, and how did they cover it up, we cannot let the FAA employ people unfairly using the highly flawed Bio Q as a gatekeeper.

In addition, we still don't know what will happen to those who have either failed the Bio Q, aged out of the hiring process, or both.

Disqualifying highly trained, certified graduates and military veterans because they did or did not play sports in high school is ridiculous. This amendment would restrict funding for the Bio Q, stopping its use by the FAA.

When you climb into an airliner, you trust the pilot, the crew, and the air traffic controllers will keep you safe. I have introduced H.R. 1964, the Air Traffic Controllers Hiring Act of 2015, to reverse the effects of the FAA's policy, restore safety and confidence to air travel, and to make sure we have the best and brightest in our control towers.

I have hopes that this legislation can move quickly through the House and have urged the Transportation Committee to hold a hearing on the bill. Now that Aviation Subcommittee Chairman LOBIONDO has cosponsored the legislation, I am looking forward to the committee's consideration.

Until then, this amendment will help restore some sanity back to the FAA.

I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), my good friend and colleague.

Mr. LIPINSKI. Madam Chair, I thank the gentleman for yielding and for his work on this amendment and on the bill.

As the gentleman said, early last year, the FAA switched course on its hiring process by moving from the AT-SAT, which was a tried-and-true, knowledge-based test, to a bio-data assessment. The change had a tremendous impact on the 36 Air Traffic Collegiate Training Initiative schools.

I have one of the best of these schools in my district, Lewis University. Lewis 2 years ago won the Loening Trophy as the best aviation program in the Nation.

Maybe students chose to attend Lewis and these other schools because of the advantages that CTI schools provided under the old hiring system. They decided at a young age to enroll in a program fostered by the FAA and were given the opportunity to excel on the AT-SAT, which was unfairly pulled out from under them.

Madam Chair, this amendment is a step in the right direction towards fixing the misguided policy change that had a negative impact on students and the universities that invested significant resources in training our future generations of air traffic controllers.

But I need to emphasize that this amendment should not come at the cost of slowing down the hiring of air traffic controllers. We have already suffered from a hiring and training slowdown and cannot afford further delays to staffing an essential safety function of the FAA.

Our hard-working air traffic controllers are already understaffed, and Congress must ensure that we are increasing their ranks quickly and with well-trained air traffic controllers.

Madam Chair, I urge my colleagues to vote ''yes.''

Mr. HULTGREN. I thank my colleague from Illinois, and I would also urge my colleagues to support this passage and to make sure that we continue to have the safest air traffic control towers in the world.

Madam Chair, I yield back the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I very reluctantly, actually, claim time in opposition.

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

Mr. DIAZ-BALART. Madam Chair, I actually understand and, frankly, listened very intently to the gentleman's concerns, and I actually want to work with him to make sure that nothing is used that is absolutely arbitrarily, or frankly, totally unfair. And so I think the gentleman's concerns are very, very valid.

At this time, however, and that is why I say ''very reluctantly'' have to oppose, because, again, at this moment, I am concerned, hearing the other gentleman from Illinois mention the fact that we want to make sure that we don't slow down the hiring of the air traffic controllers. We need to hire another 1,500 new controllers in 2016.

So I not only appreciate the gentleman's concerns, but I, in fact, potentially could share a lot of his concerns.

But again, reluctantly at this time, because I am concerned about potentially slowing down the hiring of new controllers, I reluctantly have to oppose his amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. HULTGREN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HULTGREN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. MEEHAN

Mr. MEEHAN. Madam Chair, 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. 416. None of the funds made available by this Act for Amtrak capital grants may be used for projects off the Northeast Corridor until the level of capital spending by Amtrak for capital projects on the Northeast Corridor during fiscal year 2016 equals the amount of Amtrak's profits from Northeast Corridor operations during fiscal year 2015.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 2030

Mr. MEEHAN. Madam Chair, before I begin my comments, I would like to thank Chairman DIAZ-BALART and Ranking Member PRICE for all of their diligent work on this bill.

My amendment seeks to prioritize investment in Amtrak's Northeast Corridor, which is its most heavily traveled route, by ensuring that operating profits that are earned there stay there.

Last year, Amtrak's Northeast Corridor line earned nearly $500 million in operating profit. More than 100,000 Americans get on a train that travels along the Northeast Corridor every day, but instead of reinvesting those dollars into improvements in the line's infrastructure, much of that money was sent across the country, used to subsidize money-losing, long-distance Amtrak routes. This has left Amtrak's most heavily traveled route less funded, and it has delayed needed improvements to Amtrak's only line that actually turns a profit.

This amendment will fix that. It will ensure that the dollars Amtrak earns along the Northeast Corridor are invested into improvements in the line's infrastructure. It will make travel along Amtrak's most heavily used route safer, and it will also do so without adding to the taxpayers' burden.

This amendment will codify the principle that was passed in the Passenger Rail Reform and Investment Act, and I might add that that was approved with more than 300 votes in this House earlier this year. This tracks that same principle. And that legislation passed with the leadership of my friend and fellow Pennsylvanian, Chairman BILL SHUSTER, which requires that Amtrak direct capital investments into the Northeast Corridor, where it is needed most.

Madam Chair, more than 11 million Americans rode an Amtrak train between Boston and Washington last year. Many more used rail lines like SEPTA or Metro-North, operating on tracks owned by Amtrak, to get to work every day. The tragic derailment in my own area of Philadelphia last month has shown that there is a desperate need to improve the line and strengthen capital investments in the region.

This amendment will ensure Amtrak makes smart investment decisions and directs capital spending where it is needed most. It will help Amtrak tackle the backlog of capital projects that plague the Northeast Corridor. It will reduce delays. It will mean safer, more efficient travel for millions of Americans who rely on Amtrak's Northeast Corridor every year. I urge my colleagues to support it.

I yield to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. I thank the gentleman for yielding.

Madam Chair, there is a lot of work that goes into this bill and there is a lot of work that goes into the amendments, but I will tell you that the gentleman from Pennsylvania has worked nonstop to find real solutions to deal with making sure that Amtrak is safe and, in particular, that the Northeast Corridor is as viable and as safe as possible. So I just must commend the gentleman for his hard work, for the way that he has just worked this issue day in, day out to get to the point where we are today.

Mr. MEEHAN. I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I wish to claim the time in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, I too want to commend my colleague for offering this amendment. I understand his intent. There are significant capital needs on the busy Northeast Corridor. It is Amtrak's busiest and most successful corridor. It is a fundamental flaw of this bill that we are unable to provide for the kind of investments that the service in that corridor warrants and, indeed, that the service of Amtrak nationwide warrants.

But the effect of this amendment, I fear, in the environment of inadequate investment, this would provide a much-needed boost in investment in the Northeast Corridor. It may be still not enough, but it would do so at the expense of the rest of the Amtrak network, and that should give us pause when we consider this amendment.

The amendment would require Amtrak to spend at least $1.2 billion—the annual amount of Northeast Corridor revenues—on Northeast Corridor capital projects before they could spend any of their Federal capital funding elsewhere. This would have the effect of halting all capital projects that are not on the Northeast Corridor, including all information technology, upgraded safety technology, until very late in the fiscal year at the earliest, and possibly longer, should projects on the Northeast Corridor not be ready to advance. This would also hinder Amtrak's ability to manage State and long-distance service.

I know that all of these consequences are probably not my colleague's intent, but it does demonstrate the types of consequences that we need to consider when making such a policy change. I ask colleagues to vote against this amendment.

I yield back the balance of my time.

Mr. MEEHAN. Madam Chair, before I close my comments, I think it is important to recognize that the same principle has already been adopted by 318 Members of this body, including a near unanimous vote by my colleague from the other side of the aisle, his colleagues on that side of the aisle.

I will also say that I am not sure that the gentleman understands the actual effect of the bill. It simply is to reinvest the profits that are made on the Northeast Corridor. These are being made by the investments that are being made by the taxpaying people who are purchasing those tickets. We can still look for ways to fund other parts of the system around the country where they can earn their investments on merit.

We are asking, in light of the fact that this is a line which is so heavily used, the priorities be placed where they are most needed.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MEEHAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MR. NEWHOUSE

Mr. NEWHOUSE. Madam Chair, 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 issue, implement, or enforce the proposed regulation by the Federal Aviation Administration entitled ''Operation and Certification of Small Unmanned Aircraft Systems'' (FAA-2015-0150) without consideration of the use of small unmanned aircraft systems for agricultural operations, as defined in 14 CFR 21.25(b)(1).

Mr. DIAZ-BALART. Madam Chairwoman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Madam Chair, I rise today to introduce an amendment on an important topic that will undoubtedly have a growing impact not just on our Nation's agricultural sector, but on our economy as a whole.

The use of unmanned aerial vehicles, or UAVs, has enormous possibilities for our economy, whether it is providing cost-effective means to deliver packages, photographing housing for Realtors, broadcasting sports games, assisting law enforcement with tracking criminals, or providing mobile WiFi hubs for Internet access. However, one vastly underconsidered outcome for UAV technology is that it could potentially transform our Nation's agricultural sector.

Ideas have been considered using UAVs to survey cropland, to determine property lines, or to help plan for planting, spraying, watering, or harvesting of crops; however, the potential applications are even greater. Depending on how this technology evolves, UAVs may be equipped with special cameras to determine if crops are dry and need extra water and where and how much should be applied. They may also be used to apply pesticides or fertilizers with precision to ensure that too little or too much isn't being used. And depending on their sophistication, someday, UAVs may even be used to harvest the food we grow.

The potential applications don't just stop there, though. In my district last year, we experienced the worst forest fire in Washington State history, consuming hundreds of thousands of acres. In the future, first responders, the Forest Service, and other stakeholders may be able to use UAVs to monitor the spread of fire to get people out of harm's way or to better predict where to best apply water and fire retardants. They could even help with identifying dry or overgrown areas in advance to help stakeholders know where treatment is needed, which could prevent fires in the first place.

Madam Chair, I appreciate the steps the FAA has taken in releasing draft rules regarding UAVs and that the FAA has been more agreeable in allowing testing of UAVs for commercial purposes.

While I understand that safety and privacy are enormous concerns being considered by the FAA, it is also important that we do not fall behind other nations in utilizing this technology, which are currently developing and innovating in this industry more rapidly than we are here in the United States.

Madam Chair, my amendment today is simple. It merely limits FAA's rulemaking on UAVs if the rules do not take into consideration agricultural applications of UAVs in the rulemaking process.

I appreciate the work the FAA is doing on this matter, and I hope the final rules that are expected later this year generously allow for the safe testing and commercial use of UAVs, ensuring the amazing agricultural prospects for these technologies are well considered in the process.

Madam Chair, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Washington?

There was no objection.

AMENDMENT OFFERED BY MR. NEWHOUSE

Mr. NEWHOUSE. Madam Chair, 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 issue, implement, or enforce regulations by the Federal Aviation Administration entitled ''operations and certification of small unmanned aircraft systems'' (FAA–2015–0150) in contravention to 14 CFR 21.25(b)(1).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Madam Chair, in my previous comments, I addressed this amendment, which is in order, and I would just submit those comments to be used for this particular amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Madam Chair, 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 implement, administer, or enforce the final rule entitled ''Implementation of the Fair Housing Act's Discriminatory Effects Standard'', published by the Department of Housing and Urban Development in the Federal Register on February 15, 2013 (78 Fed. Reg. 11460; Docket No. FR-5508-F-02).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 2045

Mr. GARRETT. Madam Chair, I rise today, as I have done in the past, to offer an amendment that attempts to restore some sanity, fairness, and certainty to our housing market. My amendment would undo harmful economic actions taken by the administration that weaken credit availability and job creation. You see, the Department's final rule implementing the Fair Housing Act's discriminatory effects standard establishes regulations promoting the use of a legal theory known as disparate impact.

What is disparate impact? Disparate impact liability allows the government to allege discrimination on the basis of race or other factors based solely on statistical analyses that find disproportionate results among different groups of people and—get this—regardless of any evidence of any actual discriminatory actions or intent. Let me point that out again—regardless of any evidence of actual discrimination.

If, for example, a mortgage lender uses a completely nondiscriminatory standard to assess credit risk, such as maybe a debt-to-income ratio, they can still be found to have discriminated if the data shows different loan approval rates for different groups of consumers.

So real and actual discrimination must be prosecuted to the fullest extent of the law. I think that is something everyone here can agree on. But under the example that I just laid out, that lender could even have specific antidiscriminatory practices in play, in other words, he would have rules in his business in place, but still be found liable under this theory.

Predictably, by creating a presumption of discrimination, this rule will result in a perverse regulatory scheme where lenders, insurers, and landlords would effectively be required to intentionally discriminate among different classes of borrowers. Why? Just to protect themselves from becoming entangled in the regulatory pretzel-like logic of this administration.

So if we specifically consider the examples of homeowner insurance commonly considered factors, including an applicant's claim history, construction material, the presence or absence of a security system, the distance to the firehouse, well, they could be barred if they were found to result in creating a statistical disparity for a class defined by race or ethnicity or gender.

You see, sound risk-based lending insurance underwriting and pricing that unintentionally results in a statistical disparate outcome, that is not discrimination; rather, accurate risk identification and classification is absolutely essential to the lending of insurance businesses.

In addition to being unfair and unwise, the HUD rule is also unnecessary. Why? Because protected class characteristics are already prohibited from consideration in the risk assessment process.

You see, State law already prohibits insurers from recording race, for example. The HUD rule requiring race considerations there turns on its head and violates these laws. You see, all 50 States in this country have antidiscriminatory provisions in their housing insurance regulations, and there is no claim that these have been insufficient. The Federal Government, therefore, should be encouraging sound business practices, not punishing them to utilize them.

We have seen what risky lending practices can do to our economy already. Although I believe the Supreme Court will strike down disparate impact theory, we should do all we can in our power to rein in an administration policy that will increase the cost and undermine the availability of credit throughout the economy.

Now, to this Chamber's credit, let me point out, this House recently passed my amendment to the Commerce-Justice-Science Appropriations bill that would prevent the DOJ from using this very same theory.

I hope that we will continue to take a stand against this flawed logic and theory and promote sound business practices.

I urge my colleagues to support this amendment.

With that, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I wish to claim the time in opposition.

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

Mr. PRICE of North Carolina. I rise in opposition to this amendment. It would nullify a critical enforcement tool that has been used, for example, to rule against discrimination and racially discriminatory zoning requirements, practices that exclude families with children from housing, discrimination by lenders, zoning requirements that discriminate against group homes housing individuals with disabilities. It is a critical enforcement tool, and it would be a very, very bad mistake to pass this amendment.

I yield 2 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Financial Services Committee.

Ms. MAXINE WATERS of California. Madam Chair, I rise in strong opposition to this amendment. I am very surprised that this amendment is being brought by my friend, Mr. GARRETT.

Mr. GARRETT's amendment seeks to empower HUD's efforts in enforcing the Fair Housing Act in such a way that relies on the disparate impact doctrine. It weakens our ability to protect Americans from discriminatory policies that deny them access to quality housing, quality neighborhood schools, and other resources.

The disparate impact doctrine is a very effective legal tool that has been used for decades to address seemingly neutral policies that have the effect of discriminating against protected classes.

The disparate impact doctrine provides legal redress for victims of hidden discrimination. It ensures that women cannot be evicted from their apartments solely because they were victims of domestic violence, and it ensures that veterans with disabilities are not barred from living in certain places solely because of the lack of accommodations for their disability. This amendment ignores the realities of harmful discrimination in our Nation today, and it would eliminate well-established, decades-old protections for American families.

