United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, WEDNESDAY, JULY 6, 2016 No. 108

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 6, 2016.

I hereby appoint the Honorable EVAN H. JENKINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, 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 11:50 a.m.

CONSENSUS BILL

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

Mr. JOLLY. Mr. Speaker, in the wake of continued terror around the globe and here at home, the American people are rightfully asking what solutions exist within the Halls of Congress, and they are rightfully asking questions about national security and, yes, about the Second Amendment and about firearms.

The numbers don't lie. Eighty-five percent of Americans believe that if you are being investigated for terror, you should not be able to purchase a firearm; but 88 percent of Americans also believe that this body should follow the Constitution.

The congressional approval rating—not 58 percent, not 88 percent—is somewhere around 10 percent. Why? It is because the American people want to see a Congress that is governing, a Congress that is solving problems. We each run on closely held convictions, and we should honor those every day in the Halls of this body.

The days of reaching consensus seem to be imperiled, seem to be just out of reach. We prioritize the politics of blame over the politics of governing. We prioritize the politics of November over the politics of now.

In the past few weeks, this conflict has played out in very real time on very closely held issues, personal issues right here in this well. My friends on the left want to vote on a bill that will lose. It will lose. We on the right are often chastised for bringing up legislation that will be vetoed, with the question, ''Why even go down that road?'' The same questions can be asked about why do we demand a vote on a bill that will lose, and it will lose based on constitutional convictions about a lack of due process in the current draft of the no fly, no buy bill.

Eighty-eight percent of Americans support the Constitution, and that includes due process. Current restrictions on firearm purchases are all post-adjudication—if you have been adjudicated mentally incompetent, if you have been adjudicated and convicted of a violent crime, if you have been adjudicated and separated dishonorably from the Armed Forces.

But a no fly, no buy list with no process says there is no adjudication, and that raises constitutional convictions, which is why that bill would go down. My friends on the right are rightfully concerned over a slippery slope about the Second Amendment, a fundamental right to purchase and bear firearms.

We can't let this debate end in inaction, which is the great fear of the next 2 weeks. The truth is we can protect the Second Amendment, we can protect due process, and we can protect communities throughout the country, which is why I have introduced H.R. 5544 as a consensus bill. Is it perfect? Perhaps not, but work with me to make it better.

It says this: If you are being investigated as a terror suspect, you can't buy a firearm. But if your government denies you the right to purchase that firearm, your government has 10 days to notify you they did so because you are being investigated.

You are then entitled to a due process hearing within 30 days at which the government has the burden of proof by a preponderance of the evidence to prove why you shouldn't be able to purchase a firearm. The individual is entitled to see all unclassified evidence, and the hearing remains private to protect the interests of the individual and the interests of government.

My bill would also notify law enforcement if somebody who is the subject of a closed investigation later tries to purchase a firearm. We can probably make it better together. We can add reimbursement of court fees. We can allow a provision in the Collins bill that says law enforcement should be allowed to let a transfer go through if it helps an investigation as opposed to hindering it.

To the left, it provides no fly, no buy with due process. To the right, it protects the Second Amendment. The Second Amendment is not infringed because someone is being investigated. It is infringed because someone is denied the right to purchase a firearm, which is why my bill finally provides due process and puts the burden of proof on the government if that right is denied.

We can do this. We can actually do this. We can reach consensus on both sides of the aisle. The real scandal in

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this town right now is not about sit-ins. The real scandal is not about inaction. The real scandal is that this isn't that hard. This isn't that hard.

Eighty-five percent of Americans say no fly, no buy. Eighty-eight percent say support the Constitution. So let's do that. Let's stand with those who support no fly, no buy. Let's stand with those who support the Constitution. And let's give some level of hope to cling to, to the 90 percent of this country who disapprove of what is happening in this Chamber right now.

A demand for a bill that will go nowhere only promises inaction that makes its way into political commercials in November. Ignoring the fact that America wants no fly, no buy is also catering to the politics of November.

Let's cast aside this current debate and recognize that the solutions are right in front of us if we extract the politics out of this.

GUN VIOLENCE

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

Mr. BLUMENAUER. Mr. Speaker, last week Congress concluded with a spotlight on gun safety and the yawning chasm between the attitudes of the Republican-controlled Congress and the needs and desires of the American people.

Why should America be the only developed Nation on the planet that cannot protect its families from gun violence? Obviously, there are no simple solutions in a Nation where there is a gun for every adult, where a half-dozen people have been killed in recent years by their pets, and even babies kill parents and their siblings with guns.

Too many people feel that more guns and fewer protections is the solution, obscuring the fact that the overwhelming majority of the American public agrees that there are things we can do and that it is irresponsible and cynical not to try.

For more than 24 hours last week, my Democratic colleagues and I discussed many of these solutions on the floor of the House, demanding action on three. For instance, over 90 percent of the American public and a majority of gun owners agreed that there should be no anonymous secret purchases of weapons. There should be a universal background check. People who cannot buy firearms at a gun store should not be able to buy guns over the Internet or at gun shows anonymously.

The American public supports us in our efforts to make it harder for people the government has deemed too dangerous to buy a plane ticket to purchase assault weapons. And it is past time to eliminate the outrageous prohibition against the Centers for Disease Control to even study the epidemic of gun violence that kills three or four Americans every hour.

These solutions are not really that hard. They would be a signal that we are serious about trying to change the gun violence equation that kills about 90 people every day.

I returned to Oregon last week and had encouraging meetings with dozens of people who have been leading the charge in my home State, who are redoubling their efforts. They have demonstrated that steps can be taken through the political process and are committed to building upon their commonsense actions. For example, they led the charge to prevent people with a history of domestic violence and restraining orders from purchasing guns.

The Oregon Legislature finally enacted universal background checks, like we are seeking at the Federal level, and the Oregon House of Representatives even passed legislation last session that would have closed the so-called ''Charleston Loophole'' where law enforcement has a 10-day delay for a purchase if the police are unable to determine that purchaser's qualifications.

I was impressed and encouraged that these ordinary citizens, so devoted to this cause, are committing to taking on the issue further at the State and local level and making it an issue in the political elections in the fall wherever they can. It is only that type of activity that will overcome the inertia, the temerity, and the cynicism of people who are apologists for gun violence.

The same way we embarked upon a decades-long crusade to reduce traffic fatalities that cut that death rate in half, we need to embark on a similar crusade to reduce gun violence.

The Members who took to the floor over 24 hours showed a powerful expression of policy and emotion that used to be seen on the floor of this House but is, sadly, seldom in evidence today. But it is not too late. Congress should do its part to at least allow the issue the attention and the consideration we would give to any other public health crisis and end the shame of being the only developed Nation on the planet that cannot protect its families from gun violence.

WEST VIRGINIA FLOOD

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

Mr. JENKINS of West Virginia. Mr. Speaker, West Virginians are facing tremendous hardship from devastating floods we experienced nearly 2 weeks ago. In a matter of hours, more than 20 people were killed, hundreds of homes destroyed, and thousands of residents' lives were turned upside-down.

Through the heartbreak, stories of heroism have emerged. Neighbors have offered a helping hand to strangers. Our churches and schools have opened their doors to people in need and those who have lost their homes are still volunteering at our command centers and food lines.

This is what makes West Virginia special. When things get tough, we get working. We band together and we are stronger together.

I have traveled throughout our flood-ravaged communities doing what I can to support our recovery. Along the way, I have met brave people, selfless people, and some of the kindest people you would ever get a chance to know.

In the basement of the Summersville Baptist Church, thousands of family photographs from just one family lay on tables curled and soaked in floodwater. Church youth group members worked to take each picture out of its frame or album and spread them out to dry. This parishioner may have lost her home, but this spirit of community is helping preserve her memories.

In Rainelle, I met an 18-year-old who had just joined the volunteer fire department. His job after the floodwaters receded was to recover and retrieve bodies and then stand guard over them in the fire department. He has seen and done things that no one should have had to experience, but he kept doing his job as a volunteer for his community, serving his community.

I met a lady sheltered the first night in Ansted who was rescued after hours in her one-story home that had filled with 4 feet of water. She survived the horrific event by relying on her deep faith, knowing she was in God's hands.

The road ahead will be tough. We have a very long way to go. We will always remember and honor those whom we lost, and we will offer our love and support to those rebuilding their lives.

I know we will rebuild. We will repair our schools, restock our library shelves, repave our roads, and reconstruct our bridges. We will be there for each other.

We are West Virginians, and it is our home.

□ 1015

THE AMERICAN PEOPLE HAVE HAD ENOUGH

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

Mr. THOMPSON of California. Mr. Speaker, I rise today because the American people have had enough. They have had enough with the epidemic of gun violence in our country. They have had enough with House Republicans' obstruction of bipartisan, pro-Second Amendment legislation to help keep guns away from those who shouldn't have them—terrorists, criminals, domestic abusers, and the dangerously mentally ill—because whether it is in a movie theater, on a college campus, at an elementary school, in a church, in a nightclub, or on the streets of our cities, we have lost far too many innocent lives to gun violence.

Let me give you some numbers: 3½, that is the number of years since the

terrible tragedy at Sandy Hook Elementary School; 34,000, that is the number of people who have been killed by someone using a gun since Sandy Hook; 1,182, that is the number of mass shootings in our country since Sandy Hook; 30, that is the number of moments of silence observed by this House for victims of gun violence since Sandy Hook; 521, that is the number of days the House has been in session since Sandy Hook; and zero—zero—that is the number of votes that have been taken in this House to keep guns out of dangerous hands in the last 3½ years.

Just a few weeks ago, we experienced the worst mass shooting in our country's history at the Pulse nightclub in Orlando. Forty-nine innocent people lost their lives in that nightclub, 49 people who were someone's son, daughter, someone's brother, sister, someone's significant other, someone's friend, and someone's loved one.

After this horrific shooting, the American people don't want to see their elected representatives fall back into the same old pattern of mass shootings followed by moments of silence, thoughts and prayers, but no real action taken to help prevent the next tragedy. The American people want to see Congress pass meaningful legislation to help keep our communities and our loved ones safe.

Eighty-five percent of Americans are in favor of banning individuals on the terrorist watch list from being able to legally buy guns. Ninety percent of Americans support strengthening and expanding our background check system.

There are two bipartisan, pro-Second Amendment bills that would do just that:

The first bill, H.R. 1076, known as the no fly, no buy, was introduced by our Republican colleague PETER KING. This bill says that if you are on the FBI's terrorist watch list, then you don't get to walk into a gun store, pass a background check, and leave with the weapon of your choice. If there is one thing both sides of the aisle should be able to agree on, it is keeping guns away from suspected terrorists. Bring that bill up for a vote.

The second bill, H.R. 1217—with 186 coauthors, Democrats and Republicans—would close a dangerous loophole in our background check system that allows criminals, domestic abusers, and the dangerously mentally ill to bypass a background check altogether and, instead, purchase their guns online or at a gun show or through a classified ad. This is a huge loophole, and it costs lives.

You don't have to look any further than the sister of Elvin Daniel from Wisconsin. His sister Zina had a restraining order against her husband which prevented him from passing a background check when he tried to buy a gun in a store. Nevertheless, Zina's husband was able to go online and buy the same gun, a 40-caliber semiautomatic handgun, and he took that gun and used it to kill Zina and two other people in a store in Wisconsin.

This bill would close these kinds of loopholes and help stop criminals from getting guns. Everyone says they want to keep guns away from dangerous people, but the only way to know if someone is dangerous is to conduct a background check. Background checks are our first line of defense against criminals, domestic abusers, and the dangerously mentally ill in getting guns.

