

Pingree	Sánchez, Linda	Trott
Pittenger	T.	Tsongas
Pitts	Sanford	Turner
Pocan	Sarbanes	Upton
Poe (TX)	Scalise	Valadao
Poliquin	Schakowsky	Van Hollen
Polis	Schiff	Vargas
Pompeo	Schrader	Veasey
Posey	Schweikert	Vela
Price (NC)	Scott (VA)	Velázquez
Quigley	Scott, Austin	Visclosky
Rangel	Scott, David	Wagner
Ratcliffe	Sensenbrenner	Walberg
Reed	Serrano	Walden
Reichert	Sessions	Walker
Renacci	Sewell (AL)	Walorski
Ribble	Sherman	Walters, Mimi
Rice (NY)	Shimkus	Walz
Rice (SC)	Shuster	Wasserman
Richmond	Sires	Schultz
Rigell	Slaughter	Waters, Maxine
Roby	Smith (MO)	Watson Coleman
Roe (TN)	Smith (NE)	Weber (TX)
Rogers (AL)	Smith (NJ)	Welch
Rogers (KY)	Smith (TX)	Wenstrup
Rokita	Smith (WA)	Westerman
Rooney (FL)	Speier	Williams
Ros-Lehtinen	Stefanik	Wilson (SC)
Roskam	Stewart	Wittman
Ross	Stivers	Womack
Rothfus	Swalwell (CA)	Woodall
Rouzer	Takano	Yarmuth
Roybal-Allard	Thompson (CA)	Yoder
Royce	Thompson (MS)	Yoho
Ruiz	Thompson (PA)	Young (AK)
Ruppersberger	Tiberi	Young (IA)
Russell	Tipton	Young (IN)
Ryan (OH)	Titus	Zeldin
Salmon	Tonko	Zinke
	Torres	

NAYS—6

Amash	Duncan (TN)	Jones
Brat	Gohmert	Massie

NOT VOTING—42

Bishop (UT)	Goodlatte	Miller (MI)
Boustany	Grayson	Price, Tom
Brady (TX)	Griffith	Rohrabacher
Carter (TX)	Grijalva	Rush
DeLauro	Gutiérrez	Sanchez, Loretta
Duffy	Herrera Beutler	Simpson
Ellmers (NC)	Hinojosa	Sinema
Farenthold	Hurt (VA)	Stutzman
Farr	Kind	Takai
Fattah	Labrador	Thornberry
Fincher	Lee	Webster (FL)
Flores	Marchant	Westmoreland
Forbes	Meeks	Whitfield
Garamendi	Meng	Wilson (FL)

□ 1853

Mr. DUNCAN of Tennessee changed his vote from “yea” to “nay.”

Ms. SPEIER changed her vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on roll-call No. 297, I was unavoidably detained and unable to return to Washington, D.C. in time to cast my vote. Had I been present, I would have voted “yes.”

MOMENT OF SILENCE IN MEMORY OF THE VICTIMS OF THE TERRORIST ATTACK IN ORLANDO, FLORIDA

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in memory of the victims of the terrorist attack in Orlando.

PARLIAMENTARY INQUIRY

Mr. CLYBURN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. CLYBURN. Mr. Speaker, I am really concerned that we have just today had a moment of silence, and later this week, the 17th—

The SPEAKER. Does the gentleman have a parliamentary inquiry?

Mr. CLYBURN. Yes.

Mr. Speaker, I am particularly interested about three pieces of legislation that have been filed in this body.

The SPEAKER. The gentleman is not stating a parliamentary inquiry.

NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT MODERNIZATION ACT OF 2016

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5312) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois (Mr. LAHOOD) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 7, not voting 42, as follows:

[Roll No. 298]

YEAS—385

Abraham	Bucshon	Costello (PA)
Adams	Burgess	Courtney
Aderholt	Bustos	Cramer
Aguiar	Butterfield	Crawford
Allen	Byrne	Crenshaw
Amodei	Calvert	Crowley
Ashford	Capps	Cuellar
Babin	Capuano	Culberson
Barletta	Cardenas	Cummings
Barr	Carney	Curbelo (FL)
Barton	Carson (IN)	Davidson
Bass	Carter (GA)	Davis (CA)
Beatty	Cartwright	Davis, Danny
Becerra	Castor (FL)	Davis, Rodney
Benishek	Castro (TX)	DeFazio
Bera	Chabot	DeGette
Beyer	Chaffetz	Delaney
Bilirakis	Chu, Judy	DelBene
Bishop (GA)	Cicilline	Denham
Bishop (MI)	Clark (MA)	Dent
Black	Clarke (NY)	DeSantis
Blackburn	Clawson (FL)	DeSaulnier
Blum	Cleaver	DesJarlais
Blumenauer	Clyburn	Deuch
Bonamici	Coffman	Diaz-Balart
Bost	Cohen	Dingell
Boyle, Brendan	Cole	Doggett
F.	Collins (GA)	Dold
Brady (PA)	Collins (NY)	Donovan
Brat	Comstock	Doyle, Michael
Bridenstine	Conaway	F.
Brooks (AL)	Connolly	Duckworth
Brooks (IN)	Conyers	Duncan (SC)
Brown (FL)	Cook	Duncan (TN)
Brownley (CA)	Cooper	Edwards
Buchanan	Costa	Ellison
Buck		Emmer (MN)

Engel	LoBiondo	Rogers (KY)
Eshoo	Loeb	Rokita
Esty	Lofgren	Rooney (FL)
Fitzpatrick	Long	Ros-Lehtinen
Fleischmann	Loudermilk	Roskam
Fleming	Love	Ross
Fortenberry	Lowenthal	Rothfus
Foster	Lowey	Rouzer
Fox	Lucas	Roybal-Allard
Frank (FL)	Luetkemeyer	Royce
Franks (AZ)	Lujan Grisham	Ruiz
Frelinghuysen	(NM)	Ruppersberger
Fudge	Luján, Ben Ray	Russell
Gabbard	(NM)	Ryan (OH)
Gallego	Lummis	Salmon
Garrett	Lynch	Sánchez, Linda
Gibbs	MacArthur	T.
Gibson	Maloney,	Sanford
Gosar	Carolyn	Sarbanes
Graham	Maloney, Sean	Scalise
Granger	Marino	Schakowsky
Graves (GA)	Matsui	Schiff
Graves (LA)	McCarthy	Schrader
Graves (MO)	McCaul	Schweikert
Green, Al	McClintock	Scott (VA)
Green, Gene	McCollum	Scott, Austin
Guinta	McDermott	Scott, David
Guthrie	McGovern	Sensenbrenner
Hahn	McHenry	Serrano
Hanna	McKinley	Sessions
Harper	McMorris	Sewell (AL)
Hartzer	Rodgers	Sherman
Hastings	McNerney	Shimkus
Heck (NV)	McSally	Shuster
Heck (WA)	Meadows	Sires
Hensarling	Meehan	Slaughter
Hice, Jody B.	Messer	Smith (MO)
Higgins	Mica	Smith (NE)
Hill	Miller (FL)	Smith (NJ)
Himes	Moolenaar	Smith (TX)
Holding	Mooney (WV)	Smith (WA)
Honda	Moore	Speier
Hoyer	Moulton	Stefanik
Hudson	Mullin	Stewart
Huelskamp	Mulvaney	Stivers
Huffman	Murphy (FL)	Swalwell (CA)
Huizenga (MI)	Murphy (PA)	Takano
Hultgren	Nadler	Thompson (CA)
Hunter	Napolitano	Thompson (MS)
Hurd (TX)	Neal	Thompson (PA)
Israel	Neugebauer	Tiberi
Issa	Newhouse	Tipton
Jackson Lee	Noem	Titus
Jeffries	Nolan	Tonko
Jenkins (KS)	Norcross	Torres
Jenkins (WV)	Nugent	Trott
Johnson (GA)	Nunes	Tsongas
Johnson (OH)	O'Rourke	Turner
Johnson, E. B.	Olson	Upton
Johnson, Sam	Palazzo	Valadao
Jolly	Pallone	Van Hollen
Jordan	Palmer	Vargas
Joyce	Pascrell	Veasey
Kaptur	Paulsen	Vela
Katko	Pearce	Velázquez
Keating	Perlmutter	Visclosky
Kelly (IL)	Perry	Wagner
Kelly (MS)	Peters	Walberg
Kelly (PA)	Peterson	Walden
Kennedy	Pittenger	Walker
Kildee	Pitts	Walorski
Kilmer	Pocan	Walters, Mimi
King (IA)	Poe (TX)	Walz
King (NY)	Poliquin	Wasserman
Kinzinger (IL)	Polis	Schultz
Kirkpatrick	Pompeo	Waters, Maxine
Kline	Posey	Watson Coleman
Kuster	Price (NC)	Welch
LaHood	Price, Tom	Wenstrup
LaMalfa	Quigley	Westerman
Lamborn	Rangel	Westmoreland
Lance	Ratcliffe	Williams
Langevin	Reed	Wilson (SC)
Larsen (WA)	Reichert	Wittman
Larson (CT)	Renacci	Womack
Latta	Ribble	Woodall
Lawrence	Rice (NY)	Yarmuth
Lee	Rice (SC)	Yoder
Levin	Richmond	Yoho
Lewis	Rigell	Young (AK)
Lieu, Ted	Roby	Young (IA)
Lipinski	Roe (TN)	Young (IN)
	Rogers (AL)	Zeldin
		Zinke