I urge my colleagues to vote ''no.''

Mr. PRICE of North Carolina. I yield 2 minutes to the gentleman from Texas (Mr. AL GREEN), another outstanding Financial Services member.

Mr. AL GREEN of Texas. Madam Chair, this amendment would absolutely, totally, and completely allow discrimination against our veterans. If you are a veteran and you need a service animal and if there is an area that is set aside with no pets allowed, that service animal can become a pet. We cannot allow veterans to be discriminated against.

With reference to this amendment being a theory, all 11 circuit courts have upheld it. It is not a theory. It is a standard. It is a standard that the courts adhere to, and it is a standard we ought not abrogate. We must continue.

I am absolutely, totally, and completely opposed to this amendment, and I beg that my colleagues would go on record as being opposed to it as well.

Mr. PRICE of North Carolina. I yield to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Madam Chair, I am wary of considering an amendment on a rule and regulation that is currently pending before the Supreme Court. The sponsor of the amendment is a good man, but I would hope that we would wait for the Court to issue its ruling and then the committee of jurisdiction can properly debate and consider what, if any, legislative action should be taken. For those reasons, I urge a ''no'' vote on this amendment.

Mr. PRICE of North Carolina. I yield the balance of my time to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the gentleman for yielding me the time, and I strenuously urge all Members to vote ''no'' on this particular amendment.

The fact is that residential segregation in this country has limited opportunities for people for so many years. And I don't mean segregation just in terms of race—people who are excluded because of race, because of gender, because of all types of reasons.

If we say that disparate impact has no place, then we will be precluded from looking into how disparity just causes people to have different chances to live the American Dream. We will be consigned to having to find a smoking gun or intent before we can take action to try to make this country fairer and more open.

This is a very bad amendment, and I urge all Members to vote ''no.''

Mr. PRICE of North Carolina. Madam Chair, I yield back the balance of my time.

Mr. GARRETT. Madam Chair, how much time remains?

The Acting CHAIR. The gentleman from New Jersey has 1 minute remaining.

Mr. GARRETT. The gentleman said, ''The fact is.'' Well, everything we have heard for the last 5 minutes as the facts has absolutely nothing to do with this bill. This bill has nothing to do with vets and service animals. This bill has nothing to do with domestic violence and women not being able to be in the house. This has nothing to do with any of the weakening of State standards whatsoever.

This bill basically simply says that, if a lender to you says that you live in a wooden house versus a stone house, there might be different rates for your insurance. It says that, if your house is miles from a fire department and your house is right next to the firehouse, there might be different rates for the insurance and the mortgages and the loans you get on that house. Those are not discriminatory practices. Those are reasonable practices that businesses enter into. It has nothing to do with all of the examples just given.

This bill says we should continue to go after and prosecute when there is evidence of discrimination and intentional discrimination. This bill will not end that. This bill will not end your ability to look into the examples the last gentleman just raised. It would simply say that businesses should be allowed to use standard rationales in their risk analysis, whether it is debt-to-income ratio or construction materials and the like.

For those reasons, along with the other reasons I have already said and the host of organizations that support this legislation, and that this House just passed last week on the CJS bill, we should do so again tonight.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARRETT. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chair, 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 in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term ''Fair Labor Standards Act'' and such disposition is listed as ''willful'' or ''repeated''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Madam Chair, this amendment simply says that the United States Government should not give appropriations and pay contracts for people or companies who have been found to have willful or repeated violations of the Fair Labor Standards Act. In other words, if you have repeatedly and willfully stolen the wages of workers and you have a Federal contract, then you are not the kind of contractor who the American people, through the U.S. Congress, want to do business with.

No hard-working American should ever have to worry that her employer will refuse to pay her when she works overtime or take money out of her paycheck, especially if she works for a Federal contractor. The practice is known as wage theft. Right now, Federal contractors who violate the Fair Labor Standards Act are still allowed to apply for Federal contracts.

This amendment, which my colleagues from the Progressive Caucus join me in, will ensure that funds may not be used to enter into a contract with a government contractor that willfully or repeatedly violates the Fair Labor Standards Act. The amendment ensures that those in violation of the law do not get taxpayer support and should not get the rewards that other good contractors receive.

It is important to point out to Members contemplating this amendment that, if you are a contractor who pays your workers on time, who does what you are supposed to do, who has avoided willful violations and repeated violations of the Fair Labor Standards Act, you should not, as a good contractor, have to compete with somebody who gets a competitive advantage by stealing the pay of their workers. We should have good contractors competing for contracts, not contractors who make willful, repeated violations of the Fair Labor Standards Act.

This amendment relies upon violations reported to the Federal Awardee Performance and Integrity Information System.

□ 2100

That system looks back 5 years to review criminal, civil, or administrative agency actions which have a final disposition.

This amendment differs from previous amendments that I have offered similar to it because it targets actors who willfully or repeatedly engage in wage theft. The amendment would ensure that a single inadvertent violation would not disqualify a contractor, but it would show clearly that someone who had made repeated and willful violations would not be able to benefit from the contract.

I urge Members to vote in favor of this particular amendment because a penny worked for and a penny earned must be a penny paid; particularly when that penny is derived from a company with a Federal contract, we have a right to believe that we are going to be treated in an honest way.

I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Madam Chair, I want to commend my friend from Minnesota for offering this amendment. Every worker is entitled to receive pay, fair pay, for the hours they work. We know, unfortunately, there are employers, as the gentleman has stated, who refuse to pay for overtime, who make their employees work off the clock, who refuse to pay the minimum wage. These things go on.

The least we can do is take steps to ensure that those employers don't receive new Federal contracts. That is what the gentleman's amendment does. I commend him for offering it and urge colleagues to support him.

Mr. ELLISON. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 1½ minutes remaining.

Mr. ELLISON. Madam Chair, I want to thank the gentleman for the support for this amendment.

Let me just point out a few things for Members contemplating this amendment.

An important think tank looked at this question and found that in total, the average low-wage worker loses a stunning $2,600 a year in unpaid wages, representing about 15 percent of their earned income.

One thing that I believe Democrats and Republicans can agree on is that, if you break your back on the job all day long trying to earn a living and you don't get paid what you are supposed to get paid and your check is light, we all have to agree that that is wrong.

I expect to have an all green board up there because to do otherwise would say that you want to stand on the side of the wage thieves, the ones who are willfully and repeatedly making violations of the Fair Labor Standards Act.

I think that, as the United States Congress, we should stand together and say a penny worked is a penny that is going to be paid, and we are going to insist upon it.

Finally, I just want to say that breaking the law is a bipartisan problem. Nobody can stand with the contractors who do this. It is one thing to underpay your workers in a way that is consistent with the law by paying them the Federal minimum wage rate—I want to raise it; we may not agree on that—but for sure, we have got to agree that, for people who work for Federal contractors, we have got to insist that the contractors who pay these workers even less than they have earned should not benefit from a Federal contract.

To help the workers, we have to do this, and to help the honest Federal contractors, we have to do this.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DIAZ-BALART. Madam Chair, I claim the time in opposition.

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

Mr. DIAZ-BALART. Madam Chair, the gentleman's amendment is obviously very well intentioned.

However, the amendment, as drafted, is so broad that, for example, a contractor could be excluded for something as minor as failing to display a poster in a break room. Again, it is well intentioned.

We have to remember something. We fund a lot of contracts in this bill, everything from phone service to the computer systems that ensure an orderly and efficient air space. Potentially, this amendment could eliminate a number of those transportation-industry-dependent contracts.

Nobody wants to allow for lawbreaking; but, because it is so broadly drafted, the unintended consequences, I think, that folks could be caught in this are a lot more than I think many folks understand.

Again, though it is a well-intentioned amendment, I would urge a ''no'' vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 28 OFFERED BY MR. EMMER OF MINNESOTA

Mr. EMMER of Minnesota. Madam Chair, I have an amendment at the desk.

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. ____. None of the funds made available by this Act may used to carry out any enrichment as defined in Appendix A to part 611 of title 49, Code of Federal Regulations, for any New Start grant request.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. EMMER of Minnesota. Madam Chair, I rise to address an issue that is playing a role in crippling America's transportation system by driving our deficits and exacerbating the need for bailouts of the highway trust fund. As we debate how to fund transportation, one of the most vital functions of government, this body is being forced to make hard choices.

I want to thank Chairman DIAZ-BALART, the ranking member, and the members of the subcommittee for their

work on bringing this appropriations bill to the floor. Their work is definitely appreciated by me and my constituents. That said, it is inconceivable to me that, as we kick the can on a long-term transportation authorization bill, we continue to allow frivolous spending on transit projects.

As important as New Starts transit projects are to my State and my district, one would think that every last available dollar would go towards ensuring transit New Starts have the funding needed to make a line operational and as cost effective as possible.

Madam Chair, that is not what is happening. Within Federal grant applications, extras are being included that can dramatically raise the cost of transit New Starts.

Excessive enrichments such as artwork, landscaping, and bicycle and pedestrian improvements such as sidewalks, paths, plazas, site and station furniture, site lighting, signage, public artwork, bike facilities, and permanent fencing are included in the overall grant application.

Even more shocking is that the Federal Transit Administration doesn't include these extra costs into the cost-effective measurements for the overall cost of the project which serves to deceive taxpayers and Congress as to the project's real price tag.

Madam Chair, in my district alone, I have cities that have placed a moratorium on new business development due to severe transportation issues. It is insane to me and my constituents that we blindly spend money on the niceties rather than prioritize funds for the necessities.

There are numerous reasons that our Federal highway trust fund continues to run deficits and we will continue to have that debate; but one place that we can agree, certainly, is that Federal taxpayers should absolutely not be paying for things like artwork, furniture, lighting, and bike racks while transportation projects remain unfinished across America.

I understand the need and desire for transit projects—I have them in my district—which is why I have offered this amendment. We should make funds available to ensure more Federal dollars go to what the hard-working taxpayers who fund these accounts expect, transit projects, rather than expensive add-ons that are driving deficits in our transit accounts.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, in considering this amendment, it is important to be very clear about what the amendment means when it refers to enrichments.

This refers to improvements to a transit project like a sidewalk, paths, plazas, lighting, and signage, things that can help individuals in utilizing transportation infrastructure and ensure that they do so in safety.

Unfortunately, Madam Chair, there are approximately 4,000 pedestrian deaths, comprising 14 percent of overall traffic fatalities each year. These enrichments are just the kinds of projects that could help reduce the risk for pedestrians, for bicyclers, and other users of our systems.

Now, the gentleman offering this amendment is just bordering on ridicule when he talks about site lighting. Really, site lighting? What is more important to promoting safety, promoting visibility, and discouraging those who would prey on individuals than site lighting?

Site lighting is extremely important in improving general safety in public places. It is incredibly important for protecting individuals against crime, including harassment and assault. That is what we are talking about here.

Now, the amount of funding that goes towards such enrichments is small relative to other expenditures, but it is a commonsense way that we can enhance our transportation projects, we can broaden their use, and, above all, we can ensure that they are safe for all users.

It is an unwise amendment, Madam Chair, and I urge its rejection.

I yield back the balance of my time.

Mr. EMMER of Minnesota. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. EMMER of Minnesota. Thank you, Madam Chair.

I have the utmost respect for my colleague from North Carolina, but he actually makes the argument for the amendment as opposed to opposed to it.

Yes, it reduces risk for bicyclists and pedestrians when you talk about signage, when you talk about certain lighting, when you talk about certain enhancements that are add-ons to the project that the Federal Government and the Federal taxpayer dollars are intended to fund.

The Federal taxpayer dollars should be going to the transit project that it is intended for, instead of all the extras. The local authorities should be responsible for those.

Madam Chair, I urge my colleagues to support the amendment. It is a clear-cut amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. EMMER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT OFFERED BY MS. BASS

Ms. BASS. Madam Chair, 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 spending reduction account), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Federal Transit Administration to implement, administer, or enforce section 18.36(c)(2) of title 49, Code of Federal Regulations, for construction hiring purposes.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. BASS. Madam Chair, as the economy continues to recover, 8.5 million Americans are still unemployed. Meanwhile, the effectiveness of local transportation agencies to spur job creation in their local communities is unnecessarily obstructed by restrictive Department of Transportation policies.

Limiting the ability of local officials to contribute to targeted job growth is detrimental to local economies across the United States, especially in communities where many remain jobless.

Local hiring and procurement policies have helped to provide quality job opportunities to residents in communities hardest hit by the economic downturn.

My local hire amendment is designed to help spur local job creation through federally funded transportation projects nationally.

My amendment would prevent the Department of Transportation from issuing regulations that prevent local hiring. Specifically, it would limit the regulations and burdens placed on local governmental agencies, preserve the competition and cost-effectiveness mandates in our current rules that govern Federal transit grants, and give local transportation agencies the necessary flexibility to apply geographically targeted preferences when making hiring decisions for federally funded transit and highway projects.

It is important to note that this local hire amendment does not require transportation agencies to implement local hiring policies. It simply gives local leaders the opportunity to do so if they determine it is in the best interest of their communities.

Madam Chair, I urge my colleagues to support this important amendment. It will reduce burdensome regulations and spur local job creation.

I yield back the balance of my time.

□ 2115

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. BASS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ZELDIN

Mr. ZELDIN. Madam Chair, 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 by the Administrator of the Federal Aviation Administration to institute an administrative or civil action (as defined in section 47107 of title 49, United States Code) against the sponsor of the East Hampton Airport in East Hampton, NY.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ZELDIN. Madam Chair, I am proud to represent a district that is home to some of the most scenic destinations in the country, and all forms of transportation are part of our tourism economy. Yet, with the high season upon us, many of my constituents are finding themselves bewildered by actions of the FAA. Federal agencies ought to stand by their word and keep their commitments to Members of Congress and to the citizens we represent.

In 2012, the FAA made assurances to my predecessor that, in light of a 2005 court settlement between the FAA and a community group, the town of East Hampton, New York, would not be subject to certain regulations after December 31, 2014, when certain grant assurances expired and, thus, could adopt restrictions on the use of their airport without FAA approval.

The FAA has written that the town can proceed on certain course and not fear FAA reprisal for their actions. Earlier this spring, the democratically elected town board passed a set of airport regulations—all predicated on the FAA's written assurance to not take negative action against the town. Recently, however, the FAA has started wavering.

I am offering this amendment, which is 100 percent consistent with the prior written assurance made by the FAA. This amendment will hold the FAA to its word on this critical local issue, a local issue that should have a local solution—bring all sides to the table to improve the quality of life on the East End this high season.

Madam Chair, I urge all of my colleagues to support this effort. The people of the East End communities across Long Island and around America deserve straight answers and follow-through from government agencies.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I rise in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, I do this, though, simply to express some concerns about this amendment and others like it that we have heard over the course of this debate.

I do have some concerns about limiting flight path options for the FAA in a piecemeal fashion from the floor of the House. The FAA needs to have appropriate flexibility to use flight paths in the wisest ways, particularly if there are safety risks for incoming or outgoing aircraft. I do think, however, that the FAA needs to take note and be more responsive to the concerns that have been raised in these limitation amendments, and there have been several this evening and in the prior days of this debate.

I also want to observe that the FAA's authorization expires at the end of the fiscal year. Now, as I mentioned in the debate last week, our colleagues on the Transportation and Infrastructure Committee are exploring options to reform the FAA, including separating the FAA from the Department of Transportation, allowing it more independence over the use of its resources.

I would say this is an important time to encourage caution, to encourage our colleagues to think very carefully about a more independent FAA, one that does not have to rely on annual appropriations. Would it be as attentive to concerns such as those raised by communities and by our colleagues here tonight? We ought to move very cautiously in this area.