Last year, 260 Members of this House—including 76 of my Republican colleagues—voted to fund the background check system at record levels. Let me tell you, if you are willing to fund the system at historic levels, you should have no problem using the system. Bring this bill up for a vote.

Both of these bills are not only bipartisan, they respect the Second Amendment rights of law-abiding citizens. I am a gun owner. I own guns. I support the Second Amendment. If these bills did anything to violate those rights, my name wouldn't be on them. As a responsible gun owner, I understand that if gun violence continues unabated, then eventually we will see laws that place overly burdensome restrictions on our right to own guns. Bring these bills up for a vote.

BRING HOME OUR POW AND MIA SERVICEMEMBERS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday I organized a discussion here on Capitol Hill focused on a resolution I have introduced which I believe could have a major impact on our Nation's ability to return more than 80,000 American citizens who served in the Vietnam war, Korean war, and World War II who are still missing in action.

I authored H. Con. Res. 56 because I am thankful every day as the father of an injured Army soldier that he returned home safely. I cannot imagine the pain and anguish of the wives, the husbands, the mothers, the fathers, the sons and daughters who wait for decades, and even generations, to receive word regarding their loved one who was taken as a prisoner of war or is missing in action.

We need to make the greatest effort possible to bring home the men and women who have made the ultimate sacrifice in service to our country. We need to fulfill that promise that we leave no man behind. That is why this resolution states that, in order to ensure transparency and efficiency, countries that enter into trade agreements, trade deals with our Nation, must assist in the research and the recovery efforts of America's missing servicemembers.

I am proud to represent the Pennsylvania Fifth Congressional District, which covers a broad expanse of my State's northern and central territory. Over the years, I have heard from the families of servicemen, such as Major Lewis P. Smith II, of Bellefonte, Centre County, a Vietnam soldier who was listed missing in action; Captain Darl Bloom of Morrisdale, Clearfield County, who served in Vietnam as a pilot and is listed as missing in action; and Lieutenant David Myers of State College, Centre County, who also served in Vietnam and is listed as missing in action all these decades later.

These brave men and the thousands of others across our Nation who remain listed as missing or as prisoners of war deserve our most diligent efforts. When a servicemember makes the ultimate sacrifice, it is our duty to ensure that they are returned home to their loved ones. I appreciate the support of this measure from groups dedicated to our servicemembers and veterans. It is time to bring home the men and women over the past several generations who have made the ultimate sacrifice in the name of freedom.

NO MORE MOMENTS OF SILENCE

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

Mr. POCAN. Mr. Speaker, I would like to introduce you to Caroline Nosal. Caroline was described by her friends as wonderful and sassy. She had a sharp wit and would say exactly what she thought. Friends said she was a vibrant friend with a great smile. Her parents said she was curious, caring, and kind.

She loved books. She wasn't a bookish person, but she loved books, all kinds of books. Once with a friend shopping in a used bookstore, she picked up an old, well-read copy of an 18th century animal husbandry book, a subject she knew nothing about but just wanted to get because it was new to her. She did that a lot.

She was passionate about animals as well. Once while driving to work, she accidentally hit a bird. She stopped, put it in a box, and took it to the Humane Society on her way to work. Even though she was late to work, she knew she had done the right thing.

But in early February of this year, in Madison, Wisconsin, Caroline Nosal was shot to death by a troubled, disgruntled coworker who used to harass her and who had just bought a gun 24 hours earlier.

Only months before this tragedy occurred, Governor Scott Walker and the legislature in Wisconsin changed a decades-old Wisconsin law that had required a 48-hour waiting period to buy a handgun, a measure that, if in place, might have saved Caroline.

You see, the assailant got fired, went out and bought the gun with the plan to immediately shoot her; but since he had never fired a gun, instead, he took it to target practice so he could learn how to shoot it. He bought the gun on Monday, and on Tuesday used it to

shoot Caroline Nosal in the chest and in the head. Later, after police picked him up, he said it was easy to kill Nosal, that he was angry with her. He said: ''I'm glad I didn't hit her. I don't know what else, I guess I'm sorry, but . . . I don't know if I am sorry, I'm just glad I didn't hit her.'' Instead, he shot her twice to her death.

Last Wednesday, House Democrats from across the country held a National Day of Action for commonsense gun violence prevention. I held a rally in Madison, Wisconsin, where a couple hundred people showed up to support commonsense changes. It was at that rally where I met Caroline's father, Jim Nosal. Jim and his wife, Jane, are reminders that gun violence can affect any family and that people have a right to be free of gun violence in their communities. The Day of Action followed our historic taking over of the House floor to demand action on gun violence, especially following the Nation's largest mass shooting at the Pulse nightclub in Orlando.

We are urging Congress to act on commonsense gun reform, commonsense gun reform measures like expanded background checks and no fly, no buy. These ideas aren't necessarily progressive pipe dreams; they are the first necessary steps toward preventing gun violence. In a recent poll, 92 percent of respondents said they were in favor of expanding background checks.

While the Speaker may claim that the House Democratic sit-in was disrespectful to the institution, what is truly disrespectful is to stand idly by and allow more tragic stories like Caroline's to unfold. In Congress, we have the opportunity to save lives and reduce the gun violence epidemic in our country. Instead, the majority has decided to trot out a toothless bill crafted by the NRA that does nothing to keep gun violence out of our communities.

If the Speaker won't listen to the House Democrats' calls for real action to prevent gun violence, maybe he will listen to those of his own constituents. The night of the sit-in, we put out a call for comments, and over 500 people commented, including dozens from the Speaker's district and neighboring districts. Let me read just a few of those comments.

Jane, from Racine, said: ''We've had too many moments of silence. It's time for action.''

Karen in Kenosha: ''It breaks my heart as a veteran teacher to now have to teach students to barricade doors and fight back against a person who is trying to kill them with a semiautomatic weapon. What horrible damage is being done to their young psyches as they try and learn with this threat of violence ever present? Please vote for gun control now.''

Jim, from Mount Pleasant, said: ''As a law enforcement officer, I support background checks. We've seen officers injured by people with legal guns.''

Gloria, from Racine, said: ''There's nothing worse than hugging a mom who lost her child to gun violence. I'm tired of going to those vigils.''

And, finally, Quinn, 9 years old, from Somers, Wisconsin: ''People don't want to get shot and die.''

Speaker RYAN, you don't have to listen to us. Listen to your constituents. Listen to 9-year-old Quinn, who doesn't want to get shot and die. Listen to parents like Jim and Jane Nosal, who want to spare other families the pain that they have had to endure.

No more moments of silence. It is time for moments of action, Mr. Speaker. It is time for moments of action.

FLOODING IN WEST VIRGINIA

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

Mr. MOONEY of West Virginia. Mr. Speaker, on June 23, my home State of West Virginia experienced some of the worst flooding in our State's history. Here is a picture of a damaged home in Elk View, in Kanawha County, West Virginia, very typical of what was seen during the flooding. More than 20 West Virginians lost their lives, hundreds lost their homes, and thousands lost access to water and electricity for an extended period of time. Like my colleague, EVAN JENKINS, from West Virginia's First Congressional District, who spoke earlier, my thoughts and prayers are with all those who have suffered through this terrible tragedy.

I traveled throughout the flood-damaged areas last week and was truly moved by what I saw. I saw and met a pastor who emptied his entire bank account to buy food for his neighbors. I saw an army of volunteers, all of different political, ethnic, and socioeconomic backgrounds, donating their time and money to help. I saw members of the National Guard using their military training to help those in need.

Mr. Speaker, I saw West Virginians coming together in the most trying of times, as resilient as ever, and full of hope: a hope that we can rebuild, a hope that recovery is not a question but a certainty. West Virginia will rebuild, and we will rebuild stronger than ever. But this is going to be a long road to recovery. Our communities have been tested.

As we continue to rebuild, I want to make sure that all of my constituents in the Second Congressional District know that I am here to help. If you need a hand in applying for FEMA assistance or figuring out which Federal programs you are eligible for, please call me at my office in Charleston at 304–925–5964, or my Washington, D.C., office at 202–225–2711.

I am blessed to be part of a wonderful community in West Virginia's Second District. I am grateful for the strength and hard work of so many.

□ 1030

While the flood waters may have receded, our work is far from over. Recovery will take weeks, months, even years, for many West Virginians. So our call to service remains, and I have no doubt that my fellow West Virginians will continue to answer this call.

God bless West Virginia.

GUN VIOLENCE PREVENTION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. Mr. Speaker, 2 weeks ago, Democrats sat on the House floor for more than 26 hours. For a full day and night, we demanded justice for victims of gun violence and action to prevent the next tragedy; not just thoughts and prayers, but action.

Republicans turned off the mics. They turned off the cameras and just left. They cannot silence our voices because we are speaking for the 80 percent-plus of Americans who support commonsense reforms to stop gun violence, like background checks and keeping guns away from terrorists.

While the recent tragedy in Orlando—a tragedy that claimed 49 innocent lives—sparked the sit-in, there have been too many victims of gun violence throughout our country for too many years.

In my district in 2012, we suffered a large campus mass shooting. These people were trying to get an education. They were studying to become nurses because they wanted to help people. But their lives were cut too short by gun violence. A man with a semiautomatic weapon killed Tshering Bhutia, Doris Chibuko, Sonam Chodon, Grace Kim, Kathleen Ping, Judith Seymour, and Lydia Sim.

Sadly, these aren't the only members of my community who have lost their lives or loved ones to gun violence. Let me remember some of the victims of gun violence in my own community once again.

In my district, for example, there were 89 gun deaths in 2015. What is worse, many of these were children. Since July 2009, nearly 50 students in the Oakland Unified School District have been slain. Let me be clear: that is 50 kids.

Why isn't the Speaker allowing us to do anything about this?

Just this past weekend, in my community, four people were gunned down in two separate incidents. Every day in my community and places around this country, this senseless violence continues.

How can House Republicans just ignore this bloodshed?

Let me talk about a few additional victims so you can just understand their lives and share the horror that cut their loves so short.

Davon Ellis. This is Davon. Davon was a star football player and an excellent student at Oakland Technical High School. My nephew was walking with him when he was gunned down.

Antonio Ramos. Antonio was shot on September 29, 2015. Antonio was a talented artist working on an

antiviolence mural. He was one of 60 artists working on Oakland's superheroes mural project. He was shot by someone trying to steal his camera.

Chyemil Pierce. Chyemil was 30 years old. She was shot on March 13, 2015. She was a mother of three that was shot by a stray bullet while shielding her children. She had walked her 7- and 9-year-old children home from school at about 4:45 p.m., in broad daylight. Two others were injured in this shooting.

Torian Hughes. Torian was the grandson of my friend, Oakland Council president Lynette Gibson McElhaney. He died by a gunshot just a few days before Christmas.

Mr. Speaker, how many more Torians? How many more Antonios? How many more Chyemils will die protecting their children?

Enough is enough. It is past time to do something. It starts with enacting background checks on all gun sales and making sure that guns stay out of the hands of those who cannot fly on airplanes. That is just common sense. The American people know it. It is about time the Republicans listen.

I am so proud that my community, California's East Bay, has rallied to support our efforts. Some family members attended our National Day of Action last week and pleaded with us to do something.

I want to share what one of my constituents said during our sit-in 2 weeks ago on the House floor. She called my office, in tears, with a powerful message for all of us, especially Speaker RYAN.