NAYS—7

Amash	Harris	Pelosi
Gohmert	Jones	
Grothman	Massie	

NOT VOTING—42

Bishop (UT)	Goodlatte	Miller (MI)
Boustany	Gowdy	Payne
Brady (TX)	Grayson	Rohrabacher
Carter (TX)	Griffith	Rush
DeLauro	Grijalva	Sanchez, Loretta
Duffy	Gutiérrez	Simpson
Ellmers (NC)	Herrera Beutler	Sinema
Farenthold	Hinojosa	Stutzman
Farr	Hurt (VA)	Takai
Fattah	Kind	Thornberry
Fincher	Labrador	Weber (TX)
Flores	Marchant	Webster (FL)
Forbes	Meeks	Whitfield
Garamendi	Meng	Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on roll-call No. 298, I was unavoidably detained and unable to return to Washington, D.C. in time to cast my vote. Had I been present, I would have voted "yes."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5053, PREVENTING IRS ABUSE AND PROTECTING FREE SPEECH ACT; AND PROVIDING FOR CONSIDERATION OF H.R. 5293, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-621) on the resolution (H. Res. 778) providing for consideration of the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns; and providing for consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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 the additional motion 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.

Any record vote on the postponed question will be taken later.

NSF MAJOR RESEARCH FACILITY REFORM ACT OF 2016

Mr. LOUDERMILK. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 5049) to provide for improved management and oversight of major multi-user research facilities funded by the National Science Foundation, to ensure transparency and accountability of construction and management costs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5049

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 "NSF Major Research Facility Reform Act of 2016".

SEC. 2. DEFINITIONS.

In this Act:

(1) DIRECTOR.—The term "Director" means the Director of the Foundation.

(2) FOUNDATION.—The term "Foundation" means the National Science Foundation established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(3) MAJOR MULTI-USER RESEARCH FACILITY.—The term "major multi-user research facility" means a science and engineering infrastructure construction project that exceeds the lesser of 10 percent of a Directorate's annual budget or \$100,000,000 in total project cost that is funded in the major research equipment and facilities construction account, or any successor thereto.

SEC. 3. MANAGEMENT AND OVERSIGHT OF LARGE FACILITIES.

