

The SPEAKER pro tempore. The gentleman is no longer recognized. The Chair has advised that the gentleman has not stated an inquiry that is relevant to the proceedings before the House at this time.

SUPPORT FOR RAPID INNOVATION ACT OF 2016

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

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5388) to amend the Homeland Security Act of 2002 to provide for innovative research and development, 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 motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 351, nays 4, not voting 79, as follows:

[Roll No. 335]

YEAS—351

Abraham Coffman Gallego  
 Adams Cole Garrett  
 Aderholt Collins (GA) Gibbs  
 Aguilar Collins (NY) Gibson  
 Allen Comstock Goodlatte  
 Amodei Conaway Gosar  
 Ashford Cook Gowdy  
 Barletta Cooper Graham  
 Barr Costa Granger  
 Barton Costello (PA) Graves (LA)  
 Bass Crenshaw Graves (MO)  
 Beatty Crowley Green, Gene  
 Becerra Cuellar Griffith  
 Benishek Cummings Grijalva  
 Bera Davidson Grothman  
 Bilirakis Davis (CA) Guinta  
 Bishop (GA) Davis, Danny Guthrie  
 Bishop (MI) Davis, Rodney Hardy  
 Bishop (UT) DeFazio Harris  
 Black DeGette Hastings  
 Blackburn Delaney Heck (NV)  
 Blum DeLauro Heck (WA)  
 Bost DelBene Hensarling  
 Boustany Denham Hice, Jody B.  
 Boyle, Brendan Dent Himes  
 F. DeSaulnier Hinojosa  
 Brady (PA) DesJarlais Holding  
 Brady (TX) Deutch Honda  
 Brat Dingell Hudson  
 Bridenstine Doggett Huffman  
 Brooks (AL) Dold Huizenga (MI)  
 Brooks (IN) Donovan Hunter  
 Brown (FL) Doyle, Michael Hurd (TX)  
 Buchanan F. Hurt (VA)  
 Buck Duncan (SC) Israel  
 Burgess Duncan (TN) Issa  
 Bustos Edwards Jenkins (KS)  
 Byrne Emmer (MN) Jenkins (WV)  
 Calvert Engel Johnson (GA)  
 Capps Eshoo Johnson (OH)  
 Capuano Esty Johnson, E. B.  
 Carney Farenthold Johnson, Sam  
 Carter (GA) Farr Jolly  
 Carter (TX) Fitzpatrick Jordan  
 Cartwright Fleischmann Joyce  
 Castor (FL) Fleming Kaptur  
 Chabot Flores Katko  
 Chaffetz Fortenberry Keating  
 Chu, Judy Foster Kelly (IL)  
 Cicilline Foxx Kelly (MS)  
 Clark (MA) Frankel (FL) Kelly (PA)  
 Clarke (NY) Franks (AZ) Kennedy  
 Clay Frelinghuysen Kildee  
 Cleaver Fudge Kilmer  
 Clyburn Gabbard King (IA)

King (NY) Neugebauer  
 Kinzinger (IL) Newhouse  
 Kirkpatrick Nugent  
 Kline Nunes  
 Knight O'Rourke  
 Kuster Olson  
 Labrador Palazzo  
 LaHood Pallone  
 LaMalfa Palmer  
 Lamborn Pascarell  
 Lance Payne  
 Larsen (WA) Pearce  
 Larson (CT) Pelosi  
 Latta Perry  
 Lawrence Peters  
 Levin Peterson  
 Lewis Pittenger  
 Lieu, Ted Pitts  
 LoBiondo Pocan  
 Loeb sack Poe (TX)  
 Lofgren Poliquin  
 Long Pompeo  
 Loudermilk Posey  
 Love Price (NC)  
 Lowey Price, Tom  
 Lucas Quigley  
 Luetkemeyer Rangel  
 Lujan Grisham Ratcliffe  
 (NM) Reed  
 Lujan, Ben Ray Reichert  
 (NM) Renacci  
 Lummis Ribble  
 Lynch Rice (NY)  
 MacArthur Rice (SC)  
 Maloney, Carolyn Richmond  
 Maloney, Sean Rigell  
 Marino Roe (TN)  
 Matsui Rogers (AL)  
 McCarthy Rogers (KY)  
 McCaul Rokita  
 McClintock Rooney (FL)  
 McCollum Ros-Lehtinen  
 McDermott Roskam  
 McGovern Ross  
 McHenry Rothfus  
 McKinley Rouzer  
 McMorris Roybal-Allard  
 Rodgers Royce  
 McNeerney Ruiz  
 McSally Ruppersberger  
 Meadows Russell  
 Meehan Ryan (OH)  
 Meeks Salmon  
 Messer Sanford  
 Miller (FL) Sarbanes  
 Moolenaar Scalise  
 Mooney (WV) Schakowsky  
 Moulton Schiff  
 Mullin Schrader  
 Mulvaney Schwertkert  
 Murphy (FL) Scott (VA)  
 Murphy (PA) Scott, Austin  
 Nadler Scott, David  
 Neal Sensenbrenner