She said: ''I am a victim of gun violence, and I really appreciate what you are doing.''

She made one simple request—a request that the entire House Democratic Caucus has been making: ''I hope you can settle down and get a vote.''

I dare the Speaker to call her back and tell her: Sorry, we are trying to gain consensus. Some Members still have reservations. Sorry, reelection support from the NRA is more important than addressing the epidemic of gun violence.

Call her, Mr. Speaker, and tell her that the NRA and its millions matter more than her.

We need to keep guns out of the hands of people who should not have them. Vote on our bills for background checks for all. Enough is enough.

ALZHEIMER'S AWARENESS

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

Mr. RIGELL. Mr. Speaker, I found in my public service that one of the great privileges of serving are the opportunities it has afforded to me to meet with so many amazing Americans and Virginians from all walks of life. Many of these occasions have been moments of great joy: greeting servicemembers when they have returned home from serving abroad, graduation ceremonies.

There have also been moments of profound sadness and serious moments where not only me, but I am sure my colleagues here, have had the opportunity—and the difficult one—to actually meet with those who have lost a servicemember in service to our country or those whose families have really been hit so hard with a debilitating, indeed, fatal disease.

One of those fatal diseases that I come to the floor this morning to speak about is Alzheimer's. I believe probably every Member of this House has been affected by it in some way; both sides. It certainly affected my own family.

Alzheimer's damages and eventually destroys brain cells. It leads to memory loss and other challenges in brain function. It usually develops slowly and gradually gets worse. Ultimately, Alzheimer's is fatal.

Every 66 seconds, Mr. Speaker, a fellow American is diagnosed with Alzheimer's. But let's be clear: we are not talking about statistics here. We are talking about people.

To my left is the Garner family. I have learned so much from the Garner family about Alzheimer's. If you ever wonder if engaging your local Representative makes a difference; indeed, it does. This family is an example of that.

This is Jim; his wife, Karen; and their two beautiful children. I got to know Jim when he was diagnosed in the early stages of Alzheimer's. He was an officer in the United States Air Force at Langley. He served with distinction. Alzheimer's cut that short.

This is Frankie. Their daughter, Frankie, is amazing. She is one of the strongest advocates I know for a cause that she believes in. I have learned a lot from her and her entire family.

Jim passed away this past April, just days before his 54th birthday. Karen kept a blog about her experiences, and with her permission, I want to read from that blog. This is Karen speaking:

> I want people to see what Alzheimer's disease does to a wonderful human being. I want to break the misconception that Alzheimer's disease is just old people forgetting someone's name or getting lost. I want to erase the stereotypical patient idea. I want the stigma that follows a diagnosis to be a thing of the past.

Well, we have got a long way to go before that is a complete reality across our Nation, but she and the family have helped me understand this. I am grateful to them and to the Alzheimer's Association for helping me further grasp at a deeper level just how this disease is harming our country.

Now, if we look at it, here are some of the statistics that we have got to keep in mind. It is the sixth leading cause of death in the United States. Of the 10 top killers of Americans, Alzheimer's is the only disease that cannot be prevented, cured, or even slowed.

The rate of diagnosis is increasing. Right now, we have about 5 million Americans that are suffering from this disease, including 135,000 Virginians. If we fail to act, Mr. Speaker, the number of Americans living with Alzheimer's could soar to as many as 16 million by 2020.

I am a fiscal conservative. I am acutely aware of our fiscal trajectory. Yet, as I look at the cost of Alzheimer's—and it is far more than a cost—if we look at what is happening here statistically, here is where our expenses are going, Mr. Speaker. I, as a fiscal conservative, come to the House floor today to say that we need to be investing more in Alzheimer's research.

We worked in, I think, an admirable and bipartisan way to increase funding to over $660 million a year. Mr. Speaker, I call for $2 billion. It is money well invested. Some things that we invest in are true expenses. Other things are true investments. This is one of them.

We should fund every program and medical research opportunity that shows promise. And, indeed, there are great opportunities for promise here. We can investigate brain imaging, biomarkers, and clinical tools that may result in earlier and more accurate diagnoses, timely interventions, and effective disease monitoring.

If we had advanced this, we could have done a better job for Jim and his family's lives. We ought to really set for our country something like the great moon shot that my father was so an integral part of.

Mr. Speaker, I am convinced that we can do this. We can find a cure. We can do right by the next generation. Keep in mind that it is not about statistics, but it is about people.

GUN VIOLENCE IN AMERICA

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

Mr. DESAULNIER. Mr. Speaker, our country has witnessed over 130 mass shootings since the beginning of this year. There are 270 million guns in the United States. That amounts to 89 per 100 Americans.

On average, 31 Americans are murdered with guns every day in this country, and 151 are treated in America's emergency rooms. Gun violence costs this country $230 billion every year, which amounts to $200 per person.

Gun death rates fell 56 percent in my State of California, from 1993 to 2010, because the legislature engaged in evidence-based research policy initiatives that have dropped that rate.

Between 2004 and 2013, 316,000 Americans were killed by firearms. During that same timeframe, 313 Americans died from terrorist attacks, both internationally and domestically.

Approximately 40 percent of all gun sales are private and are, therefore, exempted from the current background checks. Studies show that every day that background checks are used, the

system stops more than 170 felons, 50 domestic abusers, and nearly 20 fugitives from buying a gun in the United States.

Since 2004, more than 2,000 suspects on the FBI's terrorist watch list have bought weapons in the United States. A gun in a home in the U.S. is 22 times more likely to be used to kill or injure in a domestic homicide, suicide, or unintentional shooting, instead of being used in self-defense.

From 2012 to 2013, at least 100 children were killed in unintentional shootings in the U.S.; almost 2 each week. Guns have killed more Americans in 12 years than AIDS, war, and illegal drug overdoses combined.

On average, 55 Americans kill themselves with firearms each day in this country. In States that require background checks for private handgun sales, there are 48 percent fewer firearm suicides, while the rates of suicide by other methods are nearly identical.

Suicides involving firearms are fatal at least 85 percent of the time in this country compared to the second most used attempted suicide level, which is pills. They are only successful 3 percent of the time.

Mr. Speaker, for those of us who have lost a family member to firearm gun violence, this is an issue that cannot be reconciled with the current majority opinion.

Twenty-eight years ago, my father took his life with a firearm. He had been under the care of a physician for 10 years to deal with depression. We still don't know how he got his gun. He is buried across the river, as a World War II vet, in Arlington.

Mr. Speaker, for those of us who respect the Second Amendment, but also expect the Congress to act rationally on this public health issue, we expect Congress to respect victims of gun violence.

For that reason, we demand, we ask respectfully, and we expect the Speaker and the majority to bring up for a vote two simple bills. We want a vote on the no fly, no buy bill, and we want a vote to close the loopholes on background checks. The victims of gun violence expect no less.

□ 1045

CONFRONTING OUR CHANGING OCEANS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, my constituents and I are blessed to live, to work, and to play in the paradise that is south Florida. And those of us who have fallen in love with south Florida all want our kids and our grandkids to enjoy the same positive experiences that define our unique community.

That sense of wanting to be able to pass down that south Florida lifestyle to future generations is really what has motivated me to action on the threat my community faces from a changing ocean. Sea level rise has been occurring steadily along southeast Florida for the last hundred years, and we should be concerned about increasing coastal flooding and saltwater intrusion into our drinking water sources.

Meanwhile, new research at the University of Miami suggests that ocean acidification is not only slowing the growth of corals off our coast, but is actually causing the underlying reef structure to begin to dissolve. To counter the threats from changing ocean conditions, we must develop strategies to protect people's livelihoods and the coastal waters upon which south Florida's local economy depends.

One such strategy that could pay huge dividends is the restoration of the coral reefs off south Florida. This is actually, Mr. Speaker, the third-largest barrier reef in the entire world. Our reefs have been declining for 40 years, and recent coral disease outbreaks and bleaching events have proved to be devastating.

To save south Florida's reefs, I am introducing the Conserving Our Reefs and Livelihoods Act, or the CORAL Act. The CORAL Act would widen the scope of reef restoration and conservation research to include the impact of ocean acidification, warming seas, and invasive species on coral reefs. It would allow for the release of emergency response funds to study coral disease and bleaching events as they happen, instead of as a postmortem.

It would expand the focus of the law from simply focused on conservation, to gearing Federal agencies and their partners to play active roles in restoration and recovery. And it would promote innovative work toward understanding the genetic diversity of corals, so that researchers can captive-breed native corals that are specially adapted to current and future ocean conditions for use in restoration projects.

The environmental and economic benefits of coral reefs are strongly intertwined, and the CORAL Act would give everyone a place at the table to help develop consensus-based and scientifically rigorous conservation and restoration efforts—efforts that produce real results for Floridians.

Restored reefs will increase economic activity through better fishing, diving, recreation, and tourism; and healthy coral growth will allow reefs to keep pace with rising seas to limit the potentially devastating impacts of storm surge on our coasts in the future.

Mr. Speaker, having fled the oppressive Castro regime in Cuba with my parents decades ago, I know that south Florida is special because it serves as a place of hope for so many. We cannot allow changing ocean conditions to rob us of our livelihoods, of our lifestyle, of our identity as an optimistic community.

My CORAL Act is only a start for south Florida, but it will help in understanding the impacts of ocean acidification, warming seas, coral disease, and invasive species on our reefs so that we can develop effective solutions, so that we can salvage our reefs, and so south Florida will continue to thrive as part of an ever-changing landscape and as an enduring source of hope and inspiration to people from around the world.

WE NEED COMMONSENSE GUN SAFETY LEGISLATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Colorado (Ms. DEGETTE) for 5 minutes.

Ms. DEGETTE. Mr. Speaker, Columbine is in my district, and I was in Congress when the terrible shooting in Columbine happened.

Who will forget that day, all those students marching out of the school with their hands held up so they could show the police that they weren't those terrible shooters.

Who can forget the terrible tragedy reflected in the mothers' faces when they saw that their children weren't those children that were bused to safety?

Who can forget the lingering aspects that Columbine has shown us, year after year, tragedy after tragedy?

I can't tell you the number of times I have repeated that horror in my own life, watching on TV when the Aurora shooting, just a few miles from my house, occurred. A masked man came in and, with an assault rifle and high-capacity magazine clips, shot so many people in just a few minutes.

Just a few weeks ago, when we saw, in Florida, one lone gunman with an assault rifle and high-capacity magazines just mowing down so many people who were having fun, who can forget the reflection in those mothers' faces?

But for every terrible tragedy that we have like that, we have thousands of more people who are killed on our streets, in our urban areas, and around our country, and who are killed in terrible domestic violence cases.

Just last week, when I was at home in Denver, just a few blocks from my husband's law office, a man walked into an office and shot a woman, and then turned the gun on himself. I can't tell you how I felt that day, when my husband sent me an email, seemingly out of the blue, that said: ''Don't worry. I'm on lockdown. I'm okay.''

This has become just routine in Americans' lives, and it is wrong. It is wrong. We can't continue like this as a country. We can't continue to have a moment of silence every time there is a mass murder, and to tut-tut every time we hear of someone like that woman who was shot in my district, and then do nothing.

This is why we had our sit-in before the July Fourth recess. And I will tell you what, those actions woke up my constituents. My office here in Washington, D.C., and my office in Denver,

Colorado, were inundated with phone calls from people saying: ''What can we do? We so desperately want something to happen.''

This is what I said then, and this is what I say now: We cannot stop until we pass commonsense gun safety legislation.