(a) LARGE FACILITIES OFFICE.—The Director shall maintain a Large Facilities Office. The functions of the Large Facilities Office shall be to support the research directorates in the development, implementation, and assessment of major multi-user research facilities, including by—

(1) serving as the Foundation's primary resource for all policy or process issues related to the development and implementation of major multi-user research facilities;

(2) serving as a Foundation-wide resource on project management, including providing expert assistance on nonscientific and non-technical aspects of project planning, budgeting, implementation, management, and oversight;

(3) coordinating and collaborating with research directorates to share best management practices and lessons learned from prior projects; and

(4) assessing projects during preconstruction and construction phases for cost and schedule risk.

(b) OVERSIGHT OF LARGE FACILITIES.—The Director shall appoint a senior agency official as head of the Large Facilities Office whose responsibility is oversight of the development, construction, and transfer to operations of major multi-user research facilities across the Foundation.

(c) POLICIES FOR LARGE FACILITY COSTS.—

(1) IN GENERAL.—The Director shall ensure that the Foundation's policies for developing and maintaining major multi-user research facility construction costs are consistent with the best practices described in the March 2009 Government Accountability Office Report GAO-09-3SP, or any successor report thereto, the Uniform Guidance in 2 C.F.R. part 200, and the Federal Acquisition Regulation as appropriate.

(2) COST PROPOSAL ANALYSIS.—

(A) GENERAL REQUIREMENT.—The Director shall ensure that an external cost proposal analysis is conducted for any major multi-user research facility.

(B) RESOLUTION OF ISSUES FOUND.—The Director, or a senior agency official within the

Office of the Director designated by the Director, shall certify in writing that all issues identified during the cost analysis, including any findings of unjustified or questionable cost items, are resolved before the Foundation may execute a construction agreement with respect to the project.

(C) TRANSMITTAL TO CONGRESS.—The Director shall transmit each certification made under subparagraph (B) to the Committee on Science, Space, and Technology of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.

(3) INCURRED COST AUDITS.—The Director shall ensure that an incurred cost audit is conducted at least biennially on any major multi-user research facility, in accordance with Government Auditing Standards as established in Government Accountability Office Report GAO-12-331G, or any successor report thereto, with the first incurred cost audit to commence no later than 12 months after execution of the construction agreement.

(4) CONTINGENCIES.—

(A) IN GENERAL.—Except as provided in subparagraph (C)(ii), the Foundation shall—

(i) provide oversight for contingency in accordance with Cost Principles Uniform Guidance in 2 C.F.R. part 200.433, or any successor thereto, and the Federal Acquisition Regulation as appropriate, except as provided in this paragraph; and

(ii) not make any award which provides for contributions to a contingency reserve held or managed by the awardee, as defined in 2 C.F.R. part 200.433(c).

(B) UPDATING POLICY MANUAL.—The Foundation shall update its Large Facilities Manual and any other applicable guidance for contingencies on major multi-user research facilities with regard to estimating, monitoring, and accounting for contingency.

(C) FOUNDATION REQUIREMENTS.—The policy updated under subparagraph (B) shall require that the Foundation—

(i) may only include contingency amounts in an award in accordance with Cost Principles Uniform Guidance in 2 C.F.R. part 200.433, or any successor thereto, and the Federal Acquisition Regulation as appropriate; and

(ii) shall retain control over funds budgeted for contingency, but may disburse budgeted contingency funds incrementally to the awardee to ensure project stability and continuity.

(D) AWARDEE REQUIREMENTS.—The policy updated under subparagraph (B) shall require that an awardee shall—

(i) provide verifiable documentation to support any amounts proposed for contingencies; and

(ii) support requests for the release of contingency funds with evidence of a bona fide need and that the amounts allocated to the performance baseline are reasonable and allowable.

(E) CURRENT AWARDEES.—The Foundation shall work with awardees for whom awards with contingency provisions have been made before the date of enactment of this Act—

(i) to determine if any of their use of contingency funds represents out-of-scope changes for which Foundation's prior written approval was not obtained; and

(ii) if out-of-scope changes are found, to identify any financial action that may be appropriate.

(5) MANAGEMENT FEES.—

(A) DEFINITION.—In this paragraph, the term "management fee" means a portion of an award made by the Foundation for the purpose of covering ordinary and legitimate business expenses necessary to maintain