I strongly urge the FAA Administrator, in observing this parade of limitation amendments, to take note to ensure that the FAA is more attentive to the concerns that are raised by communities when developing their new flight procedures.

I yield back the balance of my time.

Mr. ZELDIN. Madam Chair, I thank the gentleman from North Carolina for his comments. Certainly, concerns within the First Congressional District of New York are the reason this amendment is being offered. I strongly urge my colleagues to support this important amendment so as to ensure that these local issues have local control.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ZELDIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LEWIS

Mr. LEWIS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 156, after line 15, insert the following new section:

SEC. 416. Notwithstanding Mortgagee Letter 2015–12 of the Department of Housing and Urban Development (dated April 30, 2015) or any other provision of law, the Secretary of Housing and Urban Development shall—

(1) implement the Mortgagee Optional Election (MOE) Assignment for home equity conversion mortgages (as set forth in Mortgagee Letter 2015-03, dated January 29, 2015), allowing additional flexibility for non-borrowing spouses to meet its requirements; and

(2) provide for a 5-year delay in foreclosure in the case of any other home equity conversion mortgage that—

(A) has an FHA Case Number assigned before August, 4, 2014; and

(B) has a last surviving borrower who has died and who has a non-borrowing surviving spouse who does not qualify for the Mortgagee Optional Election and who, but for the death of such borrowing spouse, would be able to remain in the dwelling subject to the mortgage.

Mr. LEWIS (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DIAZ-BALART. Madam Chair, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman from Florida reserves a point of order.

Pursuant to House Resolution 287, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS. Madam Chair, I rise today to offer an amendment to H.R. 2577.

When I was first elected in 1987, Congress created the first nationwide Home Equity Conversion Mortgage program. Also known as reverse mortgages, these loans differ from traditional mortgages and have very good intentions. They are designed to help seniors stay in their homes by using the values of their properties as a means for living more stable and independent lives. Since the borrowers must be 62 years of age or older, lenders often advise some borrowers to remove younger spouses from the titles. This allows them to be eligible for the program or to qualify for greater loans. Unfortunately, Madam Chair, many seniors are experiencing challenges in the program's actual operation.

For example, a citizen in my district, Mrs. Helen Griffin, reached out to my office last year. She and her husband took out a reverse mortgage on their home. In order to qualify, she agreed to be taken off the title. The lender promised that she could be added back on the title at a later date if they refinanced. Unfortunately, she and her husband had no idea how expensive refinancing would be. Like so many others, Mrs. Griffin was now in a dangerous financial situation. Upon the reverse mortgage borrower's death, a surviving spouse is required to pay the full balance due on the loan—or 95 percent of the value of the property—simply to remain in their home.

My amendment would protect people like Mrs. Griffin and allow them more time to protect themselves from foreclosure. I think we must do everything in our power to inform and protect unknowing senior couples from the danger of not only losing their loved ones but also their nest eggs.

Madam Chair, I want to thank the gentleman from Florida and his staff for working so hard on this legislation and for making a commitment to this issue. I look forward to continuing to work with the gentleman to make sure that we do all that we can to realize

the full goal of this important program.

Madam Chair, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

AMENDMENT OFFERED BY MR. DENHAM

Mr. DENHAM. Madam Chair, 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 for high-speed rail in the State of California or for the California High-Speed Rail Authority, nor may any be used by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Madam Chair, once again, I am here one more year, offering another amendment to end this incredible waste of taxpayer dollars.

I have been clear about my position on high-speed rail. High-speed rail has a future in the United States. It just can't be done as it is being done in California—$70 billion over budget and completely changed from the proposition that the voters originally voted on. If the Governor and the Obama administration are committed to bringing this high-speed rail to fruition, then it should go back before the voters and actually uphold the will of the voters.

This is a case study. If you want to get it wrong, if you want to end high-speed rail across the Nation, then go ahead and continue to waste dollars in California on a project that continues to have many different flaws. This authority in California is not only demolishing homes, but it is demolishing businesses. The only way they can continue to get right-of-way is through eminent domain—slashing farms, tearing down businesses, and now kicking people out of their homes.

Today, it was announced that, instead of ending the initial construction segment in the outskirts of Bakersfield, the rail work will now stop just north of Shafter—a full 8 miles of what the original segment was—with still no operating segment that will allow people to travel from one end of the State to the other or even from one end of the valley to the other. Currently, if you ride Amtrak from north to south, you have to get off in Bakersfield, get on a bus, go over the mountains, and take that bus until it hits rail in the LA area. Now we are going to have a bus in Shafter. This just doesn't make any sense. They continue to change over and over again.

In the wake of Amtrak accident 188 and with the incredible focus on safety that is necessary to pass PTC across the country, why wouldn't we take high-speed rail dollars and actually fix the safety improvements that need to be done in California? Where is the commitment to safety? Let's fix the positive train control and make sure that our trains in California are safe, and let's end this project that continues to waste taxpayer dollars.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, this amendment is a new twist on an amendment that the gentleman from California has been offering over the last few years. The net result, however, is the same. It would stop the development of California high-speed rail in its tracks, so to speak.

The amendment would prevent the Federal Railroad Administration from administering the funding that California received under the American Recovery and Reinvestment Act. This would have the effect of preventing the FRA staff from providing routine project delivery oversight or invoicing on all of the environmental work funded under the grant agreement.

Do we want the Federal Government to conduct oversight on the projects that receive Federal funding?

Furthermore, with the Recovery Act funds set to expire at the end of fiscal year 2017, the amendment would make it virtually impossible for the California High-Speed Rail Authority to spend all of its funding by the deadline. It would put the completion of the project in grave jeopardy. In January, Governor Brown and other California leaders came together to mark the commencement of construction for California's high-speed rail project. The project is expected to create 20,000 jobs per year.

I include for the RECORD two letters—one from industry and one from labor groups. Both support the California high-speed rail project.

MAY 12, 2015.

Hon. MARIO DIAZ-BALART,
Chairman, Subcommittee on Transportation, HUD, and Related Agencies, Committee on Appropriations, House of Representatives, Washington DC.

Hon. DAVID E. PRICE,
Ranking Member, Subcommittee on Transportation, HUD, and Related Agencies, Committee on Appropriations, House of Representatives, Washington DC.

We are writing to voice our strong support for public works investment, including recent efforts to develop, construct and deliver high-speed intercity passenger rail service for the first time in American history. Specifically, we oppose the inclusion of harmful riders in the fiscal year (FY) 2016 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act that would target or impede efforts to construct any specific high-speed rail projects, including the California High-Speed Rail program.

American public works infrastructure is at an inflection point, and this will be a pivotal year as the U.S. Congress deliberates Federal highway, transit, rail and aviation policy bills, and debates how to fund Federal transportation programs that will meet our Nation's future mobility needs. Meanwhile, the State of California, in partnership with the Federal government, has made significant investments in intercity high-speed passenger rail. In January, the California High-Speed Rail Authority (the Authority) hosted a ''Groundbreaking Ceremony'' for the California High-Speed Rail program to mark the commencement of sustained construction, which will accelerate this year and create 20,000 jobs annually for the next five years. Additionally, the bids on the Authority's first two construction contracts, valued at almost $2.2 billion, came in significantly under budget.

To date, the State of California has committed the majority of the funding that has been committed to build the program's initial operating section. And last year, the Authority secured the ongoing appropriation of 25 percent of all future California State Greenhouse Gas Reduction Fund auction proceeds for the high-speed rail program—a dedicated revenue stream capable of producing hundreds of millions of dollars annually for direct funding or financing. The private sector is now also exhibiting a great deal of interest in investing in the program.

We believe that America is a country with bold vision that does big things, and we believe that robust investment in infrastructure benefits our industry and the American public. Congressional efforts to impede new public works projects in any one state send the wrong message to local, state and private sector investors in every state who are willing to invest in sorely needed new infrastructure projects in any mode of transportation.

Moreover, the California High-Speed Rail program represents the first ever effort to build an intercity high-speed passenger rail system in this country. California is at the forefront of developing an entirely new American industry where investments in and the development of new technologies, manufacturing capabilities, and innovative business practices will create high-skilled, good paying jobs and benefit American public works for decades. The Authority is also operating under a Community Benefits Agreement with skilled building trades and contractors to promote training and apprenticeship programs and provide opportunities for disadvantaged workers. Halting or impeding this seminal program at its outset will set our industry back and jeopardize thousands of new middle-class jobs.

We believe that the California High-Speed Rail program may serve as model of a Federal, state, industry and labor partnership that creates jobs, links economies and communities, preserves our environment and builds a sustainable future. Therefore, we respectfully oppose the inclusion of harmful riders in the fiscal year (FY) 2016 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act that would target or impede efforts to construct any specific high-speed rail project, including the California High-Speed Rail program.

American Train Dispatchers Association; Brotherhood of Electrical Workers; Brotherhood of Railway Signalmen; International Association of Machinists and Aerospace Workers; International Brotherhood of Boilermakers; International Union of Operating Engineers; North America's Building Trades Unions; SMART Transportation Division; State Building and Construction Trades Council of California; Transportation Communications International

Union; Transportation Trades Department, AFL–CIO; Transport Workers Union International; UNITE HERE!

JUNE 1, 2015.

Hon. SUSAN COLLINS, Chair,
Hon. JACK REED, Ranking Member,
Subcommittee on Transportation, HUD, and Related Agencies, Committee on Appropriations, U.S. Senate, Washington DC.

DEAR SENATORS COLLINS AND REED: As you prepare to consider the Senate's version of the fiscal year (FY) 2016 ''THUD'' appropriations bill, we are writing to ask you to avoid using the measure to set up roadblocks to transportation investment. Specifically, we wanted to make you aware of policy language contained in the House version of the FY 2016 THUD bill that seeks to block federal approvals for the California high speed rail program.

In January, Governor Jerry Brown and other California leaders commemorated the beginning of construction on the nation's largest infrastructure project: a high-speed railroad connecting Southern and Northern California through the Central Valley. This program, in which the state will be the primary funder, will bring together public and private funds to create a transformative investment for California and the nation. During construction, the program will create 20,000 jobs per year. After it is open, it will help ensure a sustainable and growing economic future for California.

By including language in its appropriations bill intended to withhold federal support and approvals for the project, the House is sending a message to all the states that major infrastructure projects—even after receiving federal grants and multiple federal approvals—are at risk of being halted in their tracks based on political considerations in Washington, DC.

In a May 11 letter to House appropriators, OMB Director Shaun Donovan also expressed the Administration's opposition to the language in the House bill dealing with the California High-Speed Rail program.

We believe that the California high speed rail program will serve as model of a Federal, state, industry and labor partnership that creates jobs, links economies and communities, preserves our environment and builds a sustainable future. Therefore, we respectfully request that your subcommittee produce a bill free of any harmful riders in the FY 2016 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act that would impede efforts to construct any specific high-speed rail project, including the California High-Speed Rail program.

Thank you for your attention to our views.

Sincerely,

AMERICAN COUNCIL OF ENGINEERING COMPANIES.
AMERICAN PUBLIC TRANSPORTATION ASSOCIATION.
AMERICAN ROAD AND TRANSPORTATION BUILDERS ASSOCIATION.
ASSOCIATION OF INDEPENDENT PASSENGER RAIL OPERATORS.
RAILWAY SUPPLY INSTITUTE.
U.S. HIGH SPEED RAIL ASSOCIATION.

□ 2130

Mr. PRICE of North Carolina. The administration has been very clear that it strongly opposes provisions in this bill that would restrict the development of high-speed rail. Moreover, the California congressional delegation has overwhelmingly opposed these restrictive riders in the past, and I am happy to stand with them again tonight, urging my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. DENHAM. I yield 1½ minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Madam Chair, I thank my colleague, Mr. DENHAM, for his hard work on curtailing this waste of taxpayer money.

Here are just a few of the headlines currently on the Internet about California's high-speed rail project: ''Why California's High-Speed Rail is Off Track''; ''High-Speed Rail Brings Fears of Gutted Communities and Noise''; ''High-Speed Rail Foes Cite Noise, Property Value Concerns''; ''Protesters Rail Against High-Speed Rail Route Proposal''; ''High-Speed Rail Opponents Expected to Converge at LA Meeting''; finally, ''What an Unholy Mess This California Bullet Train Meeting is Going to Be.''

This is all reflected in southern California planning for a route that isn't even planned yet; yet billions of dollars of the California taxpayers—but even more importantly, in this body, Federal taxpayer dollars—are being planned and spent and will be spent if we don't stop this here tonight for a route, for a plan, for a project that isn't even a plan.

You couldn't send astronauts into outer space without a plan to bring them back, yet they are hell-bent on this project to spend the money as fast as they can without having any idea where the route is going to go; and we are seeing people all over California protest it, for a project that has tripled in price from what the voters saw as Prop 1A just 7 years ago. Yet here we are 7 years later with a groundbreaking that consists of knocking down some of the houses and buildings without any track being laid, without a real project they can actually count on being a true route under Prop 1A from San Francisco to Los Angeles. We need to put a stop to this now.

Mr. DENHAM. Madam Chair, as you have heard, this project is $70 billion over budget. It has a shortfall of $87 billion. If my colleagues in California, if the minority party of this body would like to continue on with this project, then where is the $87 billion? I don't see a proposal from them, nor do I see a proposal from the Governor for $87 billion.

We have priorities in the State. As you may know, we are going through a big drought in California. We would love to create the jobs. Let's utilize the billions of dollars that would be spent on high-speed rail over the next several decades on water projects that would actually help our infrastructure, our agriculture, as well as people throughout California.

There is a good way to spend taxpayer dollars. This is not it. We cannot afford to leave the next generation with an $87 billion hole that will continue to not only put California in further debt, but will continue to show that our priorities are misguided.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PETERS

Mr. PETERS. 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 in contravention of Executive Order 11246 (relating to Equal Employment Opportunity).

Mr. PETERS (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

Mr. DIAZ-BALART. Objection.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Madam Chair, no American should be fired, denied a job or a place to live for being who they are or because of whom they love. Every American deserves to be treated equally and with dignity.

My amendment would make a simple change to the text of the bill but make an important difference in the lives of LGBT Americans across the country. President Obama signed an executive order in July 2014 to prohibit Federal contractors from discriminating on the basis of sexual orientation or gender identity against their employees or those seeking employment. This amendment would affirm that order by ensuring that no funds in the bill are used to conflict with the President's rule. It would demonstrate to the American people that Congress supports fairness and equality for all.

Today, only 18 States and the District of Columbia have nondiscrimination protections for LGBT communities in sexual orientation and gender identity in both employment and housing. That means that in a number of States an LGBT individual can get married in the morning and fired from his or her job or denied an application in the afternoon for no other reason than the change in marital status. That is unacceptable. As a country that believes in equality for all people, we must do better.

June is Pride Month, and in cities and towns across the country, millions

of Americans will celebrate the vibrant diversity of the LGBT communities who are enriching our society. As we look forward toward full nondiscrimination, we can help provide at least a small window of equality for all members of the LGBT community by passing this amendment. I urge my colleagues to stand on the side of equality and against discrimination and support this amendment.

I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman for yielding.

Madam Chair, I simply want to commend him for offering this amendment and offer my enthusiastic support.

In various ways, we ensure that the Federal Government doesn't pay substandard wages, doesn't do other things that are detrimental in the workplace or that set a low bar, set a low standard. This amendment adds to that, I think, in a very constructive way. It adds to worker protections by preventing any company that does business with the Government from firing employees based on who they are and whom they love.

I commend the gentleman. It is a fine amendment. I hope colleagues will support it.