NAYS—4

Amash Jones  
 Gohmert Massie  
 Babin Forbes  
 Beyer Garamendi  
 Blumenauer Graves (GA)  
 Bonamici Grayson  
 Brownley (CA) Green, Al  
 Bucshon Gutierrez  
 Butterfield Hahn  
 Cardenas Hanna  
 Carson (IN) Harper  
 Castro (TX) Hartzler  
 Clawson (FL) Herrera Beutler  
 Cohen Higgins  
 Connolly Hill  
 Conyers Hoyer  
 Courtney Huelskamp  
 Cramer Hultgren  
 Crawford Jackson Lee  
 Culberson Jeffries  
 Curbelo (FL) Kind  
 DeSantis Trott  
 Diaz-Balart Langevin  
 Lee  
 Duckworth Lipinski  
 Duffy Lowenthal  
 Ellison Marchant  
 Eilmers (NC) Meng  
 Fattah Mica  
 Fincher Miller (MI)

NOT VOTING—79

Serrano  
 Sessions  
 Sewell (AL)  
 Sherman  
 Shimkus  
 Shuster  
 Simpson  
 Sinema  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Stefanik  
 Stewart  
 Stivers  
 Stutzman  
 Swalwell (CA)  
 Takano  
 Poe (TX)  
 Poliquin  
 Pompeo  
 Posey  
 Price (NC)  
 Price, Tom  
 Quigley  
 Rangel  
 Ratcliffe  
 Reed  
 Reichert  
 Renacci  
 Ribble  
 Rice (NY)  
 Rice (SC)  
 Richmond  
 Rigell  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rokita  
 Rooney (FL)  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothfus  
 Rouzer  
 Roybal-Allard  
 Royce  
 Ruiz  
 Ruppersberger  
 Russell  
 Ryan (OH)  
 Salmon  
 Sanford  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schiff  
 Schrader  
 Schwertkert  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sensenbrenner  
 Zinke

□ 1900

Mr. VEASEY changed his vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEVERAGING EMERGING TECHNOLOGIES ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5389) to encourage engagement between the Department of Homeland Security and technology innovators, 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 motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 347, nays 8, not voting 79, as follows:

[Roll No. 336]

YEAS—347

Abraham Clyburn Fudge  
 Adams Coffman Gabbard  
 Aderholt Cole Gallego  
 Aguilar Collins (GA) Garrett  
 Allen Collins (NY) Gibbs  
 Amodei Comstock Gibson  
 Ashford Conaway Goodlatte  
 Ashford Cook Gosar  
 Barletta Cooper Gowdy  
 Barr Costa Graham  
 Barton Costello (PA) Granger  
 Bass Crenshaw Graves (LA)  
 Beatty Crowley Graves (MO)  
 Becerra Cuellar Green, Gene  
 Benishek Cummings Griffith  
 Bera Davidson Grijalva  
 Bilirakis Davis (CA) Guinta  
 Bishop (GA) Davis, Danny Guthrie  
 Bishop (MI) Davis, Rodney Hardy  
 Bishop (UT) DeFazio Harris  
 Black DeGette Hastings  
 Blackburn Delaney Heck (NV)  
 Blum DeLauro Heck (WA)  
 Bost DelBene Hensarling  
 Boustany Denham Hice, Jody B.  
 Boyle, Brendan Dent Himes  
 F. DeSaulnier Hinojosa  
 Brady (PA) DesJarlais Holding  
 Brady (TX) Deutch Honda  
 Brat Dingell Hudson  
 Bridenstine Diaz-Balart  
 Brooks (AL) Dingell Huffman  
 Brooks (IN) Doggett Huizenga (MI)  
 Brown (FL) Dold Hunter  
 Buchanan Donovan Hurd (TX)  
 Buck Doyle, Michael Hurd (VA)  
 Burgess F. Israel  
 Bustos Duncan (SC) Issa  
 Byrne Edwards Jenkins (KS)  
 Calvert Emmer (MN) Jenkins (WV)  
 Capps Engel Johnson (GA)  
 Capuano Eshoo Johnson (OH)  
 Carney Esty Johnson, E. B.  
 Carter (GA) Farenthold Johnson, Sam  
 Carter (TX) Farr Jolly  
 Cartwright Fitzpatrick Jordan  
 Castor (FL) Fleischmann Joyce  
 Chabot Fleming Kaptur  
 Chaffetz Flores Katko  
 Chu, Judy Fortenberry Keating  
 Cicilline Foster Kelly (IL)  
 Clark (MA) Foxx Kelly (MS)  
 Clarke (NY) Frankel (FL) Kelly (PA)  
 Clay Franks (AZ) Kennedy  
 Cleaver Frelinghuysen Kildee