What does this mean? Well, for starters, you would think Congress, both sides of the aisle, both sides of the Capitol, could say, if you are on a terrorist watch list, you should not be able to buy a gun. Surely we can stipulate to that.

You would think that we would agree with the vast majority of American people, Democrats and Republicans, people all around the country, that people should have thorough and sufficient background checks before they can obtain a weapon.

You would surely think that we would allow the Federal Government to conduct research on gun safety so that we would know, as a matter of public health, what we need to do to keep our children safe in their schools, our children safe on their street corners, and in their school yards.

You would think, beyond that, that we could have a rational discussion, not marred by the very powerful gun lobbyists, saying: What can we do to make sure that somebody, for whatever reason they might have, doesn't get an assault weapon and walk into a theater and kill scores of people with a high-capacity magazine in just a few minutes? You would think we could do that, and I am hoping that we will do that. I am hoping that the tide has turned.

Today, we will take up mental health legislation that was developed in my committee, the Energy and Commerce Committee. It is a bipartisan bill. I worked hard with Chairman MURPHY and Chairman UPTON on this bill, and also with the Democrats on our side of the aisle, Congressman PALLONE and Congressman GREEN and others. It is a good bill, but it is just a first step.

We need to do a lot more with mental health in this country and, beyond that, we need to do a lot more on gun safety. Nobody should assume that this bill we are voting on today is a substitute for a rational, thorough, bipartisan conversation on gun safety.

I look forward to taking the terrible tragedies that we have seen the 20 years I have been in Congress and to dedicating commonsense gun safety legislation to all those lives that were lost.

PURSUE COMMONSENSE GUN VIOLENCE LEGISLATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO) for 5 minutes.

Ms. DELAURO. Mr. Speaker, when I arrived home last night, I found this note; and I won't say the name of the family who sent it, but I will just briefly read a bit of the content.

''Dear Congresswoman DeLauro, thank you for standing up for gun legislation. My three kids and I traveled from Westport, Connecticut, to D.C. today to support all those who are taking a stand. I hope my children remember that our government will speak up for those who can't and protect those it serves.''

Stand up and protect. That is the oath of office that we take. That is what our job is. And I rise today to urge my colleagues across the aisle to pursue commonsense gun violence legislation.

We need to vote, to vote on legislation that makes an impact on the epidemic of gun violence in this country. The people of this great Nation are demanding a vote, and we have a moral obligation and a responsibility to take action.

We need to move a no fly, no buy bill, one that actually prevents potential terrorists from getting dangerous weapons, and 85 percent of the American public supports this legislation.

When we were elected to serve, we were charged with the responsibility, the responsibility to give constituents, our constituents, a voice in Washington, D.C. They are crying out for action, and if we do not provide that action, what were we sent here to do?

I say very frankly to the American public, if we are not addressing this need, send us home. Send us home.

But our work cannot stop just with no fly, no buy. We need to address the issue of universal background checks. I would go a step further. I would ban assault weapons. I think we need to hold gun manufacturers accountable for crimes committed with their guns.

I believe we need additional mental health resources, and to fund mental health programs sufficiently so that people get the help that they need. And we need to conduct research on gun violence.

For each of us, it is personal. In every community in this country the effects of gun violence have left scars, scars that are never going to heal. Again, in my State, in Connecticut, we know how devastating this can be.

After the tragedy at Sandy Hook Elementary, we lost six incredible, caring adults and 20 beautiful children, and we said, never again. Yet, since Sandy Hook there have been hundreds of gun deaths in Connecticut, brothers, sisters, children, babies.

The same story is true across our country, on the streets of our cities every day, in movie theaters, in churches, in nightclubs, in safe havens. The massacre in Orlando was one of the deadliest shootings in American history. Forty-nine people at the Pulse were killed; wounded, 53.

I would just like to take a moment to remember just one of them, Kimberly Morris, though her friends called her K.J. She was from Connecticut and she worked at the Pulse Nightclub in Orlando. She had recently moved from Hawaii to Orlando to help care for her mother and her grandmother.

□ 1100

Friends said she always wore a smile.

A former basketball teammate of K.J.'s from Post University in Waterbury, Connecticut, said that K.J. was ''the sweetest person—I don't think I've ever seen her upset. What I would say is that she had a happy soul.''

She was only 37 when she was murdered at Pulse nightclub. Her death and the deaths of the other 48 people who were killed in this atrocious hate crime have left a void that cannot be filled for their families, for their friends, for the LGBT community, and for the American people.

The victims' families do not get a break from grief, so we will not take a break until we get a bill—a bill with concrete, enforceable measures that will stop the killings. We must bring comprehensive, commonsense gun violence prevention measures to the floor of this people's House and reject measures that fall short of the standards this country deserves. It is the very least that we can do for the families who suffer grief that most of us will never understand. That is what our job is. That is what you elected us to do, to protect people, to protect the American people.

Not one more death, not one more empty moment of silence followed by inaction. The American people deserve concrete gun violence legislation. They deserve to know that their elected officials are standing up for them and protecting them.

GUN VIOLENCE

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

Mr. PERLMUTTER. Mr. Speaker, I ask that you talk to the Speaker of the whole House, PAUL RYAN, and let him know that we are not going away and this subject on gun violence is not going away. We have had too many people killed, too many people maimed, and too many people traumatized to not take up a vote on two commonsense pieces of legislation.

The first one is no fly, no buy. No fly, no buy. If you are on the terrorist watch list, you can't get a gun. The second is universal background checks to make sure that people with dangerous mental instability, domestic violence, and felons can't get a gun.

These are two very simple and straightforward bipartisan pieces of legislation. They have got to come up for a vote. We are not going to go away. We have had too many killings.

Like DIANA DEGETTE, I represent the Denver area. We are no stranger to mass shootings.

I am going to read the names of the kids and the teacher killed at Columbine and the names of the people killed in the Aurora movie theater so that their deaths are not in vain and

that we actually take up some legislation instead of the Republican majority continually ducking the conversation:

Rachel Scott, 17.
Daniel Rohrbough, 15.
Dave Sanders, the teacher, 47.
Kyle Velasquez, 17.
Steve Curnow, 14.
Corey DePooter, 17.
Cassie Bernall, 17.
Daniel Mauser, 15.

I was just on a telephone townhall with Daniel Mauser's father last week talking to my constituency about gun violence. Columbine happened in 1999, and 17 years later you can hear the pain in that father's voice about that death.

Matt Kechter, 16.
Kelly Fleming, 16.
Isaiah Shoels, 18.
John Tomlin, 16.
Lauren Townsend, 18.

All were cut down just as they were beginning the prime of their life.

Then the Aurora movie theater 4 years ago, July 20—4 years ago. Have we had one hearing since then, Mr. Speaker? Not one. Not one. Not one vote, not one hearing.

Jonathan Blunk, 26.
A.J. Boik, 18.
Air Force Staff Sergeant Jesse Childress, 29.
Gordon Cowden, 51, a father protecting his kids in that theater.
Jessica Ghawi, a reporter.
Navy Petty Officer Third Class John Thomas Larimer, an expert in cyber security for the Navy.
Matt McQuinn, 27, died protecting his girlfriend.
Micayla Medek, 23.
Veronica Moser-Sullivan, 6.
Alex Sullivan, 27, again, saving his girlfriend.
Alex Teves, 24.
Rebecca Wingo, 32.

We can't keep this up. We want a vote. We did something unprecedented last week by having a filibuster in the House, which turned into a sit-in, to make our voices heard that this can't keep going on.

We all had a good friend, Gabby Giffords, shot in a mass shooting in Tucson, Arizona, 5½ years ago. Have we had one hearing? No. Have we had one vote? No.

We are asking for two things, Mr. Speaker, two votes. That is it. It is common sense: no fly, no buy and universal background checks. We are not going away. This subject is not going away. We want a vote.

GUN VIOLENCE

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

Mr. CÁRDENAS. Mr. Speaker, once again, we are on this floor, many of us just asking—just asking—Congress to do its job, just asking Congress to act.

Just a few minutes ago, an American woman was standing right here on the steps of our Capitol—your Capitol, America—and she was talking about how she has never talked publicly about the incident that took her 10-year-old daughter's life, about a man who should not have been able to buy a gun.

He went online and bought a 9-millimeter handgun. He came to her home, broke into the backdoor and said that he was going to kill her. She ran for her 10-year-old daughter to flee from this man, and in the process, she was shot, and so was her daughter. She told the gruesome story about how her daughter died in her arms—her 10-year-old little girl.

But, ladies and gentlemen, that is the story of 32,000 families every year in our great Nation. Many of you may be thinking: Well, I live in a small town somewhere where everybody knows each other; that is not going to happen.

I am sorry. It happens everywhere.

Some people might think: Well, that just happens in the big cities like Chicago.

I am sorry, ladies and gentlemen, it happens in every ZIP Code around the country.

We are less safe today, ladies and gentlemen, than we have ever been in America. Today, there are more weapons—firearms—in America than there are people. More than 320 million Americans live in our great Nation, and there are more than 320 million guns across America.

There are reasons why we are less safe today than we have ever been before in America, and it is not because of terrorists. It is because Congress refuses to act.

Let me give you an example.

In 1996, the United States Congress banned the Centers for Disease Control from studying gun violence and also said that you will not—you shall not—give our best minds in our greatest universities the grants they would need to actually find out why are so many people dying. What are the reasons why that is happening? So Congress refuses to be informed. Congress literally, on this issue, has chosen to remain ignorant on purpose, and that contributes to 10-year-old little girls who die because a man went online and bought a gun and there were no background checks.

Most Americans believe that, for God's sake, a background check is sensible. Why not? But yet Congress refuses to have a vote on the floor of this House so that we could debate that issue and then vote it up or down.

Every Member of this House who runs for office utters the words, ''public safety is my number one issue.'' I do, and so does every person who runs for office. Every person who gets elected to this House of Congress gets elected for a 2-year term. That means that, in the time that we get sworn in on the floor of this prestigious House, by the time we run for office—and if we are fortunate enough to get elected again—more than 60,000 Americans will die due to gun violence in those 2 years.

That doesn't make sense. I would hope and think that we are electing people to do sensible things, to do things the right way, and to do things that are right for America that will keep us safe. All we are asking for, ladies and gentlemen, is to have a vote on sensible laws that would help keep our streets safer.

I announced on this floor that I am now a grandfather. It is such a beautiful feeling. But in my lifetime, my children's lifetime, and now in my grandson's lifetime, our streets are not safer.

Ladies and gentlemen, let's demand that our Speaker allow a vote on sensible gun legislation in this House.

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY) for 5 minutes.

Ms. SCHAKOWSKY. Mr. Speaker, 2 weeks ago today, I sat down right there on this floor next to JOHN LEWIS. Gathered around were House Democrats demanding a simple demand: that we have a vote on two bills that would make our streets safer from gun violence.

Last week when I went home, I stood with hundreds of people on Federal Plaza in Chicago demanding the very same thing. We sat down as we stood up for gun safety.

Right now, hundreds of people are outside, some standing on the steps, 91 of them wearing orange T-shirts, representing the average of 91 Americans killed by guns every day in the United States of America.

I am from Chicago, and just last night, NBC News ran a story on gun violence in Chicago, titled, ''City Under Siege.'' Over the Fourth of July weekend, 50 people were shot in Chicago. Three of the victims were children, including two young cousins, 8 and 5 years old, who were shot while celebrating with their family. On one street, someone put a handmade sign that read, ''Don't shoot kids at play.''

The stories of children caught in the middle of the ongoing gun violence epidemic are seemingly endless.