Mr. PETERS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MULLIN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. MULLIN

Mr. MULLIN. 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 enforce subpart B of part 750 of title 23, Code of Federal Regulations, regarding signs for service clubs and religious notices as defined in section 153(p) of such part.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, churches and civic groups are in danger of being forced to tear down their informational highway signs. Some of these signs have stood for decades. The current law states that religious and civic groups can no longer have signs larger than 8 square feet. That is 2 feet by 4 feet. However, ''Free Coffee'' signs in the same law are unlimited in size.

My amendment would allow churches and civic organizations to keep their signs that are larger than 8 square feet. This is a reasonable amendment. It would be beneficial to the safety of the traveling public and allow our Federal Government to focus its resources on more critical infrastructure uses. We need to be focusing on repairing our roads and bridges, not tearing down church signs.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, this amendment would suspend enforcement of rules governing the size of billboards for religious organizations and service clubs. These rules have been in place for a long time—since 1975.

As I understand it, the gentleman is seeking to increase the allowable size of billboards for religious organizations and service clubs from 8 square feet to 32 square feet. This isn't the appropriate place to deal with this issue. We have barely heard of it before it was offered. We certainly haven't had extensive deliberations, haven't heard from State authorities, local authorities, people who have a stake in this. It needs to be reviewed and debated within the context of the surface transportation authorization.

The authorizing committees are in the midst of working on the new authorization bill right now. That is where I would suggest the gentleman might want to take his concerns. This is not the place here tonight. I urge colleagues to reject this amendment.

I yield back the balance of my time.

Mr. MULLIN. I yield 2 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE), my colleague.

Mr. BRIDENSTINE. Madam Chair, I rise today to give my very strong support to this amendment offered by my colleague from Oklahoma.

The Federal Government creates a regulation. That regulation says that, if you are a church or if you are a civic group or if you are some kind of community organization, you are limited in the size of your sign to 8 square feet, 2 feet by 4 feet; however, if you are a billboard company, you can have 25 feet by 60 feet. This is discrimination against churches and civic groups that I think is inappropriate.

I would also say that the State of Oklahoma has weighed in. The State of Oklahoma would like to regulate the signs in the State of Oklahoma. I think that is absolutely not only appropriate, but I think it is constitutional that the State have the right to regulate the signs in its own State.

Here is the sad part that I would like to let people know and understand. If the State of Oklahoma chooses not to enforce this Federal regulation that is discriminatory, then the State of Oklahoma risks losing 10 percent of its Federal funding for roads. This is the Federal Government using Oklahoma taxpayer dollars against the State of Oklahoma. It is Federal bullying.

This amendment offered by my colleague from Oklahoma is a good amendment. I fully support it, and I highly recommend my colleagues support it.

Mr. MULLIN. Our churches and our civic organizations have better ways to spend their limited resources than tearing down signs. Our States would have more time on their hands to be looking at our roads and bridges if they didn't have to go out and enforce a law that our State doesn't even want. If we could simply be focusing on the important issues, like our roads and our bridges, not wasting Federal dollars and State dollars on enforcing an out-of-date law, this wouldn't even simply be an issue.

I would urge my colleagues to support this commonsense amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GROTHMAN

Mr. GROTHMAN. 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 under the heading ''Department of Housing and Urban Development—Housing Programs—Project-Based Rental Assistance'' may be used for any family who is not an elderly family or a disabled family (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and who was not receiving project-based rental assistance under section 8 of such Act (42 U.S.C. 1437f) as of October 1, 2015, and the amount otherwise provided under such heading is reduced by $300,000,000.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Wisconsin and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 2145

Mr. GROTHMAN. The first thing we should look at when we look at this budget is cost, and this is one program that is going up in cost. We are still in a position in this budget in which we anticipate borrowing about 14 percent. We have the $18 trillion debt.

This amendment will reduce the cost in this budget by $300 million, which by itself is nothing to sneeze at, but the real reason for this amendment is the perverse incentives in Section 8 and other tenant-based rental assistance programs.

All of these programs are conditioned upon, first, having little or no income. It is wrong to encourage people not to work. As I get around my district, I find so many employers who cannot find employees today, in part, because they feel it pays better not to work.

Secondly, and more importantly, this program, like so many other programs designed to help poor people, has a huge marriage penalty associated with it. In order to get this low-income housing, it almost encourages one—it does encourage one—to have children without a mother and father at home. To continue this program or even expand this program to more people is to just destroy the moral fiber of America.

This amendment is tailored to not include or not reduce low-income housing for the elderly or disabled. I am aware of the fact that we have people in this country on Social Security maybe making $500 a month, and they may find it very difficult to find anywhere else to live, so I am not chipping away at that part of the program.

I will give you an example. In my district, I talked to someone who ran one of these low-income projects—not Section 8, but more of a project-based one—and they were very proud of what nice, low-income housing it was. It was very nice, very generous. They pointed out the only thing you needed to do to get these apartments for $25 a month was to not have a job. Now, can you imagine anything so foolish as to encourage people to not have a job?

In any event, I hope this amendment passes. I hope there is nobody else in this room who would have any objection to this commonsense amendment designed to restore the moral fiber that made America great.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, if there is an air of familiarity about this amendment and what the gentleman has just said about his amendment, listeners may want to tune in and remind themselves of virtually this same amendment being offered last week.

I should begin by saying that tenant-based Section 8 housing—a program, by the way, that conservatives should love because it is market based and the tenants pay a substantial portion of their income in rent—tenant-based Section 8 housing in this bill is just barely held even, with more or less level funding. Of course, other things in the bill are treated much worse.

The gentleman apparently thinks there is too much money in this bill, too much investment, with thousands on waiting lists across this country. This amendment would certainly increase those waiting lists.

Now, last week, it was $614 million cut; this week, it is a $300 million cut—so not quite as many people would be evicted. This week, the gentleman is saying that the elderly and the disabled would not be evicted. Who does that leave? It leaves everybody else; it leaves working families.

I ask anyone in this body to go to their local community house authority and ask about those waiting lists. Ask how many people are waiting for a roof over their head who are willing to work, willing to participate in financing, but need a leg up, the kind of support that tenant-based and project-based Section 8 represents.

It escapes me why the gentleman would offer this amendment in a bill that is already at rock bottom.

I urge my colleagues to reject this amendment, just as we did last week, and I yield back the balance of my time.

Mr. GROTHMAN. I do not give up hope that, by the time this budget rolls around next year, you see the wisdom of the amendment.

I think a lot of people get confused when they find waiting lists for this sort of program. If you are handing out apartments for $25 a month, of course, there are going to be waiting lists; so that is not surprising. Even then, there are certain areas in my State, in my district, where they are trying to find people who are not in the local area to fill these units because there is an excess of units.

Nevertheless, I think you want to think about the perverse incentives you have in a program in which, the more you work, the more your rent goes up. In order to get in, in the first place, you almost can't work at all; and, secondly, what the long-term effect on our society is if you would tell somebody that, if they raise a child out of wedlock, you get a free, air-conditioned, maybe two-bedroom, two-bath apartment, but if you get married to somebody with a job, you lose that apartment—is that the type of incentive we want for the next generation?

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. GROTHMAN

Mr. GROTHMAN. Madam Chair, 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 under the heading ''Department of Housing and Urban Development—Public and Indian Housing Programs—Tenant-Based Rental Assistance'' may be used for any family who is not an elderly family or a disabled family (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and who was not receiving tenant-based rental assistance under section 8 of such Act (42 U.S.C. 1437f) as of October 1, 2015, and the amount otherwise provided under such heading is reduced, the amount specified under such heading for renewals of expiring section 8 tenant-based annual contributions contracts is reduced, and the amount specified under such heading for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program) is reduced, by $300,000,000, $210,000,000, and $90,000,000, respectively.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Wisconsin and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. I think all we talked about in that last amendment applies to this amendment, with one additional thing that people should find offensive, because here we are dealing with project-based rental assistance.

Not only are we encouraging some people not to work very hard, not only are we encouraging people not to raise children in an old-fashioned nuclear family, we are also kind of having a strong element of corporate welfare here, too, which is something I don't care for.

Over time, we have this kind of industry growing up in which you operate low-income housing. In some ways, I assume people are entering into it because it is more profitable than a pure, free market sort of thing; and I would think that people who are opposed to corporate welfare ought to be opposed to it for that reason as well.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, here we go again with, once again, a reprisal of the amendment offered last week and rejected.

The amendment offered tonight separates that amendment in two: tenant-based Section 8, project-based Section 8.

The argument does apply, I think, to any of this assisted housing. It behooves us to reflect on some numbers, I think. On any given night, 575,000 of our constituents are homeless, absolutely homeless. That is 50,000 veterans, by the way.

They get on these waiting lists for these Section 8 projects, and the waiting lists often have thousands of names. They finally get into Section 8. They are paying a large proportion of their income in rent. They are struggling to get a leg up and struggle to find jobs.

By the way, how likely is one to find a job if one is homeless? If you are talking about self-reliance, isn't it better to have a roof over your head and have some of the basics of life so you can go out and seek work?

Evictions, we are talking about evictions here. How does kicking out children and how does kicking out families promote marriage, for goodness' sake? How does it promote wedlock? How does it promote self-reliance? It is likely to promote destitution and desperation.

We are a better country than this. I plead with colleagues, look at this amendment closely. Think about what we stand for. Think about the fact that this bill is already inadequate. Let's not make it worse.

Reject this amendment, and I yield back the balance of my time.

Mr. GROTHMAN. First of all, I would like to clarify something in the amendment. The amendment does not apply to people who were receiving rental assistance—and neither did the other amendment—prior to October 1 of this year. It is not a matter of kicking people out; it is a matter of not putting any further people on.

Furthermore, I think we have to discuss how generous this benefit is. There are so many people in our society who are living with parents, living with other family members, living with roommates, and working to afford that rent. To give somebody a freestanding apartment—some of these are very nice apartments, two-bedroom, two-bath, air-conditioned apartments—without having to work at all to receive that apartment is just a horrible incentive.

I would ask the gentleman to go back in his district and talk to people who live in the neighborhoods where they have these subsidized projects. One of the things I find is that sometimes people who live in maybe high-end areas and are not familiar with these get confused.

I think, if you talk to people who know people who live in this subsidized housing, you will have no problem finding many anecdotes of people who are clearly not hurting materially; and, in order to keep their subsidies going, they cannot work, work harder, or get raises. Above all, they can't get married.

I think you have to ask yourself whether we ought to continue these programs that are around year after year after year or whether it is high time to look at these programs; change the underlying qualifications; change the time limits; change the amount that has to be paid; and, quite frankly, also sometimes look at the very generous accommodations that the government is providing, quite frankly, more generous accommodations than a lot of people who are working quite hard have.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. ISSA

Mr. ISSA. Madam Chair, 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 acquire a camera for the purpose of collecting or storing vehicle license plate numbers.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Madam Chair, this amendment reflects a simple principle. The government does not and should not have unchecked power to track American citizens.

There are many very legitimate reasons to observe license plates using camera technology. Every day in America, law enforcement drives through neighborhoods looking for stolen cars. Cameras and computers identify the number of that plate and run it against a database to see if it is stolen.

□ 2200

But again, there is no reason to store that data. The bulk collection of the location of every American's automobile is well beyond a reasonable standard. It is a difficult one, but it is simple in this case.

The Federal Government should not provide money for cameras that indiscriminately bulk collect information on where you are at all times. I hope that this amendment will spark a healthy dialogue similar to the one we had on the PATRIOT Act, one in which we agreed that with a court order you can collect this kind of data, with a court order you can seek it, with a known database of stolen cars or wanted criminals, you can compare a camera image.

But the simple collection, in bulk, of your location of your car, 24 hours a day, using thousands, tens of thousands or perhaps millions of cameras, is far too ''1984'' for Members of this body or the American people.

Madam Chair, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I rise in opposition.

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

Mr. PRICE of North Carolina. Madam Chair, this amendment is well-intentioned, I realize, but I think it is an overreach and certainly not appropriate for this appropriations bill.

Records of license plate information can serve as a helpful clue to investigators. They can produce leads in criminal cases. This information is also used routinely by law enforcement and by the National Center for Missing and Exploited Children to help find missing children.

I understand there are legitimate privacy concerns. I share those concerns. But there is already a Federal law that governs the use of such data. The data is not used to track citizens in real time, despite what some assert.

Putting restrictions on law enforcement's ability to obtain and use this license plate information without really fully exploring the facts or giving due consideration to the consequences, this needs to be done by the appropriate committees. But doing it here tonight seems risky and unreasonable, actually, to expect us to legislate on this matter in the context of this appropriations bill.

Madam Chair, I will insert into the RECORD a letter from the Fraternal Order of Police and other law enforcement entities asking Congress not to limit the use of this information.

NATIONAL FRATERNAL
ORDER OF POLICE,
February 23, 2015.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate, Washington, DC.
Hon. HARRY M. REID,
Minority Leader, U.S. Senate, Washington, DC.
Hon. JOHN A. BOEHNER,
Speaker of the House, House of Representatives Washington, DC.
Hon. NANCY P. PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SENATOR MCCONNELL, MR. SPEAKER, SENATOR REID AND REPRESENTATIVE PELOSI: I am writing on behalf of the members of the Fraternal Order of Police to express our concern about continued efforts to portray automated license plate recognition (ALPR) as an ongoing, national real-time tracking system operated by law enforcement. This is emphatically not the case.

We believe that there is a fundamental misunderstanding as to how ALPR technology is deployed and used by law enforcement and other public safety agencies. Many people, including members of Congress, are under the impression that this technology is being used by our national security apparatus to geotrack our citizens and monitor their movements. Indeed, a Dear Colleague letter circulated last year in support of an amendment defunding this technology was entitled, ''Stop NSA-like geotracking of innocent Americans.''

This is not the case. To begin with, ALPR data is simply a photograph of a vehicle's license plate in a public place at a particular point in time. Geotracking is the use of Global Positioning System (GPS) data to track over time the movement of a specific electronic device capable of emitting GPS location information. Conversely, ALPR data is collected anonymously without personally identifying information. A government agency with access to ALPR data may connect that data to personal information from a State's vehicle registration system, but if they do so without a legitimate law enforcement or public safety purpose, then they are in violation of the Drivers' Privacy Protection Act. Any other use of the data would be an unjustifiable violation of privacy and Federal law.

Thousands of local, State and Federal law enforcement agencies use ALPR data every day to generate leads in criminal investigations, apprehend murderers, respond to Amber and Silver alerts, find missing children, recover stolen vehicles, and protect our borders. Even something as simple as the use of cameras at traffic lights and toll booths has a beneficial impact on the safety of our roadways.

The FOP would also submit that the only difference between the use of ALPR technology and an officer taking down license plate information along with the time, date and location is the efficiency by which the data is collected. Every State in the Republic mandates that every vehicle have a mounted and clearly visible license plate for the specific purpose of contributing to public safety, whether the data is collected by a fellow citizen, law enforcement officer or camera.

With these facts in mind, it is our hope that Congress will recognize the substantial benefits this technology makes to public safety and oppose any legislation or amendment that would restrict the use of ALPR by law enforcement.

On behalf of the more than 335,000 members of the Fraternal Order of Police, I thank you

for your consideration of our views. If I can provide any further information about law enforcement's use of ALPR technology, please do not hesitate to contact me or Executive Director Jim Pasco in my Washington office.

Sincerely,

CHUCK CANTERBURY,
National President.

MARCH 9, 2015.