Kilmer	Murphy (PA)	Scott, Austin
King (IA)	Nadler	Scott, David
King (NY)	Neal	Sensenbrenner
Kinzinger (IL)	Neugebauer	Serrano
Kirkpatrick	Newhouse	Sessions
Kline	Nugent	Sewell (AL)
Knight	Nunes	Sherman
Kuster	O'Rourke	Shimkus
Labrador	Olson	Shuster
LaHood	Palazzo	Simpson
LaMalfa	Pallone	Sinema
Lamborn	Palmer	Smith (MO)
Lance	Pascrell	Smith (NE)
Larsen (WA)	Payne	Smith (NJ)
Larson (CT)	Pearce	Smith (TX)
Latta	Pelosi	Smith (WA)
Lawrence	Perry	Stefanik
Levin	Peters	Stewart
Lewis	Peterson	Stivers
Lieu, Ted	Pittenger	Stutzman
LoBiondo	Pitts	Swalwell (CA)
Loeback	Pocan	Takano
Lofgren	Poe (TX)	Thompson (CA)
Long	Poliquin	Thompson (MS)
Loudermilk	Pompeo	Thompson (PA)
Love	Posey	Thornberry
Lowey	Price (NC)	Tiberi
Lucas	Price, Tom	Tipton
Luetkemeyer	Quigley	Titus
Lujan Grisham	Rangel	Tonko
(NM)	Ratcliffe	Torres
Lujan, Ben Ray	Reed	Tsongas
(NM)	Reichert	Turner
Lummis	Renacci	Upton
Lynch	Ribble	Valadao
MacArthur	Rice (NY)	Van Hollen
Maloney,	Rice (SC)	Vargas
Carolyn	Richmond	Veasey
Maloney, Sean	Rigell	Vela
Marchant	Roby	Visclosky
Marino	Roe (TN)	Walberg
Matsui	Rogers (AL)	Walden
McCarthy	Rogers (KY)	Walorski
McCaull	Rokita	Walters, Mimi
McClintock	Rooney (FL)	Wasserman
McCollum	Ros-Lehtinen	Schultz
McDermott	Roskam	Watson Coleman
McGovern	Ross	Weber (TX)
McHenry	Rothfus	Webster (FL)
McKinley	Rouzer	Welch
McMorris	Roybal-Allard	Wenstrup
Rodgers	Royce	Westerman
McNerney	Ruiz	Westmoreland
McSally	Ruppersberger	Williams
Meadows	Russell	Wilson (SC)
Meehan	Ryan (OH)	Wittman
Meeks	Salmon	Womack
Messer	Sarbanes	Woodall
Miller (FL)	Scalise	Yarmuth
Moolenaar	Schakowsky	Yoder
Mooney (WV)	Schiff	Young (AK)
Moulton	Schrader	Young (IA)
Mullin	Schweikert	Young (IN)
Murphy (FL)	Scott (VA)	Zeldin

□ 1908

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CARSON of Indiana. Mr. Speaker, I missed rollcall votes 334 to 336. Had I been present, I would have cast the following votes: Roll call 334, on H.R. 5525, vote "nay." Rollcall 335, on H.R. 5388, vote "yea." Rollcall 336, on H.R. 5389, vote "yea."

PERSONAL EXPLANATION

Mr. MICA. Mr. Speaker, due to a weather-related flight delay, I was unavoidably detained and unable to be present to cast my vote. Had I been present, I would have voted "yea" on rollcall votes 334, 335 and 336.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following votes: H.R. 5525, End Taxpayer Funded Cell Phones Act of 2016. Had I been present, I would have voted "no" on this bill. H.R. 5388, Support for Rapid Innovation Act of 2016. Had I been present, I would have voted "yes" on this bill. H.R. 5389, Leveraging Emerging Technologies Act of 2016. Had I been present, I would have voted "yes" on this bill.