Just last week, D'Antignay Brashear was walking down the street in Chicago with her 4-year-old son, Kavan, when he was shot in the face. Speaking about the shooting the next day, D'Antignay said: ''He was with me. He was holding my hand.'' She thought he was safe.

We cannot accept the status quo when children are unsafe walking down the street holding their mother's hand.

Kavan survived. But his mother said: ''How am I going to explain to him when he looks in the mirror and sees his face?'' I wonder, how do we explain to Kavan and his mother that this House refused to take action to prevent this from happening to him or to any other child?

□ 1115

Inaction in the face of these daily tragedies is simply not acceptable anymore.

Chicago and Illinois are trying to respond to this crisis, but we need Federal action. Chicago has increased its police presence. Law enforcement takes an illegal gun off the streets of Chicago every 75 minutes. Illinois has enacted reasonable gun violence prevention measures.

There is no way for Chicago or Illinois to keep up with the influx of guns that are coming from across State lines. Sixty percent of the firearms used in Chicago gun crimes come from out of State. Most come from just one State: Indiana. The bloodshed in Chicago doesn't start with the pull of a trigger; it starts when the gun is purchased without necessary precautions.

In Indiana, no license or permit is required to purchase a gun. There is no registration of weapons. There is no waiting period to purchase a gun. There are no restrictions on assault weapons. Any individual can take advantage of the lack of gun violence prevention laws in Indiana, and they do. Individuals purchase firearms at gun shows with no background checks at all and drive them back to Chicago, across the State line, where they wind up on our city streets.

No State can address the gun violence epidemic alone. We need Federal action to require background checks on all gun purchases. Universal comprehensive background checks will keep guns out of the hands of criminals, domestic abusers, and the severely mentally ill. Universal background checks will not stop every gun death, no—no single piece of legislation, not all the legislation in the world—but they will certainly help. They will save lives.

We simply can't stay silent any longer. Each day, eight people are shot in Chicago, the American people are demanding action, and it is time that the House listened to them.

Speaker RYAN, call the bills. Maybe they will pass and maybe they won't. The American people want to see what we are doing here on the floor of the House to make sure that no more children holding their mom's hand crossing the street are shot again. Give us a vote.

LIFT THE RELOCATION BURDEN FROM MILITARY SPOUSES ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. STEFANIK) for 5 minutes.

Ms. STEFANIK. Mr. Speaker, I rise today to support our military families.

Beside our Nation's brave servicemembers are strong families that remain resilient through countless relocations and deployments. Military spouses wear their own patches of service and share a true sense of duty to our country. They sacrifice a great deal throughout the constant moves and the unknown, all while supporting their husband or wife in uniform.

These spouses are often employed in professions that require new licensing for each new location, such as teachers and nurses—vital occupations in a military community. These dedicated spouses must be allowed to maintain their hard-earned professional licenses and certifications as they relocate.

That is why this week I am introducing the Lift the Relocation Burden for Military Spouses Act. Military spouses serve, too, and my bill will help maintain employment continuity and greater predictability for them and their families.

I urge my colleagues to support this important bill.

VOTE ON NO FLY, NO BUY AND BACKGROUND CHECKS

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

Mr. LARSON of Connecticut. Mr. Speaker, as we started what is commonly referred to as ''our 5 minutes,'' the gentleman from Florida (Mr. JOLLY) talked about a proposal that he would like to bring forward to this body. We wish him well in that. He also wondered aloud why it would be that Democrats are so interested in bringing two commonsense proposals that he feels might fail—because it is our constitutional responsibility to the citizens that we are sworn to serve and represent.

Speaker RYAN has said: ''We will not duck the tough issues. We will take them head on . . . we should not hide our disagreements. We should embrace them. We have nothing to fear from honest disagreements honestly stated.''

The Speaker is right. He is an honorable man.

He met with JOHN LEWIS and myself last evening. JOHN LEWIS is the conscience of the House of Representatives and, I dare say, the soul of this Nation. The Speaker and JOHN LEWIS engaged in a conversation that was reverent in its tone and respectful. We stated, as no one better than JOHN LEWIS can, with great clarity about what is happening all across the Nation—the catastrophic loss of life due to gun violence and the utter frustration on the part of people on this side of the aisle and, frankly, families and people all across this great Nation, simply asking for the dignity of a vote—our constitutional responsibility.

The Speaker did say to us and asked aloud in a quandary, not as a deal or not as any rationale, but today there is an important bill, the Helping Families in Mental Health Crisis Act, authored by TIM MURPHY, a Republican, supported by Democrats who worked together. Democrats would have done more and felt the bill could have been more comprehensive and better funded. The important thing is that the Nation wants to see us move forward.

We said to the Speaker we would take this message back to our caucus. And I say, appealing as Lincoln would, to the better angels of your side, as we embrace this issue today and support this effort bipartisanly, think long and hard about joining us. There has to be more than five of you on the other side who will come with us and support commonsense legislation. Background checks that are fundamental that law enforcement knows are what we absolutely need to assist in this goal of making sure that we keep this country safer are what is required.

I hope, Mr. Speaker, that in the midst of our disagreement, in the midst of our dissent and continued presence on this floor, to articulate our deep feelings and commitment to the citizens we are sworn to serve, you will permit that the majority will allow a vote to take place on this floor which will demonstrate to this great country that this United States Congress can work. It will start today. It will happen when that bill comes to the floor. This side of the aisle joins with you to get an important piece of legislation passed and adopted as it relates to the mental health crisis in this country.

As DIANA DEGETTE said, it should not be considered a substitute, but what it should be considered is a step that we can work together in a common cause. It is what the American people expect from us. We should give them no less. Minimally, we deserve a vote, a vote on no fly, no buy and a vote on background checks.

VOTE ON NO FLY, NO BUY AND BACKGROUND CHECKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. HONDA) for 2½ minutes.

Mr. HONDA. Mr. Speaker, Omar Mateen should not have had access to a gun, yet he walked into the Pulse nightclub and murdered 49 people and injured many more.

Syed Farooq and Tashfeen Malik should not have had access to guns, but were able to buy several weapons, which they used to kill 14 people in San Bernardino.

Gerald Villabrille should not have had access to a gun, yet he shot two police officers in Fremont, California, early last month. That is in my district.

These aren't isolated incidents. Rather, they represent an epidemic in this country. With most epidemics, we immediately set about trying to find a cure, or at least a treatment. But with gun violence, we have settled for moments of silence. Well, enough of that.

A couple of weeks ago, Democrats got together and said, Enough is enough. We took to the House floor to demand House Speaker RYAN and Republican leadership bring bills that would counter this epidemic to a vote. In response, Speaker RYAN called our efforts to get a vote a stunt.

Eighty-five percent of Americans support no fly, no buy gun legislation and more than 90 percent support universal background checks. Yet, Speaker RYAN has refused to bring these two measures up for a vote, shutting out the voices and views of the American people. He is opposing popular commonsense legislation.

Mr. Speaker, you have the power to allow people to take the vote on the floor. Mr. Speaker, you have the power to make sure that people in this country will be safe with commonsense laws to prevent gun violence.

RECESS

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

Accordingly (at 11 o'clock and 26 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend James R. Shaw, Agnus Dei Lutheran Church, Fredericksburg, Virginia, offered the following prayer:

Heavenly Father, Son, and Holy Spirit, grant unto those gathered, representing all people of this great Nation:

Knowledge to pursue the good when the outlook seems dark;

Wisdom to vote for what is best for all;

Courage to choose the unpopular, but better;

Boldness to go where creativity has never gone;

Love to care for the poor and needy;

Faith to step forward and lead the misguided;

Understanding to provide for what is truly needed;

Mercy to forgive those who have transgressed;

Hope for a prosperous future as opportunities unfold;

The eyes of a child to approach life's work with diverse wonderment;

Ears to hear the still small voice of God;

Hands to set free the persecuted and the oppressed;

A sense for those things hidden which may prove dangerous;

And a vision of joy for all languages and cultures.

In Thanksgiving for Your providence, we pray in Jesus' name.

Amen.

THE JOURNAL

The SPEAKER. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. RICE) come forward and lead the House in the Pledge of Allegiance.

Mr. RICE of South Carolina 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.

WELCOMING JAMES R. SHAW

The SPEAKER. Without objection, the gentleman from Virginia (Mr. BRAT) is recognized for 1 minute.

There was no objection.

Mr. BRAT. Mr. Speaker, I rise to introduce to my colleagues our guest chaplain for the U.S. House of Representatives today, Reverend James R. Shaw. Pastor Shaw serves the Agnus Dei Lutheran Church in Fredericksburg, Virginia.

After working for a Fortune 500 company in the IT management division, Reverend Shaw graduated summa cum laude from Concordia University in Wisconsin and proceeded to obtain his Master of Divinity from Concordia Theological Seminary, Fort Wayne, Indiana.

Reverend Shaw accepted a call to Pilgrim Lutheran Church in Decatur, Illinois, in February 2008. He is now serving as missionary at large on behalf of the United Lutheran Mission Association at Agnus Dei in the Spotsylvania/Fredericksburg area of Virginia.

He has gone on to serve congregations as a pastor, currently serving a small startup, Agnus Dei Lutheran Church, Fredericksburg, Virginia. He also serves as VP of administration, CIO/CTO, and professor of church history and ethics at Walther Theological Seminary, Decatur, Illinois.

Mr. Speaker, Agnus Dei Lutheran Church is a church that is indeed alive. Reverend Shaw and the entire church family minister each day through worship services, daily prayer, and by serving those in need through ministries that support families by providing grief and crisis counseling.

Mr. Speaker, I ask my colleagues today to welcome Reverend Shaw, his wife, Peggy, and the rest of his family who have joined him today. May God bless his family and may God bless the church family at Clearwater's Calvary Baptist Church as well as our country today.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

CONGRATULATIONS TO COASTAL CAROLINA UNIVERSITY

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

Mr. RICE of South Carolina. Mr. Speaker, I am so excited to rise today to congratulate a small university of 10,000 students in Horry County, South Carolina: Coastal Carolina University.

Coastal Carolina may be small in size, but it is huge in achievement. CCU has had a couple of remarkable achievements in the last several weeks. You see, Coastal Carolina is the alma mater of 2016 U.S. Open champion, Dustin Johnson, and the home of the 2016 NCAA World Series champion, Coastal Carolina University Chanticleer baseball team.

After falling behind in game one, the Chants came back to win the final two games in a nail-biting best-of-three series. The Arizona Wildcats were an admirable opponent and came to play, but the perseverance, dedication, and true love of the game carried the Chants to victory.

Year after year, the Chants field remarkable athletes in every sport, and their achievements are often oversized. But this year's Chanticleer baseball team ran the table, and when the last pitch was thrown in Omaha, they brought the national title home. Not only is this the first NCAA title for CCU baseball, it is the school's first national title in any sport.

I want to recognize a few players who hail from the Seventh District of South Carolina: infielder and pitcher, Jordan Gore; first baseman, Kevin Woodhall, Jr.; and the all-star designated hitter, G.K. Young.

Of course, this team's success wouldn't be possible without the leadership of head coach Gary Gilmore and his remarkable coaching staff. A graduate of CCU himself, Coach Gilmore has led the Chants baseball team for 22 successful seasons.

This national title is a win for all the players, the coaches, CCU, and all fans across South Carolina. Congratulations, Coastal Carolina University. Go, Chants.