Hon. JOHN BOEHNER,
Speaker.
Hon. NANCY PELOSI,
Minority Leader,
House of Representatives.
Hon. MITCH MCCONNELL,
Majority Leader.
Hon. HARRY REID,
Minority Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER BOEHNER, LEADER PELOSI, LEADER MCCONNELL, AND LEADER REID: We are deeply concerned about efforts to portray automated license plate recognition (ALPR) technology as a national real-time tracking capability for law enforcement. The fact is that this technology and the data it generates is not used to track people in real time. ALPR is used every day to generate investigative leads that help law enforcement solve murders, rapes, and serial property crimes, recover abducted children, detect drug and human trafficking rings, find stolen vehicles, apprehend violent criminal alien fugitives, and support terrorism investigations.

There is a misconception of continuous government tracking of individuals using ALPR information. This has led to attempts to curtail law enforcement's use of the technology without a proper and fair effort to truly understand the anonymous nature of the data, how it is used, and how it is protected.

We are seeing harmful proposals—appropriations amendments and legislation—to restrict or completely ban law enforcement's use of ALPR technology and data without any effort to truly understand the issue. Yet, any review would make clear that the value of this technology is beyond question, and that protections against mis-use of the data by law enforcement are already in place. That is one of the reasons why critics are hard-pressed to identify any actual instances of mis-use.

If legislative efforts to curtail ALPR use are successful, federal, state, and local law enforcement's ability to investigate crimes will be significantly impacted given the extensive use of the technology today.

We call on Congress to foster a reasonable and transparent discussion about ALPR. We believe strong measures can be taken to ensure citizens' privacy while enabling law enforcement investigators to take advantage of the technology. Strict data access controls, mandatory auditing of all use of ALPR systems, and regular reporting on the use of the technology and data prevent misuse of the capability while enabling law enforcement to make productive use of it. Adoption and enforcement of strong policies on the use of ALPR and other technologies by individual law enforcement agencies would also help.

We strongly urge members of the House and Senate to understand and recognize the substantial daily benefits of this technology to protect the public and investigate dangerous criminals. We urge opposition to any bill or amendment that would restrict the use of ALPR without full consideration of the issue.

Sincerely,

J. Thomas Manger, Chief of Police, Montgomery County Police Department, President, Major Cities Chiefs Police Association; Chief Richard Beary, President, International Association of Chiefs of Police; Mike Sena, Director, Northern California Regional Intelligence Center, President, National Fusion Center Association; Ronald C. Sloan, Director, Colorado Bureau of Investigation, President, Association of State Criminal Investigative Agencies; Sheriff Donny Youngblood, President, Major County Sheriffs' Association; Bob Bushman, President, National Narcotic Officers' Associations' Coalition; Jonathan Thompson, Executive Director, National Sheriffs' Association; William Johnson, Executive Director, National Association of Police Organizations; Mike Moore, President, National District Attorneys Association; Andrews Matthews, Chairman, National Troopers Coalition.

Mr. PRICE of North Carolina. I urge opposition to the amendment, and I yield back the balance of my time.

Mr. ISSA. Madam Chair, in closing, I respect the gentleman's opinion, but we are not legislating on this appropriations bill. What we are doing is determining that the relevant committees of jurisdiction have not authorized broad collection of data of the American people.

The committees of jurisdiction have not authorized this sort of proactive tracking of people because, at some point, someday there may be a reason to use that database. So, in fact, it is perfectly appropriate not to spend the money, not to authorize the money until or unless the authorizing committees have made a thorough decision of what should be authorized and what safeguards need to be in order.

So my amendment will simply limit, until such time as a legislating amendment or authorization from a committee can, in fact, ensure that we both authorize law enforcement to collect and protect the privacy of American citizens because, ultimately, these are the taxpayer dollars of the American citizens and the privacy embodied in the Constitution and guaranteed to every citizen.

Therefore, I insist that Members consider voting for an amendment that recognizes, just as the minority clearly said, we have not yet had a debate on the basis under which we should pay for the bulk collection against the American people without their permission or safeguards of their rights.

I urge support for the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ISSA. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. PRICE of North Carolina. Madam Chair, I move to strike the last word.

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

Mr. PRICE of North Carolina. Madam Chair, we are coming to the end of several days of floor debate on the 2016 Transportation, Housing and Urban Development Appropriations bill.

I want to, again, express my appreciation to Chairman DIAZ-BALART, subcommittee members from both sides of the aisle, and our remarkable, dedicated staff for all the hard work that has gone into this bill and for the orderly and civil character of our floor deliberations.

I very much wish that all of this work and all of our efforts at cooperation were being more adequately rewarded, but they are not. And that is not the chairman's fault. It is the fault of the majority's profoundly misguided and flawed budget policy, a policy that has left this bill a mere shadow of what it should be and has decimated the investments a great country should be making.

Make no mistake, Madam Chair, our roads, our highways are crumbling. One out of every nine bridges in this country is structurally deficient and in need of repair or replacement.

Americans spend the equivalent of one work week a year sitting in congestion caused by overcrowded highways. The capital backlog for our transit systems is nearly $78 billion.

And make no mistake, our public housing resources don't meet the basic needs of millions of vulnerable and low-income Americans. On any given night, 575,000 of our constituents, including more than 50,000 veterans, are homeless. The maintenance backlog for public housing approaches $25 billion.

Madam Chair, this is a defining crisis for our generation. This bill, which is intended to help improve housing and transportation options and create jobs for hard-working American families, will, instead, dig the hole deeper by cutting everything from safety programs to transportation construction grants to maintenance budgets for public housing.

It would be bad enough if the cuts were limited to our transportation and housing systems, but Republicans have taken the same shortsighted approach with each of this year's domestic appropriations bills.

Unfortunately, the majority has targeted domestic appropriations to bear the entire brunt of deficit reduction. That means deep cuts, not just to our transportation and housing infrastructure but also to research support, programs that make college more affordable, the very things that make this country the envy of the world.

Meanwhile, the majority lacks the courage to address the real drivers of the deficit, which I think most Members of this Chamber realize are tax expenditures and entitlement spending.

In the 1990s, we achieved budget surpluses as the result of concerted bipartisan efforts to balance the budget through a comprehensive approach. We actually paid off $400 billion of the national debt.

Until we have a similar budget agreement this year, one that sets responsible funding and revenue levels across

the board, we cannot write a bill that addresses our country's crumbling roads and bridges, that brings our rail system up to first-world standards, or that provides shelter for America's elderly, disabled, and other vulnerable populations.

In fact, we cannot make any of the investments that we simply have to make to continue as the greatest country in the world. So I implore my colleagues to vote ''no'' on this short-sighted, irresponsible bill, but beyond that, to consider the long-term consequences of the fiscal course we are on. We simply have to make a correction for our country's sake.

I yield back the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I move to strike the last word.

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

Mr. DIAZ-BALART. Madam Chair, I want to thank the ranking member, first, for his kind words towards me right now but, more importantly, for his willingness to work with me, to spend the time, the effort. Both he and his staff, the committee staff, have, frankly, worked awfully hard on making sure we do the best job that we can, and I am grateful for that.

I just very briefly want to just mention that this bill, this is a bill that prioritizes funding and funds our country's priorities. It is a balanced bill.

And very important, Madam Chair, this is a bill, that, yes, it does not raise taxes.

Now, I know that a lot of folks have talked about the President's requests and the President's requests. And the President's requests for this area are much higher in many areas than what this bill is funding.

But let's remember a couple of things. The President has massive taxes, tax increases in his proposals, number one. And also, that this bill adheres to not only the budget that was passed by Congress, House and Senate, but this bill adheres to the law, the law that was passed by Congress and signed by the President of the United States, the so-called ''sequester'' law.

So if we go above and beyond that level, which some people, I guess, don't remember, it is fake. It gets sequestered.

So, Madam Chair, again, I thank the ranking member for his hard work.

This is a balanced bill. It is a good bill. It is a responsible bill. It pays and funds the priorities of this great country. And I am going to ask for our colleagues to give us a favorable vote on this fine bill.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment by Mr. YOHO of Florida.

Amendment by Mr. BROOKS of Alabama.

Amendment by Mr. HULTGREN of Illinois.

Amendment by Mr. MEEHAN of Pennsylvania.

Amendment by Mr. GARRETT of New Jersey.

Amendment by Mr. ELLISON of Minnesota.

Amendment No. 28 by Mr. EMMER of Minnesota.

Amendment by Mr. PETERS of California.

Amendment by Mr. ISSA of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. YOHO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. YOHO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 244, noes 181, not voting 8, as follows:

[Roll No. 319]

AYES—244

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

NOES—181

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz

Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Hurt (VA)
Maloney, Carolyn

□ 2237

Messrs. NORCROSS and CONNOLLY changed their vote from ''aye'' to ''no.''

Ms. STEFANIK, Messrs. CALVERT and NUNES changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BROOKS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 180, not voting 7, as follows:

[Roll No. 320]

AYES—246

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

NOES—180

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2242

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HULTGREN

The Acting CHAIR. The Chair will remind Members these are 2-minute votes.

The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. HULTGREN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 186, not voting 7, as follows:

[Roll No. 321]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Courtney
Cramer
Crawford
Crowley
Davis, Rodney
DelBene
Dent
DeSantis
DesJarlais
Dingell
Donovan
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hardy
Harper
Harris
Hartzler
Hastings
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul

McClintock
McCollum
McHenry
McMorris Rodgers
McNerney
Meadows
Meng
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Wagner
Walberg
Walden
Walker
Walorski
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—186

Aguilar
Barton
Bass
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Costello (PA)
Crenshaw
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
Denham
DeSaulnier
Deutch
Diaz-Balart
Doggett
Dold
Doyle, Michael F.
Ellison
Engel
Fattah
Fudge
Gabbard
Gallego
Garamendi
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanna
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Matsui
McDermott
McGovern
McKinley
McSally
Meehan
Meeks
Messer
Miller (MI)
Moore
Nadler
Napolitano
Neal
Newhouse
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walters, Mimi
Waters, Maxine
Watson Coleman
Welch
Westmoreland
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2247

Ms. WILSON of Florida changed her vote from ''aye'' to ''no.''

Mses. EDWARDS, SINEMA, Messrs. MOULTON and JENKINS of West Virginia changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MEEHAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. MEEHAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 227, not voting 7, as follows:

[Roll No. 322]

AYES—199

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Bucshon
Burgess
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chaffetz
Clarke (NY)
Clawson (FL)
Coffman
Collins (NY)
Comstock
Cook
Costello (PA)
Courtney
Crawford
Crenshaw
Curbelo (FL)
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Esty
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hensarling
Hill
Himes
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jeffries
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Katko
Keating
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
Lamborn
Lance
Larson (CT)
Latta
LoBiondo
Loudermilk
Love
Lowey
Lummis
Lynch
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poliquin
Price, Tom
Ratcliffe
Reed
Renacci
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—227

Aguilar
Ashford
Barton
Bass
Beatty
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bustos
Butterfield
Capps
Capuano
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clay
Clyburn
Cohen
Cole
Collins (GA)
Conaway
Connolly
Conyers
Cooper
Costa
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Eshoo
Farr
Fattah
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Gutiérrez
Hahn
Hartzler
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Hice, Jody B.
Higgins
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Israel
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
LaMalfa
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meadows
Miller (MI)
Mooney (WV)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Noem
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Rokita
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (MO)
Smith (WA)
Speier
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner

Walberg
Walker
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Woodall
Yarmuth
Young (IN)
Zinke

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2251

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 195, not voting 7, as follows:

[Roll No. 323]

AYES—231

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

NOES—195

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rigell
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2254

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 243, not voting 8, as follows:

[Roll No. 324]

AYES—182

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)

Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—243

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

NOT VOTING—8

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn
Stutzman

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2257

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 28 OFFERED BY MR. EMMER OF MINNESOTA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. EMMER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 214, not voting 7, as follows:

[Roll No. 325]

AYES—212

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

NOES—214

Aguilar
Amodei
Ashford
Bass
Beatty
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Hastings
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Whitfield
Wilson (FL)
Yarmuth
Young (AK)
Zeldin

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2301

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PETERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. PETERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 184, answered ''present'' 1, not voting 7, as follows:

[Roll No. 326]

AYES—241

Aguilar
Amash
Ashford
Bass
Beatty
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Coffman
Cohen
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hanna
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Knight
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Messer
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)
Young (IN)
Zeldin

NOES—184

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cramer
Crawford
Crenshaw
Culberson
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
Meadows
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Roskam
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Wagner
Walberg
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Zinke

ANSWERED ''PRESENT''—1

Lipinski

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2305

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ISSA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ISSA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 297, noes 129, not voting 7, as follows:

[Roll No. 327]

AYES—297

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carter (GA)
Carter (TX)
Castro (TX)
Chabot
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
DeGette
DelBene
Denham
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Farenthold
Fattah
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gabbard
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Larson (CT)
Latta
Lieu, Ted
LoBiondo
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Newhouse

Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Scalise
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Waters, Maxine
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—129

Aguilar
Ashford
Barletta
Bass
Beatty
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Capps
Carney
Carson (IN)
Cartwright
Castor (FL)
Chaffetz
Chu, Judy
Cicilline
Clyburn
Comstock
Cooper
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Delaney
DeLauro
Dent
DeSaulnier
Deutch
Dold
Donovan
Duckworth
Engel
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gallego
Garamendi
Goodlatte
Graham
Granger
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Johnson (GA)
Johnson, E. B.
Jolly
Katko
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lowenthal
Lowey
Lynch
MacArthur
Maloney, Sean
McDermott
McNerney
Meehan
Meeks
Meng
Murphy (FL)
Nadler
Napolitano
Pallone
Payne
Pelosi
Peters
Pocan
Price (NC)
Quigley
Rangel
Rice (NY)
Ros-Lehtinen
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Swalwell (CA)
Takai
Takano
Tonko
Torres
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson Coleman
Webster (FL)
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2309

Mr. LOWENTHAL changed his vote from ''aye'' to ''no.''

Mrs. DINGELL changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016''.

Mr. DIAZ-BALART. Madam Chair, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. FOXX) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, directed her to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. DELANEY. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DELANEY. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Delaney moves to recommit the bill H.R. 2577 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

In the ''Capital and Debt Service Grants to the National Railroad Passenger Corporation'' account, on page 47, line 11, after the dollar amount relating to capital investments, insert ''(increased by $6,000,000)''.

Page 116, line 12, after the dollar amount, insert ''(reduced by $6,000,000)''.

Mr. DELANEY (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes in support of his motion.

Mr. DELANEY. Madam Speaker, this is a final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Madam Speaker, imagine if this Congress were focused on how the forces of innovation and globalization were changing our economy and making it harder for our businesses to compete, large and small.

Madam Speaker, imagine if this Congress were focused on the fact that, while we are creating jobs, we are increasingly creating two types of jobs—high-skilled jobs, which are reserved for those people with the best educations, and low-skilled, low-paid jobs. Increasingly, we are not creating middle-skilled jobs—the kind of jobs that have supported middle class families for decades.

Madam Speaker, imagine if this Congress were focused on the fact that, while the standard of living of average Americans is going down, the friction in their lives is going up, including the fact that so many of them have longer commutes—overbearing commutes—because of inadequate transportation, commutes that are taking time away from their families and from their communities.

Madam Speaker, if this Congress were focused on those three things, then it would quickly conclude that our top domestic economic priority should be increasing our investment in our infrastructure because this Congress would understand that rebuilding America makes us more competitive. This Congress would understand that a national infrastructure program is the best jobs program we could have because it creates good jobs, and it is sound economics.