NATIVE AMERICAN HEALTH SAVINGS IMPROVEMENT ACT

Mr. SMITH of Nebraska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5452) to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indian Health Service assistance to qualify for health savings accounts, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5452

*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 "Native American Health Savings Improvement Act".*

**SEC. 2. INDIVIDUALS ELIGIBLE FOR INDIAN HEALTH SERVICE ASSISTANCE NOT DISQUALIFIED FROM HEALTH SAVINGS ACCOUNTS.**

*(a) IN GENERAL.—Section 223(c)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:*

*"(D) SPECIAL RULE FOR INDIVIDUALS ELIGIBLE FOR ASSISTANCE UNDER INDIAN HEALTH SERVICE PROGRAMS.—For purposes of subparagraph (A)(ii), an individual shall not be treated as covered under a health plan described in such subparagraph merely because the individual receives hospital care or medical services under a medical care program of the Indian Health Service or of a tribal organization."*

*(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.*

The SPEAKER pro tempore (Mr. ROUZER). Pursuant to the rule, the gentleman from Nebraska (Mr. SMITH) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

GENERAL LEAVE

Mr. SMITH of Nebraska. Mr. Speaker, I ask unanimous consent that all

Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 5452, currently under consideration.

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

There was no objection.

Mr. SMITH of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

I am happy to stand before you today as we consider H.R. 5452, the Native American Health Savings Improvement Act, a bipartisan bill that makes a commonsense improvement to current rules surrounding health savings accounts and those who get care at Indian Health Services.

Generally, anyone covered solely by a high-deductible plan is allowed to make deductible contributions to a health savings account; but under IRS guidance, an individual who has received medical services at an Indian Health Service facility at any time during the previous 3 months is made ineligible from making contributions to an HSA. This practice could discourage those who rely on care that is delivered at an Indian Health Service facility from participating in an HSA. That is something that must be remedied.

High-deductible health plans and HSAs are critical components of consumer-driven health care. Together, they empower individuals and families to shop around, unleashing the powers of choice and competition to lower costs and improve quality. We want to lower barriers to these types of accounts and encourage individuals who are otherwise eligible to not forgo treatment at an Indian Health Service facility simply because of confusion over when they might be able to resume contributing to their HSAs.

I urge my colleagues to join me in supporting this bipartisan, commonsense measure.

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

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

Currently, contributions to a health savings account may only be made when an account owner is enrolled in a high-deductible health plan. Additionally, the account owner may not be eligible for other health coverage that is not a high-deductible health plan.

This bill would make sure that receiving benefits under an Indian Health Service or a tribal medical care program does not disqualify a taxpayer from HSA eligibility. Furthermore, under this bill, the taxpayer would still have to be covered by a high-deductible health plan to be able to receive or to make HSA contributions.

It is unclear how big of a problem this currently is across the country, particularly in Indian country. I have made it clear that HSAs and high-deductible plans move our country in the wrong direction—away from affordable

NAYS—8

Amash	Grothman	Mulvaney
Duncan (TN)	Jones	Sanford
Gohmert	Massie	

NOT VOTING—79

Babin	Garamendi	Noem
Beyer	Graves (GA)	Nolan
Blumenauer	Grayson	Norcross
Bonamici	Green, Al	Paulsen
Brownley (CA)	Gutiérrez	Perlmutter
Bucshon	Hahn	Pingree
Butterfield	Hanna	Polis
Cárdenas	Harper	Rohrabacher
Carson (IN)	Hartzler	Rush
Castro (TX)	Herrera Beutler	Sánchez, Linda
Clawson (FL)	Higgins	T.
Cohen	Hill	Sanchez, Loretta
Connolly	Hoyer	Sires
Conyers	Huelskamp	Slaughter
Courtney	Hultgren	Speier
Cramer	Jackson Lee	Takai
Crawford	Jeffries	Trott
Culberson	Kind	Velázquez
Curbelo (FL)	Langevin	Wagner
DeSantis	Lee	Walker
Duckworth	Lipinski	Walz
Duffy	Lowenthal	Waters, Maxine
Ellison	Meng	Whitfield
Ellmers (NC)	Mica	Wilson (FL)
Fattah	Miller (MI)	Yoho
Fincher	Moore	Zinke
Forbes	Napolitano	