THE NRA HAS SPOKEN

(Ms. SPEIER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SPEIER. Mr. Speaker, on the Fourth of July in my district I held a sit-in at a local movie theater to declare our independence from the NRA.

The gun lobby doesn't have a single vote in this House. Or does it have 247?

I ask that question because we can't even get a vote on the floor—just a vote—to prevent suspected terrorists who can't buy a plane ticket in the United States, but they can go out and buy a gun, no questions asked.

The NRA has spoken. Only a bill that would require the FBI to establish by

probable cause that the person is a terrorist and do so in a court of law and do so within 3 days, otherwise the gun would be turned over to the terrorist. And, by the way, you would also have to inform the terrorist that they are on the suspected or known list. It is a laughable proposal. It is a fig leaf, and it is a joke if it wasn't such an important issue.

The NRA spends $3.7 million on the candidates in the House and the Senate. It is time for them to no longer have a seat in this House.

CONGRATULATIONS TO THE COASTAL CAROLINA CHANTICLEERS

(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, last Thursday, Coastal Carolina University won their first-ever national title in the College World Series in Omaha, Nebraska.

The Chanticleers defeated the Arizona Wildcats 4–3 in the final game of the series. I am grateful to recognize the entire team, and especially honoring four members from the Second Congressional District: Andrew Beckwith of Blythewood, Connor Owings and Mike Morrison of Gilbert, and Brandon Miller of Aiken.

Andrew, a junior at Coastal Carolina, first demonstrated his skills at Blythewood High School in South Carolina's Second District. He led Blythewood to a 27–7 record and secured a 4A State championship in 2013. Andrew was also named the most outstanding player of the 2016 College World Series.

Prior to attending Coastal Carolina, seniors Connor Owings and Mike Morrison led Gilbert High School to a 2A State championship. Both Connor and Mike earned recognition on the Big South Presidential Honor Roll from 2013 to 2015.

Freshman Brandon Miller, from Aiken High School, earned Second Team All-Area by the Augusta Chronicle.

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

Congratulations to Coastal Carolina University, represented by Congressman TOM RICE.

WE WILL CONTINUE TO PUSH FOR A VOTE

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute.)

Mrs. NAPOLITANO. Mr. Speaker, we are here because a lot of the families from everywhere are asking for gun control. Families in our district want the House to act. Poll after poll indicates public support to prevent gun violence.

Democrats want to pass real reform, but the House Republicans refuse to allow a vote. We want action in this House, but Congress passes nothing. No more silence. Watch who is preventing the action: the gun lobby, NRA, and our Republican colleagues. The last meaningful legislation on gun control was in 1994, the Brady Handgun Violence Prevention Act.

Crimes involving guns happen frequently, too often, 91 a day, motivated mostly by hate and racism. We need dialogue in this House of the people. This is where the action is, on the floor and in committee.

I would like to thank all of my friends and people in the district who called, wrote, and posted on social media. They all want action. They want Congress, the House to pass and do something.

We must keep guns out of the hands of individuals with violent histories and domestic abusers. We need to pass no fly, no buy so that no one on the terrorist watch list is allowed to purchase a gun. There needs to be universal background checks in all States.

Do not stigmatize those with mental illness who are more often victims rather than perpetrators of gun violence.

We will continue to push for a vote. I encourage all of you to continue the calls to the Speaker and my House Republican colleagues. This is too critical. We must act now. Give us a vote.

HONORING ELIE WIESEL

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

Mr. PAULSEN. Mr. Speaker, I rise to honor the life and contributions of Elie Wiesel. Mr. Wiesel was a passionate advocate for peace, human rights, and the dignity of all people. His moral authority on international affairs served as a constant reminder and challenge to global leaders to always stand up against violence and genocide, even when it may be easier to do nothing.

He sought to use his public platform to highlight atrocities in Darfur, Ethiopia, South Africa, and Yugoslavia; and he called on leaders to take action. He was a strong advocate for the State of Israel, the need for a Jewish homeland, and the spiritual importance of Jerusalem to the Jewish people.

Mr. Wiesel's belief in the moral absolute of peace was shaped by his personal experience during the Holocaust, which claimed the lives of his father, his mother, and his sister. Generations of children now have learned about the horrors of the Holocaust through his firsthand account in the novel ''Night.''

Mr. Speaker, Elie Wiesel was a visionary scholar and activist. His message of peace and never forgetting the atrocities of the Holocaust will live on for generations to come.

REDUCE THE SCOURGE OF GUN VIOLENCE

(Ms. PINGREE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE. Mr. Speaker, last week, a few days after my colleagues and I sat down right here in the House to demand action on legislation to reduce gun violence, I went home to Maine. I heard from so many of my constituents who asked: Is something finally going to happen in Washington on this issue?

Well, I don't have a crystal ball, and we live in an unpredictable time, so that is a hard question to answer. But it was especially hard to answer last week when the person asking was the daughter of the principal who was killed at Sandy Hook Elementary School or the parents of a young woman shot and killed in Maine by a handgun that had been sold without a background check.

The question was not just for me; it was for all of us. Will we finally do something to reduce the scourge of gun violence that is sweeping this country? Will we finally do something to limit access to guns by criminals and suspected terrorists?

Erica wants to know because her mother was killed by an assault rifle as she protected students at Sandy Hook. Judi and Wayne want to know because their daughter was shot with a handgun while she slept in her apartment.

Mr. Speaker, I hope our answer is yes.

90TH ANNUAL NATIONAL CHERRY FESTIVAL

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

Mr. BENISHEK. Mr. Speaker, this week northern Michigan is proud to host the 90th Annual National Cherry Festival in Traverse City. The festival consists of over 150 events and activities with over 500,000 attendees over the course of 8 days.

The cherry festival celebrates not only the delicious Michigan cherry treats on dinner tables for millions of Americans, but the enormous economic impact of cherry production. In fact, just this past year, Michigan companies produced 75 percent of the Nation's tart cherries, with 50 percent of those grown in Michigan's First District.

This past month we were proud to bring a little bit of the festival here to Washington, D.C. The cherry festival queen, Danielle Bott, came to visit my office, bringing along some great cherry festival spirit and pie. I was honored to show her around the Capitol and introduce her to Speaker RYAN.

I want to thank all the organizers of the cherry festival, the thousands of volunteers, and the hardworking

Michigan farmers who bring us cherries and all the delicious Michigan agricultural products. We are so happy to enjoy the fruits of their labor.

□ 1215

BRING THE BILL UP FOR A VOTE

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

Mr. THOMPSON of California. Mr. Speaker and Members, earlier this morning, hundreds of survivors of gun violence and victims of gun violence gathered out in front. Catherine Bodine from Ohio told us a story about how she was wounded and her daughter Samantha was murdered.

That murderer couldn't legally buy a firearm because he was a felon. He couldn't pass a background check. So he went online, found the gun, bought it, and wounded Catherine and murdered her daughter.

H.R. 1217 is a bipartisan piece of legislation with 186 coauthors. It is bipartisan and it is pro-Second Amendment. Ninety percent of the American people believe we should expand and strengthen background checks and close those loopholes, a loophole that allowed that murderer to kill Samantha.

Mr. Speaker, please bring this bill up for a vote.

CONGRATULATING CALHOUN HIGH SCHOOL LADY WARRIORS

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize and congratulate the Calhoun High School Lady Warriors on winning back-to-back Illinois class 1A State softball championships. The team, which finished the season with a 40–2 record, defeated Princeville by a score of 3–0 on June 4 to secure its second consecutive championship.

In addition to their State title, the Lady Warriors set team and individual softball records for the entire State of Illinois. They were the first softball team since 2010 to win a State championship after earning 40 wins, and the first class 1A team to do so.

During the team's championship run, junior pitcher Grace Baalman broke two Illinois High School Association softball records. She now holds the record for the most strikeouts in a game, with 39 strikeouts in the 17-inning semifinal game and most strikeouts in a season, with 589.

The Lady Warriors are setting a standard for athletic excellence in Calhoun County. In addition to the consecutive State softball titles, Calhoun High School's girls basketball team also won a class 1A State championship this spring.

Congratulations to this group of student athletes on another championship season, and I hope to have the opportunity to congratulate them on a softball championship three-peat next year.

PROTECT THE AMERICAN PEOPLE

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

Mr. KILDEE. Mr. Speaker, I rise today to add my voice to the millions calling on Congress to protect the American people.

It is impossible to ignore the terrible reality that gun violence is just far too common in this country. The most recent shooting in Orlando, the deadliest mass shooting in our history, is a tragic reminder that Congress has yet to take action to protect the American people.

That is why, 2 weeks ago, I and a number of my colleagues sat down on the floor of this House to stand up and say that we have had enough. That is why I went home to Michigan and stood with my own constituents back home to call for commonsense gun action.

It is simple, simply requiring that a person who is on the terrorist watch list, too dangerous to purchase an airplane ticket, should not be able to walk into any shop and buy a gun at any time, for any purpose. It is also a commonsense provision the American people support.

We should close the loophole on background checks so that all weapon purchases are subject to a background check, rather than bringing false bills written by the NRA.

It is far too long. We need to act. I call on Congress to act.

WIOA AND THE CENTRALINA COUNCIL OF GOVERNMENTS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, passage of the bipartisan Workforce Innovation and Opportunity Act was an important step for the millions of Americans who are looking for work and for the employers who have job opportunities that remain unfilled due to the skills gap.

In a nine-county region in North Carolina, the Centralina Council of Governments and Centralina Workforce Development Board are utilizing the new law to foster a modern workforce that local businesses can rely on to compete.

WIOA funds have been used to develop an innovative online career search tool that matches the region's students and job seekers with in-demand careers, needed skills, and local education. They have also been used in the Centralina region to provide skills development for in-demand jobs, placement for dislocated workers and career advisers, and business services representatives through local NCWorks Career Centers.

I applaud the work of the Centralina COG and the Workforce Development Board and am pleased they are making the most of the modern workforce development system provided by WIOA.

GUN VIOLENCE PREVENTION

(Ms. BONAMICI asked and was given permission to address the House for 1 minute.)

Ms. BONAMICI. Mr. Speaker, it has been more than 3 weeks since 49 innocent people were shot to death in Orlando. From Orlando to Oregon, Americans are saying enough is enough and demanding that Congress take meaningful action to prevent gun violence.

This week, Congress should close the loophole that allows convicted felons, domestic abusers, and terrorists to buy guns without a background check. Congress should dedicate resources to the Centers for Disease Control to study gun violence. It is a public health crisis. Congress should take steps to keep deadly, military-style weapons out of the hands of dangerous people.

Enough is enough. We have lost too many children, too many mothers, fathers, sisters, brothers, coworkers, friends, and neighbors. It is long past time for Congress to take meaningful action to save lives.

Let's do what 90 percent of Americans want us to do. Let's pass the bipartisan universal background check bill today. Enough is enough.

CELEBRATING THE LIFE OF JOE BUSSONE

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

Mr. HULTGREN. Mr. Speaker, I rise today to celebrate the life of longtime Sycamore, Illinois, resident Joe Bussone, who passed away on June 14 at age 89.

Bussone joined the Navy after high school and served on three different landing ship tanks in the Pacific during World War II. He was proud of his country and believed it was an honor to serve its people.

Following the war, Joe went to Bradley University in Peoria, Illinois, and then joined General Electric as a product engineer. In DeKalb, Bussone ran his own business and was known for promoting the efforts of local nonprofits, including Family Service Agency, local Kiwanis and Rotary Clubs, the Knights of Columbus, St. Mary's Catholic Church, and others.