□ 2315

This Congress would understand that better infrastructure improves the quality of life of our constituents; and because it has been so bipartisan for so many years, it could be something that unifies us, and it would understand that rebuilding America is not an expense but an investment, and we would probably score it that way dynamically.

But unfortunately, Madam Speaker, that is not the Congress we have here this evening because we are doing precisely the opposite this evening, and we are cutting our investment in infrastructure. When you look at the facts, that is a strange conclusion indeed.

But, Madam Speaker, I am optimistic. I am optimistic that one day, hopefully soon, this Congress can do something transformative around infrastructure and rebuild our country. I believe we can pay for it by fixing our broken international tax system, where we have trillions of dollars

trapped overseas, and creating pathways for that money to come back to rebuild our country.

While we wait for that day to happen, Madam Speaker, we still should be doing smart and sensible things to improve our infrastructure. My amendment does that.

My amendment increases funding for Amtrak so they can better implement the positive train control system, which is technology that is proven to make commuter rail trains safer. The National Transportation Safety Board has said that, if this system were in place since 2004, we would have had 30 fewer accidents, including preventing that terrible tragedy that we all stood here and mourned about 30 days ago in Pennsylvania.

So I ask my colleagues to support the amendment to increase funding for Amtrak so that they can better implement smart technology, the positive train control system. Like most investments in infrastructure, it is good for our constituents—in this case, public safety—and it is also a good investment for our country. I urge support of the Democratic motion to recommit.

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

Mr. DIAZ-BALART. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Speaker, this bill that is in front of us funds programs that are the backbone of our economy and the safety net of those who need it. These are issues that we must fund responsibly, adequately, and on time. This bill does precisely just that. It does so after a lengthy, open process. It does so while looking at the individual issues one by one.

I know some people like to criticize this Congress. This is not the Congress—this is not the Congress, however—that made ''shovel-ready'' a joke phrase. This is a Congress who wants to act responsibly, and this bill does just that. It makes the most of what we have. It makes the most of what we have in our coffers. It acknowledges that we can't just simply have everything that everybody wants at a time when we do have to pick priorities, when we have to spend responsibly and wisely. This bill in front of us has no tax increases, Madam Speaker.

Now, let's be very clear: fostering economic growth has always been a top priority in our appropriations bills, and this one is no different. You see, our businesses and communities rely on safe and efficient roads and rails and waterways and airways to facilitate the billions and billions of dollars of commerce that our economy depends on. So we choose to prioritize transportation infrastructure projects that will help improve our Nation as a whole; that will make traveling across the country easier; and, make no mistake, that will also make traveling across country safer, a safer place to travel.

Madam Speaker, from increasing funding for critical agencies like the FAA, the National Highway Traffic Safety Administration, and the Pipeline and Hazardous Materials Safety Administration to providing the Federal Railroad Administration with the resources it needs for its safety and research programs, this bill does not sacrifice safety in any way at all, in any shape or form.

Madam Speaker, the other primary responsibility of this bill is to provide for important housing programs. It ensures that our veterans continue to have access to the VASH program. It takes care of our most vulnerable citizens, such as the elderly and people with disabilities. It does that.

Let me just briefly address the specifics of this motion.

We have already taken action on the floor to add $9 million to Amtrak for inward-facing cameras to improve the safety of Amtrak's operation, but let me say something else. We have spent literally hundreds of hours on this bill. We have done so in a bipartisan way, in an open way. We held six public hearings with agency and department heads—six public hearings. We considered amendments in committee, and we have spent, as all of you know, 3 days on the floor now and considered about 80 amendments on this bill after 3 days in an open, transparent process. It has been an open and transparent process. We have taken amendments on this floor from both sides of the aisle.

So despite, obviously, budgetary constraints, this bill accomplishes all of what it should. We have worked hard at what we had to fund, and we got it done in a smart, purposeful, responsible way, yes.

Let me say something else that this Congress is doing. We are making serious progress on our appropriations bills this year. We are moving ahead faster and through an open process faster than we have in many years, getting the necessary work done in a timely and open and responsible fashion.

So now we have this motion to recommit. What is the purpose of this motion to recommit? Why wasn't it done as an amendment during the 3 days when we were here?

I urge a ''no'' vote, and let's get this good bill passed out of the House.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. DELANEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 244, not voting 8, as follows:

[Roll No. 328]

AYES—181

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)

Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Farr
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2329

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 210, not voting 7, as follows:

[Roll No. 329]

YEAS—216

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hill
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Price, Tom
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—210

Aguilar
Amash
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Buck
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Gohmert
Gosar
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Hice, Jody B.
Higgins
Himes
Hinojosa
Honda
Hoyer
Huelskamp
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
McSally
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Ratcliffe
Rice (NY)
Richmond
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2335

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. DIAZ-BALART. Madam Speaker, I ask unanimous consent that, in the engrossment of H.R. 2577, the Clerk be authorized to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, including the changes now at the desk.

The SPEAKER pro tempore. The Clerk will report the changes.

The Clerk read as follows:

In the amendment offered by Mr. Meehan of Pennsylvania, insert ''first'' before ''dollar'' in the instruction regarding page 2, line 13.

In the amendment offered by Mr. Burgess of Texas, insert ''reduced by'' before ''$4,000,000'' in the instruction regarding page 2, line 13.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2289, COMMODITY END-USER RELIEF ACT

Mr. CONAWAY. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 2289, to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House including changing ''14'' to ''13'' in the ninth instruction on the third page of the amendment by the gentleman from Texas (Mr. CONAWAY).

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2383

Mr. PITTENGER. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2383.

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

There was no objection.

KEEP THE DREAM ALIVE IN MEDORA, NORTH DAKOTA

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Madam Speaker, big things are happening in the small cow town of Medora, North Dakota.

The famed Medora Musical, also known as the Greatest Show in the West, is celebrating 50 years of entertaining and inspiring visitors while paying tribute to American values like family, patriotism, and faith in God, and, of course, the legacies of Theodore Roosevelt and Harold Schafer.

Medora serves as the gateway to Theodore Roosevelt National Park, named for the city slicker turned cowboy who ranched the Badlands of Dakota Territory before going back East, refreshed and restored, to accomplish big things.

Madam Speaker, tonight, I am thankful that God gave us the Badlands and Theodore Roosevelt and that he gave a dream to Harold Schafer and that, today, the Theodore Roosevelt Medora Foundation keeps that dream alive in beautiful Medora, North Dakota.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. CRAMER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 10, 2015, at 10 a.m. for morning-hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 114th Congress, pursuant to the provisions of 2 U.S.C. 25:

TRENT KELLY, First District of Mississippi.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1739. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report to Congress entitled, ''Section 503 of the Children's Health Insurance Program Reauthorization Act: Prospective Payment System for Federally-Qualified Health Centers and Rural Health Clinics Transition Grants'', pursuant to Sec. 503 of the Children's Health Insurance Program Reauthorization Act of 2009; to the Committee on Energy and Commerce.

1740. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Michigan; Part 3 Rules [EPA-R05-OAR-2013-0824; FRL-9928-35-Region 5] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1741. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R07-OAR-2014-0528; FRL-9928-59-Region 7] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1742. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Missouri, Construction Permits Required [EPA-R07-OAR-2015-0123; FRL-9928-60-Region 7] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1743. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Biomass Fuel-Burning Equipment Standards [EPA-R03-OAR-2015-0089; FRL-9928-65-Region 3] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1744. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — n-Butyl benzoate; Exemptions from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0265; FRL-9927-65] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1745. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aluminum sulfate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0207; FRL-9927-66] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1746. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Revisions to the California State Implementation Plan, Eastern Kern Air Pollution Control District, Mojave Desert Air Quality Management District [EPA-R09-OAR-2015-0228; FRl-9928-07-Region 9] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1747. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2015-0220; FRL-9927-67] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1748. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Alkyl (C8-20) Polyglucoside Esters; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0678; FRL-9927-19] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1749. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation

Plans; Pennsylvania; 2011 Lead Base Year Emissions Inventory [EPA-R03-OAR-2015-0311; FRL-9928-68-Region 3] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1750. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-033; to the Committee on Foreign Affairs.

1751. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-016; to the Committee on Foreign Affairs.

1752. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a list of international agreements other than treaties entered into by the United States to be transmitted to Congress within sixty days, in accordance with the Case-Zablocki Act, 1 U.S.C. 112b; to the Committee on Foreign Affairs.

1753. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting the Federal Home Loan Bank of Cincinnati 2014 management report, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1754. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the Federal Home Loan Bank of Topeka 2014 management report, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1755. A letter from the Chairman and the General Counsel, National Labor Relations Board, transmitting the Board's Semiannual Report of the Inspector General for the period October 1, 2014, through March 31, 2015, pursuant to the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

1756. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees Health Benefits Program; Subrogation and Reimbursement Recovery (RIN: 3206-AN14) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1757. A letter from the Branch Chief, Border Security Regulations, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's Major final rule — Changes to the Visa Waiver Program to Implement the Electronic System for Travel Authorization (ESTA) Program and the Fee for Use of the System [Docket Nos.: USCBP-2008-003 and USCBP-2010-0025] (RIN: 1651-AA72 and RIN 1651-AA83) received June 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1758. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0286; Directorate Identifier 2014-NM-004-AD; Amendment 39-18145; AD 2015-08-09] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1759. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0936; Directorate Identifier 2015-NM-058-AD; Amendment 39-18153; AD 2015-09-07] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1760. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (Type Certificate previously held by Eurocopter France) [Docket No.: FAA-2014-0038; Directorate Identifier 2013-SW-023-AD; Amendment 39-18146; AD 2015-09-01] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1761. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Gliders [Docket No.: FAA-2015-1130; Directorate Identifier 2015-CE-008-AD; Amendment 39-18150; AD 2015-09-04] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1762. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights Within the Baghdad (ORBB) Flight Information Region (FIR) [Docket No.: FAA-2003-14766; Amendment No.: 91-327A; SFAR No.: 77] (RIN: 2120-AK60) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1763. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's direct final rule — Prohibition of Fixed-Wing Special Visual Flights Rules Operations at Washington-Dulles International Airport; Withdrawal [Docket No.: FAA-2015-0190; Amdt. No.: 91-337] (RIN: 2120-AK69) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1764. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Clean Water Rule: Definition of ''Waters of the United States'' [EPA-HQ-OW-2011-0880; FRL-9927-20-OW] (RIN: 2040-AF30) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1765. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Rotary Club of Fort Lauderdale New River Raft Race, New River; Fort Lauderdale, FL [Docket No.: USCG-2015-0024] (RIN: 1625-AA00) received June 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1766. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim final rule — Security Zone; Portland Rose Festival on Willamette River, Portland, OR [Docket No.: USCG-2015-0484] (RIN: 1625-AA87) received June 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1767. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of the determination of a waiver of authority under Secs. 402(d)(1) and 409 of the Trade Act of 1974, as amended, with respect to Belarus; to the Committee on Ways and Means.

1768. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of the determination of a waiver of authority under Sec. 402(d)(1) 409 of the Trade Act of 1974, Pub. L. 93-618, as amended, with respect to Turkmenistan; to the Committee on Ways and Means.

1769. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Effective Date for Temporary Pilot Program Setting the Time and Place for a Hearing Before an Administrative Law Judge [Docket No.: SSA-2014-0034] (RIN: 0960-AH67) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1770. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Presidential Determination No. 2015-07, Suspension of Limitations under the Jerusalem Embassy Act, Pub. L. 104-45, Sec. 7(a); jointly to the Committees on Foreign Affairs and Appropriations.

1771. A letter from the Deputy Director, Office of Documents and Regulations Management, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Medicare Shared Savings Program: Accountable Care Organizations [CMS-1461-F] (RIN: 0938-AS06) received June 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 906. A bill to modify the efficiency standards for grid-enabled water heaters; with an amendment (Rept. 114–142). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1734. A bill to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment (Rept. 114–143). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUNES: Permanent Select Committee on Intelligence. H.R. 2596. A bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. 114–144, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 303. Resolution providing for consideration of the bill (H.R. 2685) making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2393) to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes (Rept. 114–145). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 2596 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RYAN of Wisconsin (for himself and Mr. BOUSTANY):

H.R. 2688. A bill to block any action from being taken to finalize or give effect to a certain proposed rule governing the Federal child support enforcement program; to the Committee on Ways and Means.

By Mrs. MIMI WALTERS of California (for herself and Mr. HUFFMAN):

H.R. 2689. A bill to clarify the scope of eligible water resources projects under the Water Resources Development Act of 1986 and the Water Resources Reform and Development Act of 2014, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI:

H.R. 2690. A bill to direct the Secretary of Health and Human Services to promulgate regulations clarifying the circumstances under which, consistent with the standards governing the privacy and security of individually identifiable health information promulgated by the Secretary under sections 262(a) and 264 of the Health Insurance Portability and Accountability Act of 1996, health care providers and covered entities may disclose the protected health information of patients with a mental illness, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUIZ:

H.R. 2691. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to adjudicate and pay survivor's benefits without requiring the filing of a formal claim, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BEATTY (for herself, Mr. BUTTERFIELD, Mr. HINOJOSA, Mr. MEEKS, Mr. CLAY, Ms. NORTON, Mrs. WATSON COLEMAN, Mrs. KIRKPATRICK, Mrs. LAWRENCE, Mr. ISRAEL, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. CONYERS, Ms. EDWARDS, and Mr. SWALWELL of California):

H.R. 2692. A bill to amend the Internal Revenue Code of 1986 to make permanent the above-the-line deduction for certain expenses of elementary and secondary school teachers and to allow Head Start teachers the same above-the-line deduction for supplies as is allowed to elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. BRAT (for himself, Mr. SCOTT of Virginia, Mr. WITTMAN, Mr. RIGELL, Mr. FORBES, Mr. HURT of Virginia, Mr. GOODLATTE, Mr. BEYER, Mr. GRIFFITH, Mrs. COMSTOCK, Mr. CONNOLLY, and Mr. SAM JOHNSON of Texas):

H.R. 2693. A bill to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''; to the Committee on Veterans' Affairs.

By Mr. CICILLINE (for himself, Ms. HAHN, Mr. ISRAEL, Ms. WASSERMAN SCHULTZ, Ms. CASTOR of Florida, Mrs. CAPPS, Ms. TSONGAS, Mr. SWALWELL of California, Ms. KUSTER, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. ELLISON, Ms. SEWELL of Alabama, Ms. DELAURO, Mr. PALLONE, Ms. MENG, Mrs. BUSTOS, Ms. FRANKEL of Florida, Ms. BROWNLEY of California, Mr. COURTNEY, Ms. LEE, Mr. MCNERNEY, Mr. MCGOVERN, Ms. BASS, Mr. BLUMENAUER, Ms. JACKSON LEE, Mr. LEWIS, Ms. KAPTUR, Mr. TONKO, Mr. VAN HOLLEN, Mr. SCOTT of Virginia, Mr. JEFFRIES, Mr. RANGEL, Ms. MOORE, Mr. TAKANO, Mr. LANGEVIN, Mr. MEEKS, Mr. GARAMENDI, Ms. WILSON of Florida, Mrs. WATSON COLEMAN, Mr. DEUTCH, Mr. COHEN, and Ms. BONAMICI):

H.R. 2694. A bill to amend the National Voter Registration Act of 1993 to require each State to ensure that each individual who provides identifying information to the State motor vehicle authority is automatically registered to vote in elections for Federal office held in the State unless the individual does not meet the eligibility requirements for registering to vote in such elections or declines to be registered to vote in such elections, and for other purposes; to the Committee on House Administration.