At the intersection of Elm and California, he would often sell poppies and other items to raise money for local charitable causes. In his honor, the city named a nearby alley Joe Bussone Boulevard. As a commander at the local VFW post, Bussone always encouraged his fellow veterans of all generations.

A respected community leader and loved by the family he leaves behind, Joe's humble service will be missed.

GUN VIOLENCE SIT-IN

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, last week, I brought our historic gun violence sit-in back home to my district in Los Angeles to give my constituents a chance to make their voices heard. Over 100 people joined me to demand action from this Congress. Many of them had messages for you, Speaker RYAN, and I promised that I would bring their stories back to Washington and make sure that you heard them.

Shannon Ross stood with tears in her eyes at our sit-in, holding a photo of her cousin, as she explained that she had been shot and killed just blocks away from where our event was held.

Sarah Wirtz, whose niece was killed at Sandy Hook Elementary School, talked about the painful decision her sister had to make, deciding whether to bury her daughter with her favorite stuffed animal or keep it to remember her by.

A war veteran from Compton told the crowd that, even though his son was shot and killed 24 years ago, he still cries every day.

Nora, a mother from San Pedro, said that she lives in fear of her son being shot because he is gay.

Mr. Speaker, I am calling on you to listen to the stories of the people in my community and communities across this country. Empathize with the pain they feel every day, and allow us to vote on real solutions to prevent gun violence.

MENTAL HEALTH ACT

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

Mr. GUINTA. Mr. Speaker, I rise to urge passage of the Helping Families in Mental Health Crisis Act, which Congressman TIM MURPHY introduced into Congress. I am a proud cosponsor.

Federal mental health programs are a patchwork of antiquated programs across many agencies. Jails have become de facto mental health facilities. As a caregiver to a family member with a mental health diagnosis, I know how difficult finding proper treatment can be.

The country is also experiencing an epidemic of drug use, closely related to mental health disorders. It is time we recognize these problems for what they are: diseases creating a public health emergency.

Mr. MURPHY's bill creates a leadership post at the Substance Abuse and Mental Health Services Administration. Among other provisions, it removes legal barriers to families trying to help loved ones and provides incentives for more mental health professionals to join the field. It authorizes State grants and requires better data analysis.

Last year, for the first time in a decade, the U.S. death rate rose due to increased drug abuse and suicide. To turn the tide, I urge my colleagues to vote for the Helping Families in Mental Health Crisis Act.

PREVENTING GUN VIOLENCE

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

Mr. HIGGINS. Mr. Speaker, every day, 170 felons, 50 domestic abusers, and 20 fugitives are prevented from buying a gun after a background check raised a red flag.

Unfortunately, loopholes allow buyers to circumvent background checks at gun shows and over the Internet, which represents 40 percent of all gun purchases. This practice is neither safe nor smart. It is not fair to responsible gun buyers or sellers.

Closing these loopholes has broad bipartisan support. In fact, 90 percent of Americans—and 81 percent of Republicans—support background checks for all gun purchases.

Congress can and should do more to prevent gun violence. Background checks can keep guns out of the hands of violent criminals, fugitives, and people under investigation for terror activity.

It is time for a vote on this commonsense and bipartisan measure. Let's close these loopholes and keep guns out of the hands of terrorists and criminals.

IMMIGRATION POLICIES HURT AMERICANS

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

Mr. SMITH of Texas. Mr. Speaker, two recent reports demonstrate the degree to which Federal immigration laws are not enforced by this administration.

A new study by the Center for Immigration Studies shows that almost 1 million illegal immigrants have been ordered deported but remain in the country. The administration doesn't seem to care. A second report found that the administration refuses to take the steps necessary to send criminal immigrants back to their countries of origin. As a result, thousands of dangerous criminal immigrants are released into our neighborhoods; one-third commit additional crimes, including murder and sexual assault, against innocent Americans.

Our borders are not secure. One-half million people come into the U.S. illegally every year. But the administration, instead of enforcing laws, wants to give amnesty to millions of illegal immigrants. The immigration policies of this administration continue to hurt Americans.

VICTIMS OF GUN VIOLENCE

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

Mr. PETERS. Mr. Speaker, Auburn, Washington, March 31, 2013:

Nicholas Lindsay, 25;
Lorenzo Duncan, 23;
Antuan Greer, 21.
Suwanee, Georgia, July 22, 2015:
Jerry Manning, 75 years old;
Rebecca Manning, 37;
Jacob Smith, 9;
Jared Smith, 8.
Baltimore, Maryland, January 23, 2013:
Deshaun Jones, 15.
Chattanooga, Tennessee, January 23, 2015:
Demetrius Davis, 19.
St. Louis, Missouri, January 25, 2013:
Terry Robinson, Jr., 28.
Cedar Bluff, Alabama, November 16, 2015:
Sylvia Duffy, 71;
Clara Edwards, 68;
Pamela O'Shel, 48.
Jonesboro, Arkansas, May 3, 2014:
Crisanto Islas, 38;
Richardo Lopez, 31;
Floza Davila, 12;
Brayam Davila, 10.

□ 1230

FIDUCIARY RULE

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

Mr. EMMER of Minnesota. Mr. Speaker, 33 percent of Americans have no retirement savings. This is why it is so difficult to understand why the Department of Labor recently finalized a ''fiduciary rule'' that will harm the ability of Americans, especially those of modest means, to save for retirement.

By imposing new and needlessly burdensome standards on financial experts who provide investment advice to Americans, the ''fiduciary rule'' will price many retirees out of the market, causing a ''guidance gap'' which will lead to Americans saving less money or worse, not saving at all. We can't allow this burdensome rule to wreak havoc on the financial future of American citizens.

I am proud to stand up for low- and medium-income Minnesotans who are trying to save for retirement today by voting to prevent the implementation of this misguided rule. Despite the President's veto, I remain committed to preventing this rule from harming the futures of everyday Minnesotans.

GUN VIOLENCE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, 1 week ago, in my district, we gathered with survivors of

gun violence and supporters of gun reform to hold our own sit-in, in Carl Schurz Park, protesting the fact that this Congress has not acted on sensible gun violence reform. No more moments of silence. We want action on the floor to protect our people.

We heard from many victims like Kim Russell. Her life was spared, but her friend was murdered when robbers broke into their home. She lives in fear that the attacker will get his hands on another gun and kill other people.

We need to answer to Kim and to the families of the 49 gunned down in Orlando and to the thousands of other victims of gun violence and the hundreds of other victims that are outside today on the steps of the Capitol urging us to vote, urging us to act.

Have a vote. If you want to vote against it, fine, but let's have a vote on two sensible bills: no fly, no buy, and comprehensive background checks. Let's protect our people. Let's act on sensible gun protection.

COMPREHENSIVE MENTAL HEALTH LEGISLATION

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

Mr. LAMALFA. Mr. Speaker, it has been over 2 years since my colleague from Pennsylvania, Mr. TIM MURPHY, first introduced this comprehensive mental health bill. And every day since then, the country watched as Representative MURPHY, a clinical psychologist, continued his uphill battle to overhauling our frequently and significantly broken mental health system.

Slowly but surely, strides were made. Not only did his message resonate here in Congress, but it brought a lot of hope to many suffering around the country with this illness.

It is no surprise to anyone here today that we have a mental health crisis in this country. Yet, the chaotic system that exists today, while may be well-intended, is the exact reason why so many individuals are left to fend for themselves, many times finding themselves in prison, homeless, or hospitalized.

The system is broken, but this bill gives us the option to change that. By replacing the duplicative and ineffective programs with evidence-based care, reforming outdated privacy laws, enhancing coordination with oversight from actual experts in psychology, and increasing access to psychiatric resources, we can provide hope to those suffering that help is on the way for them.

I ask my colleagues to join me in supporting this extremely important bill, H.R. 2646, and thank Congressman MURPHY for his diligence and for sticking to it.

TERRORIST LOOPHOLE/UNIVERSAL BACKGROUND CHECKS

(Miss RICE of New York asked and was given permission to address the House for 1 minute.)

Miss RICE of New York. Mr. Speaker, before I was elected to Congress, I was a prosecutor for more than two decades, and I am thinking today of all the times I have sat with devastated mothers and fathers whose sons and daughters had just been taken from them.

I think about how small our debates must seem to them, how insulted they must be when they hear Members of Congress suggest that there is simply nothing we could have done to prevent their child's murder.

There are meaningful actions we can take today. We can require background checks for all commercial gun sales in America. And when the FBI and the Attorney General have reason to believe that someone is engaged in terrorist activity, we can give them the authority to prohibit that person from buying a gun. That is common sense. These two actions will save lives and will not in any way restrict the Second Amendment rights of law-abiding American citizens.

While I appreciate that the Speaker may allow at least one vote on a bill related to gun violence this week, it is not a meaningful bill. It allows the government to prohibit the sale of a gun to a suspected terrorist only if they can show probable cause that the person is engaged in terrorist activity with a 72-hour deadline.

Victims of gun violence deserve more than that. Their families and friends deserve more than that. The American people deserve and demand more than that.

CELEBRATING THE LIFE OF EDNA YODER

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

Mr. YODER. Mr. Speaker, I rise today for a very special moment, to recognize a wonderful woman, mother, grandmother, and great grandmother, someone who has been one of the most important role models in my life, my grandmother, Edna Yoder.

Last week, Edna marked the milestone of her 105th birthday, and we gathered as a family to celebrate her. The Lord has blessed her with great health and good spirits, and I cannot be more thankful for her and proud to have her as part of my family.

She is a sweet, caring, and loving woman who values the important things in life: her faith in God and her family. She is a true example of what makes America such a strong and vibrant Nation.

Born in 1911, as one of 14 children, she spent her life on the farm working tirelessly, milking cows at dawn and bringing in the wheat harvest in the hot Kansas sun. She has seen hard times and good times, lived through 18 different Presidential administrations, 22 different Speakers of the House, with a front seat to the great American century.

Today, Grandma, on behalf of the United States Congress, I wish you a belated happy 105th birthday and many more to come. I love you.

UNDOCUMENTED TEXAS VALEDICTORIANS

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

Mr. VEASEY. Mr. Speaker, I rise today to commend Mayte Ibarra and Larissa Martinez, two undocumented valedictorians from Texas, for their academic achievement and bravery amid the anti-immigrant rhetoric that was wielded their way.

Mayte and Larissa's educational excellence is living proof of the American Dream. No matter what your immigration status may be, if you work hard and dream, anything is possible. Their determination and academic success, despite the personal obstacles that were in front of them, helped get them into the University of Texas and Yale.

Larissa's valedictorian speech reminds us of how important immigration reform is. I want to read you a quote. ''The most important part of the immigration debate and the part most often overlooked is the fact that immigrants, undocumented or otherwise, are people too. They are people with dreams, aspirations, hopes, and loved ones.''

We should all take this message to heart, Mr. Speaker, no matter what your political background may be. We can no longer ignore the anti-immigrant rhetoric that we hear today. Instead, let's praise Larissa and Mayte's academic success and work to remove barriers to prevent any hardworking student from achieving the American Dream.

IN HONOR OF CORA WILSON, STOP THE VIOLENCE

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SEWELL of Alabama. Mr. Speaker, in honor of Cora Wilson, let's stop the violence. I rise today to tell the story of Cora Wilson, a 34-year-old mother from Birmingham, Alabama, who was shot and killed by her ex-boyfriend in front of her eight children on May 12, 2016.