By Mr. CICILLINE (for himself, Mr. DEUTCH, Ms. JUDY CHU of California, Mr. WELCH, Mr. VARGAS, and Mr. GARAMENDI):

H.R. 2695. A bill to amend the Internal Revenue Code of 1986 to require that return information from tax-exempt organizations be made available in a searchable format and to provide the disclosure of the identity of contributors to certain tax-exempt organizations, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIFFITH:

H.R. 2696. A bill to amend title XXVII of the Public Health Service Act to require certain health insurance premium increase information submitted to the Secretary of Health and Human Services be disclosed to Congress; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mrs. DAVIS of California, Mr. FARR, Ms. MOORE, Mr. NADLER, and Ms. NORTON):

H.R. 2697. A bill to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations; to the Committee on Natural Resources.

By Mr. HOLDING (for himself, Mr. ROYCE, Mr. TIBERI, Mr. LONG, Mr. KNIGHT, Mr. WHITFIELD, Mr. NUNES, Mr. LOUDERMILK, Mr. WESTMORELAND, Mr. ASHFORD, Mr. PETERSON, Mr. BENISHEK, Mr. WALBERG, and Mrs. BLACKBURN):

H.R. 2698. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself, Mr. KING of New York, Ms. ESTY, Mr. HIMES, Mr. LANGEVIN, Mr. HONDA, and Mr. CONYERS):

H.R. 2699. A bill to modernize the Undetectable Firearms Act of 1988; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 2700. A bill to require all recreational vessels to have and post passenger capacity limits, to amend title 46, United States Code, to authorize States to enter into contracts for the provision of boating safety education services under State recreational boating safety programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa:

H.R. 2701. A bill to direct the President to impose duties on merchandise from the People's Republic of China in an amount equivalent to the estimated annual loss of revenue to holders of United States intellectual property rights as a result of violations of such intellectual property rights in China, and for other purposes; to the Committee on Ways and Means.

By Mr. ROKITA (for himself and Mr. BLUMENAUER):

H.R. 2702. A bill to amend title 49, United States Code, with respect to passenger motor vehicle crash avoidance information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUPPERSBERGER:

H.R. 2703. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Ms. LINDA T. SÁNCHEZ of California (for herself and Mr. MEEHAN):

H.R. 2704. A bill to establish a Community-Based Institutional Special Needs Plan demonstration program to target home and community-based care to eligible Medicare beneficiaries, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY:

H.R. 2705. A bill to clarify the definition of navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. TITUS (for herself, Mr. BISHOP of Utah, Mr. CRAMER, and Mr. STEWART):

H.R. 2706. A bill to amend title 38, United States Code, to provide priority for the establishment of new national cemeteries by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALKER:

H.R. 2707. A bill to ensure a legislative solution for those individuals who may be affected by ObamaCare's unlawful implementation, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WILSON of South Carolina:

H.R. 2708. A bill to direct the Director of National Intelligence to conduct a study on cyber attack standards of measurement; to the Committee on Intelligence (Permanent Select).

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

46. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 89, urging the Congress of the United States to pass legislation that establishes a national, uniform, and scientifically-based label program for genetically modified food; to the Committee on Energy and Commerce.

47. Also, a memorial of the Legislature of the State of Oregon, relative to Senate Joint Memorial 10, urging the Congress of the United States of America to pass legislation to create the Willamette Falls National Heritage Area; to the Committee on Natural Resources.

48. Also, a memorial of the Legislature of the State of Nevada, relative to Senate Joint

Resolution No. 4, urging Congress to enact the Marketplace Fairness Act; to the Committee on the Judiciary.

49. Also, a memorial of the Legislature of the State of Oregon, relative to Senate Joint Memorial 9, respectfully requesting that the Congress of the United States expedite appropriation of funds to enhance efforts to monitor and prevent the spread of aquatic invasive species and to implement the intent of the Water Resources Reform and Development Act; to the Committee on Transportation and Infrastructure.

50. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1008, urging the United States Department of Veterans Affairs to review the disability rating process; to the Committee on Veterans' Affairs.

51. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 0414, urging the United States Congress to take prompt action to reauthorize the James Zadroga 9/11 family of programs and to fully fund these programs; jointly to the Committees on Energy and Commerce and the Judiciary.

52. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1006, urging the United States Congress to vote to approve the Keystone XL oil pipeline; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RYAN of Wisconsin:

H.R. 2688.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mrs. MIMI WALTERS of California:

H.R. 2689.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Ms. MATSUI:

H.R. 2690.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. RUIZ:

H.R. 2691.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mrs. BEATTY:

H.R. 2692.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

By Mr. BRAT:

H.R. 2693.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12 (related to the power of Congress to raise and support armies) and Article I, Section 8, Clause 17 (related to the power of Congress to exercise exclusive legislation over needful buildings).

By Mr. CICILLINE:

H.R. 2694.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. CICILLINE:

H.R. 2695.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. GRIFFITH:

H.R. 2696.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 2697.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Mr. HOLDING:

H.R. 2698.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, [. . .]''

By Mr. ISRAEL:

H.R. 2699.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. ISRAEL:

H.R. 2700.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I. Section 8, and Article I, Section 9 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 2701.

Congress has the power to enact this legislation pursuant to the following:

Congress's Power to regulate Commerce with foreign Nations under Article I, Section 8, Clause 3 of the Constitution.

By Mr. ROKITA:

H.R. 2702.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, which reads ''The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. RUPPERSBERGER:

H.R. 2703.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 2704.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. THORNBERRY:

H.R. 2705.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. TITUS:

H.R. 2706.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Mr. WALKER:

H.R. 2707.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution gives Congress the power to ''regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.'' Article 1, Section 8, Clause 18 of the United States Constitution, which gives Congress the power to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.'' This legislation puts forth measures relating to the treatment of existing commerce and the exchange of health care products, services, and transactions as regulated by the Affordable Care Act.

By Mr. WILSON of South Carolina:

H.R. 2708.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and requirements outlined in the National Security Act of 1947. Article I, section 8 gives Congress the power ''to . . . provide for the common defense and general welfare of the United States.'' The Necessary and Proper Clause of that section also grants Congress the power ''[t]o make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.'' Title I, Sec. 101 of the National Security Act of 1947, requires the National Security Council to ''assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security; for the purpose of making recommendations . . .''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mrs. WALORSKI, Mr. ISRAEL, Mr. HULTGREN, Ms. KUSTER, Mr. YODER, Mr. DENT, Mr. CURBELO of Florida, Mrs. KIRKPATRICK, Mr. POLIS, Mr. O'ROURKE, Mr. HUDSON, Mr. CÁRDENAS, Mrs. CAPPS, Mr. ROE of Tennessee, Mr. BISHOP of Michigan, Mr. ROSS, and Mr. PAYNE.

H.R. 9: Mr. CLEAVER.

H.R. 136: Mr. CALVERT and Mr. HUNTER.

H.R. 169: Mr. STIVERS.

H.R. 218: Ms. MCSALLY.

H.R. 223: Mr. JOHNSON of Ohio.

H.R. 232: Mr. REED, Mrs. CAPPS, Mr. HURT of Virginia, Ms. DEGETTE, Mr. LEWIS, Mr. LIPINSKI, and Mr. RUPPERSBERGER.

H.R. 235: Mr. JODY B. HICE of Georgia, Mr. MCNERNEY, and Mr. BUCHANAN.

H.R. 276: Mr. CONAWAY.

H.R. 303: Mr. JONES, Mr. CALVERT, and Mr. COSTELLO of Pennsylvania.

H.R. 359: Mr. ROONEY of Florida.

H.R. 395: Mrs. KIRKPATRICK.

H.R. 413: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. YARMUTH.

H.R. 420: Mr. ALLEN.

H.R. 430: Ms. DEGETTE.

H.R. 470: Mr. BISHOP of Georgia.

H.R. 478: Mr. STEWART.
H.R. 511: Mr. NUNES, Mr. WILSON of South Carolina, and Ms. FOXX.
H.R. 532: Ms. TSONGAS.
H.R. 540: Mr. CONNOLLY and Ms. KAPTUR.
H.R. 546: Ms. KELLY of Illinois.
H.R. 556: Mr. HASTINGS, Mr. COHEN, Mr. ROE of Tennessee, Mr. RANGEL, Mr. WESTERMAN, Mr. ASHFORD, Mr. HENSARLING, Mr. COLLINS of New York, Mr. FLEMING, and Ms. SLAUGHTER.
H.R. 563: Mr. COURTNEY and Mr. RANGEL.
H.R. 581: Mr. COSTELLO of Pennsylvania.
H.R. 584: Mr. COFFMAN.
H.R. 592: Ms. BROWNLEY of California.
H.R. 602: Mrs. CAROLYN B. MALONEY of New York.
H.R. 614: Mr. BERA.
H.R. 625: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. YARMUTH.
H.R. 632: Mr. THOMPSON of California, Mr. KEATING, and Mr. LYNCH.
H.R. 653: Mr. AMODEI.
H.R. 662: Mr. ROE of Tennessee.
H.R. 664: Ms. MCCOLLUM.
H.R. 692: Mrs. HARTZLER and Mr. MESSER.
H.R. 699: Mr. VARGAS.
H.R. 702: Mrs. BLACK, Mr. LAMBORN, Mr. MESSER, Mr. WOMACK, and Mr. HULTGREN.
H.R. 716: Mr. HONDA.
H.R. 721: Mr. RUPPERSBERGER, Mr. ROGERS of Kentucky, Mr. YOHO, Mr. SWALWELL of California, Mr. COOK, Mr. CAPUANO, Mr. BERA, Mr. LANCE, Mr. PRICE of North Carolina, Ms. DELBENE, Mr. BUTTERFIELD, and Mr. ROONEY of Florida.
H.R. 731: Mr. CICILLINE.
H.R. 757: Mr. BISHOP of Michigan.
H.R. 766: Mr. EMMER of Minnesota.
H.R. 767: Mr. HURT of Virginia, Ms. DEGETTE, Mr. CARTWRIGHT, Mr. POLIS, and Mr. RUPPERSBERGER.
H.R. 772: Ms. NORTON and Mr. CONYERS.
H.R. 774: Mr. CULBERSON.
H.R. 775: Mr. VAN HOLLEN, Mr. DIAZ-BALART, Ms. CASTOR of Florida, Ms. HERRERA BEUTLER, Mr. COHEN, Mr. NUGENT, and Mr. CARTER of Georgia.
H.R. 781: Mr. MCDERMOTT.
H.R. 785: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 789: Ms. ESHOO.
H.R. 825: Mr. KLINE.
H.R. 840: Mr. SWALWELL of California, Ms. CLARK of Massachusetts, and Ms. EDWARDS.
H.R. 845: Ms. CASTOR of Florida, Mr. DUFFY, and Mr. TONKO.
H.R. 846: Mr. FATTAH, Mr. COURTNEY, and Ms. KELLY of Illinois.
H.R. 855: Ms. CASTOR of Florida, Mr. BRADY of Pennsylvania, and Ms. LEE.
H.R. 865: Mr. STIVERS and Mr. MULLIN.
H.R. 868: Mr. BISHOP of Georgia, Mr. NUNES, Mr. STIVERS, Mr. CARSON of Indiana, and Mr. KINZINGER of Illinois.
H.R. 921: Mr. STIVERS, Mr. TAKANO, and Mr. YOUNG of Iowa.
H.R. 932: Mrs. WATSON COLEMAN.
H.R. 963: Ms. DEGETTE.
H.R. 969: Mr. CARSON of Indiana.
H.R. 985: Mr. VALADAO, Mr. JONES, and Mr. MESSER.
H.R. 986: Mr. FLEMING and Mr. CARTER of Georgia.
H.R. 989: Ms. KAPTUR.
H.R. 990: Mr. HONDA, Ms. NORTON, and Mr. SWALWELL of California.
H.R. 1013: Mr. BEYER and Mr. TED LIEU of California.
H.R. 1023: Ms. HAHN, Mr. CARTWRIGHT, Mrs. LAWRENCE, and Mr. GIBSON.
H.R. 1062: Mr. GRAVES of Louisiana.
H.R. 1101: Mr. BRADY of Texas.
H.R. 1120: Mr. HUNTER.
H.R. 1141: Mr. COURTNEY.
H.R. 1145: Ms. PINGREE.
H.R. 1151: Mr. SCHIFF, Mrs. TORRES, Mr. RIBBLE, Mr. PAYNE, Mr. FINCHER, Mr. GRAVES of Missouri, Mr. STIVERS, and Mr. AMODEI.
H.R. 1153: Mr. JODY B. HICE of Georgia.
H.R. 1161: Mr. BUTTERFIELD and Mr. JONES.
H.R. 1171: Mr. NOLAN.
H.R. 1178: Mrs. MIMI WALTERS of California and Mr. TAKANO.
H.R. 1181: Mr. CÁRDENAS.
H.R. 1185: Mr. SWALWELL of California and Ms. STEFANIK.
H.R. 1188: Mr. LEWIS.
H.R. 1197: Mr. CÁRDENAS, Mr. ELLISON, Mr. VARGAS, and Mr. BISHOP of Georgia.
H.R. 1202: Mrs. LUMMIS and Mr. GIBSON.
H.R. 1211: Mr. GUTIÉRREZ and Mr. LEWIS.
H.R. 1233: Mr. EMMER of Minnesota.
H.R. 1247: Ms. ROYBAL-ALLARD.
H.R. 1266: Mr. CRAMER, Mr. EMMER of Minnesota, and Mr. KING of New York.
H.R. 1267: Mr. LUCAS.
H.R. 1289: Mr. MCDERMOTT, Ms. KUSTER, and Mr. THOMPSON of California.
H.R. 1300: Mr. VISCLOSKY.
H.R. 1301: Mr. FLORES, Mr. MCHENRY, Ms. KUSTER, Mr. CARNEY, Mrs. BLACKBURN, and Mr. SALMON.
H.R. 1355: Ms. SINEMA.
H.R. 1356: Ms. MATSUI, Ms. TITUS, Mr. ZINKE, and Ms. ESTY.
H.R. 1375: Mr. HIMES, Ms. KAPTUR, and Mr. STEWART.
H.R. 1388: Mr. STIVERS and Mr. HUDSON.
H.R. 1391: Ms. MCCOLLUM.
H.R. 1399: Mr. JOHNSON of Ohio, Ms. LEE, Ms. WASSERMAN SCHULTZ, and Mr. BISHOP of Georgia.
H.R. 1401: Mr. FITZPATRICK, Mr. LEWIS, Mr. COHEN, and Mr. COLE.
H.R. 1424: Mr. CRAWFORD, Mr. WESTMORELAND, and Mr. BLUM.
H.R. 1427: Mr. CHABOT, Ms. CASTOR of Florida, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Mr. DEUTCH, Mr. CAPUANO, Mr. RUSH, Ms. CLARK of Massachusetts, Mr. RYAN of Ohio, Ms. MCCOLLUM, Mr. PETERSON, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CURBELO of Florida, Mr. ISRAEL, Mr. ELLISON, Mr. ROSS, and Mr. DOLD.
H.R. 1439: Mr. LARSON of Connecticut.
H.R. 1475: Mr. FARENTHOLD, Ms. WILSON of Florida, and Mr. BISHOP of Michigan.
H.R. 1496: Mr. DESAULNIER.
H.R. 1533: Ms. MCCOLLUM.
H.R. 1546: Mr. NUGENT.
H.R. 1549: Mr. SCOTT of Virginia.
H.R. 1552: Mr. LARSEN of Washington and Ms. DEGETTE.
H.R. 1555: Mr. HARPER.
H.R. 1559: Mr. REICHERT, Mr. BERA, Ms. PLASKETT, Mr. CONNOLLY, Mr. JENKINS of West Virginia, and Mr. WHITFIELD.
H.R. 1567: Mr. COURTNEY and Mr. CARSON of Indiana.
H.R. 1572: Mrs. WALORSKI.
H.R. 1602: Ms. JUDY CHU of California and Mr. BERA.
H.R. 1610: Mr. PERRY.
H.R. 1616: Mr. AUSTIN SCOTT of Georgia.
H.R. 1624: Mr. CURBELO of Florida, Mr. GRAVES of Missouri, Mr. BRIDENSTINE, Mr. HENSARLING, Mr. LAMALFA, Mr. DESJARLAIS, Mr. SEAN PATRICK MALONEY of New York, Mr. CLEAVER, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1635: Ms. LOFGREN and Mr. YOUNG of Iowa.
H.R. 1666: Mr. GROTHMAN.
H.R. 1671: Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, and Mr. FARENTHOLD.
H.R. 1684: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1705: Mr. ASHFORD.
H.R. 1726: Ms. MCCOLLUM.
H.R. 1742: Mr. CARSON of Indiana.
H.R. 1748: Mr. HUFFMAN, Ms. KUSTER, and Mr. ISRAEL.
H.R. 1752: Mr. SESSIONS, Mr. HENSARLING, Mr. AUSTIN SCOTT of Georgia, and Mr. NUNES.
H.R. 1760: Mr. WELCH, Mr. VALADAO, Mr. KILMER, and Mr. JOHNSON of Ohio.
H.R. 1768: Mr. CALVERT.
H.R. 1769: Mrs. KIRKPATRICK, Mr. LANGEVIN, and Mr. COURTNEY.
H.R. 1775: Ms. SCHAKOWSKY and Ms. DEGETTE.
H.R. 1786: Mr. GENE GREEN of Texas and Ms. MATSUI.
H.R. 1814: Mr. ISRAEL, Mr. SHERMAN, Mr. TONKO, Mr. CAPUANO, Ms. DEGETTE, Mr. PRICE of North Carolina, Mr. GALLEGO, Mr. RICHMOND, Mr. THOMPSON of Mississippi, and Mr. GENE GREEN of Texas.
H.R. 1832: Ms. JUDY CHU of California and Ms. JACKSON LEE.
H.R. 1853: Mr. MESSER, Mr. BURGESS, Mr. POLIS, Mrs. LAWRENCE, Mr. COLLINS of Georgia, Mr. ADERHOLT, Mr. CARSON of Indiana, and Mr. BABIN.
H.R. 1854: Mr. JOYCE.
H.R. 1902: Mr. GUTIÉRREZ and Mr. RANGEL.
H.R. 1925: Ms. ESTY.
H.R. 1932: Mr. JODY B. HICE of Georgia.
H.R. 1933: Mr. SIRES and Ms. ESHOO.
H.R. 1994: Mr. COFFMAN, Mr. MESSER, Mr. HUNTER, and Mr. LOUDERMILK.
H.R. 2014: Mr. SARBANES.
H.R. 2019: Mr. BURGESS, Mr. SMITH of Nebraska, Mr. COLE, Mr. LAMALFA, and Mr. HURT of Virginia.
H.R. 2025: Mr. DEFAZIO.
H.R. 2026: Mrs. LOWEY and Ms. SINEMA.
H.R. 2042: Mr. JENKINS of West Virginia, Mrs. BLACK, Mr. LONG, Mrs. LUMMIS, Mr. DESJARLAIS, Mrs. WAGNER, Mr. STEWART, Mr. HARPER, Mr. WOMACK, Mr. ROE of Tennessee, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. KLINE, Ms. JENKINS of Kansas, and Mr. PALAZZO.
H.R. 2044: Mr. MESSER.
H.R. 2058: Mr. YODER, Mr. WHITFIELD, and Mr. HURT of Virginia.
H.R. 2061: Mr. STIVERS, Mr. FARR, Mr. BRIDENSTINE, Mr. SMITH of Washington, and Mr. HARRIS.
H.R. 2096: Mr. YODER.
H.R. 2123: Ms. ROS-LEHTINEN.
H.R. 2132: Mr. TAKANO and Mr. PASCRELL.
H.R. 2148: Mr. AUSTIN SCOTT of Georgia.
H.R. 2156: Mr. BERA.
H.R. 2167: Mr. THOMPSON of California and Mrs. KIRKPATRICK.
H.R. 2255: Mr. MARCHANT.
H.R. 2259: Mr. JODY B. HICE of Georgia and Mr. NEWHOUSE.
H.R. 2260: Mrs. LOWEY.
H.R. 2280: Mr. LYNCH.
H.R. 2295: Mr. TURNER, Mr. FARENTHOLD, Mr. MCKINLEY, Mr. GOSAR, Mr. DUNCAN of South Carolina, and Mr. KELLY of Pennsylvania.
H.R. 2300: Mr. BARLETTA.
H.R. 2302: Ms. SLAUGHTER, Mr. CARSON of Indiana, Mrs. LAWRENCE, and Ms. PLASKETT.
H.R. 2309: Mrs. LOWEY and Mr. PASCRELL.
H.R. 2323: Mr. PAULSEN.
H.R. 2328: Mr. KLINE.
H.R. 2342: Ms. HERRERA BEUTLER, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. ASHFORD, Mr. HUIZENGA of Michigan, Mr. FLEMING, and Mr. CARTER of Georgia.
H.R. 2360: Ms. KUSTER.
H.R. 2382: Mr. GUINTA.
H.R. 2400: Mr. HULTGREN, Mr. MCCLINTOCK, and Mr. PITTENGER.
H.R. 2404: Ms. PINGREE, Ms. BORDALLO, Ms. DELAURO, Mr. CONNOLLY, Mrs. Ellmers of North Carolina, Mr. HULTGREN, Ms. BROWN of Florida, Mr. FARENTHOLD, Mr. CARTWRIGHT, Ms. NORTON, Mr. RYAN of Ohio, Mr. JOHNSON of Georgia, Mr. GIBSON, and Ms. JACKSON LEE.
H.R. 2441: Mr. NUGENT.
H.R. 2450: Mr. CICILLINE.
H.R. 2493: Mrs. LAWRENCE and Mr. VAN HOLLEN.
H.R. 2494: Mr. MCCAUL, Mr. RANGEL, Mr. RYAN of Ohio, Mr. WILSON of South Carolina, Mr. WEBER of Texas, Mr. MCGOVERN, Mr. FARR, Mr. GARAMENDI, Mr. PEARCE, Mr. COOK, and Mr. POLIS.

H.R. 2506: Mr. DESJARLAIS.
H.R. 2508: Mr. PETERSON.
H.R. 2535: Mr. PETERSON.
H.R. 2536: Mr. GIBSON.
H.R. 2538: Mr. THOMPSON of California.
H.R. 2540: Ms. ROS-LEHTINEN.
H.R. 2544: Mr. SMITH of Nebraska.
H.R. 2545: Mr. LEVIN.
H.R. 2568: Mr. ROE of Tennessee.
H.R. 2590: Mr. EMMER of Minnesota.
H.R. 2606: Mr. PALMER, Mr. RUSSELL, and Mr. MEADOWS.
H.R. 2610: Mr. CURBELO of Florida and Mr. HIGGINS.
H.R. 2611: Mr. KLINE.
H.R. 2623: Mr. NADLER.
H.R. 2634: Miss RICE of New York.
H.R. 2647: Mr. GOSAR.
H.R. 2657: Ms. CASTOR of Florida and Mr. STIVERS.
H.R. 2660: Ms. PLASKETT, Mr. TONKO, Ms. WILSON of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. ROYBAL-ALLARD, Mr. LOWENTHAL, and Ms. Kaptur.
H.R. 2669: Mr. KINZINGER of Illinois, Mr. GUTHRIE, Mr. MEEKS, Mr. RUSH, Mr. WELCH, Mr. BUTTERFIELD, and Ms. ESHOO.
H.R. 2670: Mr. CURBELO of Florida, Ms. VELÁZQUEZ, Mr. TAKAI, and Mrs. RADEWAGEN.
H.R. 2680: Mr. TAKANO.
H. Con. Res. 19: Mr. GROTHMAN and Mr. EMMER of Minnesota.
H. Con. Res. 55: Mr. RANGEL.
H. Res. 12: Mr. GRIJALVA and Mr. ROGERS of Alabama.
H. Res. 14: Ms. LOFGREN and Mr. O'ROURKE.
H. Res. 107: Mr. CARSON of Indiana and Mr. WALZ.
H. Res. 130: Mr. FITZPATRICK.
H. Res. 145: Mr. CARSON of Indiana and Ms. EDWARDS.
H. Res. 154: Mr. TONKO.
H. Res. 203: Ms. WILSON of Florida.
H. Res. 209: Mr. DESANTIS.
H. Res. 233: Ms. WILSON of Florida, Mr. HUDSON, Mr. ROKITA, and Mr. BOUSTANY.
H. Res. 248: Mrs. BLACK.
H. Res. 270: Mr. DUNCAN of Tennessee, Mr. LAMBORN, Mr. BILIRAKIS, and Mr. SCHIFF.
H. Res. 294: Mr. MCGOVERN.
H. Res. 295: Ms. GABBARD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2383: Mr. PITTENGER.
H. Res. 198: Mr. AMASH.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2577

OFFERED BY: MR. DENHAM

AMENDMENT NO. 32: 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 for high-speed rail in the State of California or for the California High-Speed Rail Authority, nor may any be used by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement.

H.R. 2577

OFFERED BY: MR. DENHAM

AMENDMENT NO. 33: 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 for high-speed rail in the State of California or for the California High-Speed Rail Authority.

H.R. 2577

OFFERED BY: MR. EMMER OF MINNESOTA

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may used to carry out any enrichment as defined in Appendix A to Part 611 of title 49, Code of Federal Regulations, for any New Start grant request.

H.R. 2577

OFFERED BY: MR. GROTHMAN

AMENDMENT NO. 35: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under the heading ''Department of Housing and Urban Development—Housing Programs—Project-Based Rental Assistance'' may be used for any family who is not an elderly family or a disabled family (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and who was not receiving project-based rental assistance under section 8 of such Act (42 U.S.C. 1437f) as of October 1, 2015, and the amount otherwise provided under such heading is reduced by $300,000,000.

H.R. 2577

OFFERED BY: MR. GROTHMAN

AMENDMENT NO. 36: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under the heading ''Department of Housing and Urban Development—Public and Indian Housing Programs—Tenant-Based Rental Assistance'' may be used for any family who is not an elderly family or a disabled family (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and who was not receiving tenant-based rental assistance under section 8 of such Act (42 U.S.C. 1437f) as of October 1, 2015, and the amount otherwise provided under such heading is reduced, the amount specified under such heading for renewals of expiring section 8 tenant-based annual contributions contracts is reduced, and the amount specified under such heading for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program) is reduced, by $300,000,000, $210,000,000, and $90,000,000, respectively.

H.R. 2577

OFFERED BY: MS. MAXINE WATERS OF CALIFORNIA

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following:

SEC. 4____. None of the funds made available by this Act may be used to establish any asset management position (including any account executive, senior account executive, and troubled asset specialist position, as such positions are described in the Field Resource Manual (Wave 1) entitled ''Transformation: Multifamily for Tomorrow'' of the Department of Housing and Urban Development) of the Office of Multifamily Housing of the Department of Housing and Urban Development, or newly hire an employee for any asset management position, that is located at a Core office (as such term is used in such Field Resource Manual) before filling each such asset management position that is located at a Non-Core office (as such term is used in such Field Resource Manual) and has been vacated since October 1, 2015.

H.R. 2577

OFFERED BY: MR. LEWIS

AMENDMENT NO. 38: Page 156, after line 15, insert the following new section:

SEC. 416. Notwithstanding Mortgagee Letter 2015-12 of the Department of Housing and Urban Development (dated April 30, 2015) or any other provision of law, the Secretary of Housing and Urban Development shall—

(1) implement the Mortgagee Optional Election (MOE) Assignment for home equity conversion mortgages (as set forth in Mortgagee Letter 2015-03, dated January 29, 2015), allowing additional flexibility for non-borrowing spouses to meet its requirements; and

(2) provide for a 5-year delay in foreclosure in the case of any other home equity conversion mortgage that—

(A) has an FHA Case Number assigned before August, 4, 2014; and

(B) has a last surviving borrower who has died and who has a non-borrowing surviving spouse who does not qualify for the Mortgagee Optional Election and who, but for the death of such borrowing spouse, would be able to remain in the dwelling subject to the mortgage.

H.R. 2577

OFFERED BY: MR. ZELDIN

AMENDMENT NO. 39: 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 by the Administrator of the Federal Aviation Administration to institute an administrative or civil action (as defined in section 47107 of title 49, United States Code) against the sponsor of the East Hampton Airport in East Hampton, NY.

H.R. 2577

OFFERED BY: MR. PETERS

AMENDMENT NO. 40: 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 in contravention of Executive Order 11246 (relating to Equal Employment Opportunity).

H.R. 2577

OFFERED BY: MR. HULTGREN

AMENDMENT NO. 41: None of the funds made available by this Act may be used by the Federal Aviation Administration for the biodata assessment in the hiring of Air Traffic Control Specialists.

H.R. 2577

OFFERED BY: MR. MEEHAN

AMENDMENT NO. 42: At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act for Amtrak capital grants may be used for projects off the Northeast Corridor until the level of capital spending by Amtrak for capital projects on the Northeast Corridor during fiscal year 2016 equals the amount of Amtrak's profits from Northeast Corridor operations during fiscal year 2015.

H.R. 2685

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 1: At the end of the bill, before the short title, add the following new section:

SEC. ____. None of the funds appropriated or otherwise made available in this Act shall be used by the Department of Defense to process pursuant to the memorandum of the Secretary of Defense entitled ''Military Accessions Vital to National Interest (MAVNI) Program Eligibility'' and dated November 2014 any application wherein an individual relies on a granted deferred action by the Department of Homeland Security pursuant to the Deferred Action for Childhood Arrivals (DACA) process established pursuant to the memorandum of the Secretary of Homeland Security entitled ''Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children'' and dated June 15, 2012.

H.R. 2685

OFFERED BY: MR. HUIZENGA OF MICHIGAN

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

SEC. 10003. None of the funds made available by this Act may be used by the Defense Logistics Agency to implement the Small Business Administration interim final rule titled ''Small Business Size Standards; Adoption of 2012 North American Industry Classification System'' (published August 20, 2012, in the Federal Register) with respect to the procurement of footwear.

H.R. 2685

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 3:

SEC. ____. None of the funds made available by this Act may be used to carry out any of the following:

(1) Sections 2(b), 2(d), 2(g), 3(c), 3(e), 3(f), or 3(g) of Executive Order 13423.

(2) Sections 2(a), 2(b), 2(c), 2(f)(iii-iv), 2(h), 7, 9, 12, 13, or 16 of Executive Order 13514.

(3) Subsection (e) and paragraphs (4), (9), (10), and (12) of subsection (c) of section 2911 of title 10, United States Code.

(4) Sections 400AA or 400 FF of the Energy Policy and Conservation Act (42 U.S.C. 6374, 6374e).

(5) Section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212).

(6) Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852).

H.R. 2685

OFFERED BY: MR. HUFFMAN

AMENDMENT NO. 4: Strike section 8053.

H.R. 2685

OFFERED BY: MR. MACARTHUR

AMENDMENT NO. 5: 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 divest or retire, or to prepare to divest or retire, KC–10 aircraft.