Like many women who suffer from domestic violence, Cora Wilson endured abuse for too long. On a Wednesday night in May of 2016, her abuser ignored the restraining order and showed up at the house, where he killed Ms. Wilson and shot four of her children.

I cannot mourn this tragedy with my community without doing all that I

can to prevent such events from happening in the future. Congress must act now.

The intersection between domestic violence and gun safety is paramount. While I am a supporter of the Second Amendment, the rights protected in the Second Amendment are not immune from government regulation. In fact, Congress has repeatedly failed to pass commonsense gun safety reform.

Make no mistake, strengthening the background checks, eliminating gun show loopholes, and preventing potential terrorists will not limit the rights of lawful gun owners to protect and defend themselves.

The rising tide of gun violence in our communities must stop. In memory of Cora Wilson and the thousands of other domestic violence senseless deaths, let's act now.

GUN VIOLENCE PREVENTION

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

Mr. FOSTER. Mr. Speaker, I rise today to speak out against congressional inaction on gun violence.

I represent the 11th District of Illinois, which includes the great cities of Aurora and Joliet. And I am also the only Ph.D. scientist in Congress. As a scientist, I always look at the facts, and the facts are crystal clear that gun violence is a public health crisis and Congress needs to do more to keep guns out of the hands of people who should not have them.

It is not just the mass shootings that we read about on national news. In the cities in my district, gun violence of all kinds is an issue that we struggle with every day. Leading medical groups have taken note of the effects of gun violence on our communities and have called for change.

Just this month, the American Medical Association called gun violence a public health crisis. When the foremost medical group in our country calls for action, it is time for Congress to listen. But Congress will not even allow the Centers for Disease Control to study the causes of gun violence and its effects on our communities.

We need a rational and effective approach to gun violence for the sake of our communities and the safety of the American people.

GUN OWNERSHIP IS NOT AN ABSOLUTE RIGHT

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, our laws allow law-abiding citizens the right to possess guns. But why should that right allow those who are reasonably suspected of terrorist activity to purchase weapons of mass destruction?

Gun ownership is not an absolute right. Some weapons should be banned, and some people should not be allowed to buy guns.

Specifically, let's start today with the proposition that if you are on the terrorist watch list, you should be placed on the gun no buy list. Yes, if you are on the terrorist watch list, you should not be able to buy a gun.

Why defend people who are reasonably, reasonably, reasonably suspected by the FBI to be terrorists or terrorist sympathizers?

H.R. 5611 fails to value the safety, security, and the lives of the American people. It is simple. We must vote on legislation that truly says, no fly, no buy.

Speaker RYAN, bring up the King-Thompson bill, H.R. 1076, to assure that those individuals on the terrorist no-fly list should not be able to buy guns.

Speaker RYAN, protect the American people.

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois) laid before the House the following resignation as a member of the Committee on Armed Services:

HOUSE OF REPRESENTATIVES,
Washington, DC.

Hon. PAUL D. RYAN,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER RYAN: I will be taking a leave of absence from the House Committee on Armed Services (HASC) since I have been selected to serve on the House Permanent Select Committee on Intelligence. As a representative of San Antonio, TX, Military City USA, it has been a privilege and an honor to serve on this committee.

During my time with HASC, I have worked with my colleagues to meet the needs of our men and women in uniform and provide the Department of Defense with the capability required to meet the security challenges of the 21st century.

The federal government's most important responsibility is ensuring the safety of the American people. I look forward to continuing my efforts in Congress to protect our nation and its people.

Sincerely,

JOAQUIN CASTRO,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT OF MEMBER TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces, without objection, the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 6, 2015, and notwithstanding the requirement of clause 11(a)(1)(D) of rule X, of the following Member of the House to the Permanent Select Committee on Intelligence:

Mr. CASTRO, Texas.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 4361, FEDERAL INFORMATION SYSTEMS SAFEGUARDS ACT OF 2016, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 803 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 803

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-59. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time on the legislative day of July 7, 2016, or July 8, 2016, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV, relating to a measure addressing the Federal Aviation Administration.

□ 1245

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I want to begin at the end of the Reading Clerk's recitation of the rule. It makes in order that at any time on July 7 or 8 the Speaker can entertain motions to suspend the rules and bring up the FAA bill.

In addition to serving on the Rules Committee, I serve on the Transportation Committee. We have been working very hard with the Senate to try to bring an FAA extension to a conclusion. We are very close to getting that done. But without the passage of this rule, we would not be able to consider that expeditiously later in the week. So among the many reasons to support the rule today, I would like to encourage my friends who care about transportation and who care about the Federal Aviation Administration during this holiday season to support the rule on those merits alone.

But the primary purpose of the rule today, Mr. Speaker, is to bring up H.R. 4361. It is a bill designed to make some relatively minor, but important, changes to the way we interact with Federal Government employees.

For example, Mr. Speaker, it ought to go without saying that focusing on pornography in the workplace during your daily activities should be prohibited. I would have guessed that it was. It certainly is in my office, but that commonsense provision is contained in this bill.

It extends the probationary period, Mr. Speaker. As you know, when you get involved as a Federal Government employee, the stereotypical answer is that you can never be fired. You can be completely derelict and never be relieved from civil service. That is not true, and most of our Federal Government workers are incredibly conscientious. But it is true that we often do not have a long enough probationary period to find out whether or not someone is going to be a good civil servant. This extends the length of that probationary period from 1 year to 2 years so that we will have time to look at those employees.

It adds accountability to what they call the Senior Executive Service, Mr. Speaker. That is that area just above civil service folks oftentimes at the highest points in their career providing incredibly valuable work to the government. But it has been a challenge for folks to provide managerial accountability to those individuals, and we have added those improvements to the underlying text as well.

This is a compilation of many different ideas that have all been vetted individually. We have combined them together. Again, they are independent ideas, but they are all focused around the idea of how do we give the taxpayers the best bang for their buck when it comes to America's civil service system.

Now, this came out of the Oversight and Government Reform Committee, Mr. Speaker, but that is not to say that folks will not have some other ideas on how to make this bill better. I would like to tell you, Mr. Speaker—and I don't do so with a small amount of pride; I do so with a great amount of pride—that every single Member who brought amendments to the Rules Committee yesterday and said they had ideas about how to improve this bill, every single Member that brought amendments got amendments.

We talk about how to run this institution, Mr. Speaker, in a way that gives folks a voice. We have seen in recent times that how folks express their voice varies in this institution. I think it is important that we find a respectful way to have a dialogue about the ideas. The Rules Committee is not always able to make everything in order. In fact, we weren't able to make everything in order last night either, but every single Member who came to make their case, every single Member who submitted ideas to the committee was heard and will have an opportunity to bring their ideas here on the floor of the House.

Mr. Speaker, this is the way we ought to be doing business. This is the way that the Rules Committee was designed to operate. It is a rule that all of my colleagues can be proud of. I hope that we will quickly dispense with this rule so that we can get on to the underlying legislation. I encourage all my Members to vote in the affirmative.

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

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I rise in opposition to the rule and the underlying bill, H.R. 4361.

Once again, this rule is not open. It does not make in order all amendments that were offered at our meeting yesterday. It makes in order some of them, but not all of them. In fact, much less would be offered here on the floor if we allowed this under an open rule where Members would have the opportunity to offer germane amendments while we were having the debate.

This is a silly bill. It would simply attempt to prevent the President from being President for the rest of his term of office. We elect Presidents of the United States to 4 years in office. I understand the gentleman from Georgia may not have voted for this particular President. There have been Presidents in the past that I haven't voted for, but according to our Constitution, their term is 4 years.

It is a particularly silly effort because it is a bill that requires the President's signature. Of course, the President, rightly so, has said that he will veto it. Why would a President support a bill that says: I am agreeing to not do anything for the final 6 months of my Presidency?

This bill is really more of a talking point just trying to further delegitimize the current President of the United States. It is part of a systematic effort throughout this great President's time in office to delegitimize him and prevent him from doing the duty to which he was elected, to serve as our Commander in Chief and chief of the executive branch in government which, of course, involves rulemaking authority, which has always been the prerogative of the executive branch.

Now, we can write tighter legislation, and we probably should. That is a matter of legislative prerogative to prevent future Presidents of both parties from interpreting the authority we give them in ways that are contrary to this body's goals. But you certainly can't fault a President when you leave them the discretionary authority in bills that pass this body to become law simply trying to make them work.

Now, this is a messaging bill, again, to delegitimize the President. Well, it turns out that we Democrats have our own messaging that we want to do as well, and we are going to be spending a lot of our time here today, as we have been, talking about meaningful legislation to address gun violence.

Americans have demanded meaningful action on gun violence in the wake of the worst mass shooting in America's history at the gay club in Orlando just recently, and continual violence and the threat of terrorism continue to be a scourge in our communities.

Now, before heading on the holiday break, my Democratic colleagues took strong, necessary action with regards to their actions on the floor. The demands are simple, and a number of my colleagues will talk about them. One, a vote on a bipartisan bill that the President would sign if it reached his desk that would simply expand background checks, which my home State of Colorado has already done.

But, again, until we close this gun show loophole, even residents of my State that are convicted felons, who, through due process of law, lost their right to bear arms, can simply drive an hour to Wyoming and go to an open-air gun show without any background check. Even though they are a convicted felon, they can purchase a weapon.

So we do need a better system of background checks, and, of course, a bill to address people that are on the terrorist watch list from acquiring arsenals to commit terrorist acts.

Enough is enough. Every single one of my colleagues has a personal experience with these kinds of incidents in their district. Communities have suffered long enough, and, frankly, it is time for action. We can't only do moments of silence; we need to take action.

Of course, this bill we are considering is just a continuation of the Republican effort to delegitimize President Obama at the end of his term, just as many of my colleagues from the other side have attempted to do throughout his presidency.

Do you know what? President Obama was elected. Do you know what? President Obama was reelected. He is the President. He will be President until January when we inaugurate a new President. Taking actions like denying him even hearings or votes on Supreme Court nominations or passing a bill saying that Federal agencies have to stop their work just because you don't like who the President is is really disrespectful to our constitutional system of governance.

This bill would virtually prevent the President of the United States from doing his job by stopping all rules regardless of when the rules were proposed or how long they have been working on various regulatory improvements.

It also has several provisions that are needless or antagonistic toward Federal employees. For instance, if Federal employees are underperforming or defrauding, we need to make sure that we have the tools to make personnel decisions, and this bill prevents that.

Many of the majority claim that some of these ideas come from the business community. But, of course, it is not a practice in the business community to demean employees and then turn around and ask them to do more for less.

Instead of wasting time on this bill that is never going to become law—it is not going to pass the Senate; if somehow it did, the President would veto it; it is not going to become law—let's start work on bills that, for instance, make it harder for terrorists to acquire arsenals to commit acts of terror, and to make sure that convicted felons can't simply cross State lines to acquire a weapon that would be illegal because there is no background check and so there is no way of finding that out.

Those are the kinds of things we need to do. Let's get back to work.

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

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

I look forward to working with my friend from Colorado to fight terrorism in this country. We have bill after bill after bill after bill that we are working on collaboratively here. We need go no further than the Defense Appropriations bill, which we all know needs to move across this floor. We know NDAA is a perennial challenge that we work on together and collaboratively in order to give folks the tools that they need.

And certainly not to diminish the role this body has in fighting terrorism, this body also has a role in governing the civil service system. This happens to be a civil service bill today. Instead of bringing seven different rules on seven different bills and taking up all of that floor time talking about the civil service, we have combined them all into one bill so that we can move expeditiously and we can take care of the business that is important to do.

Far from taking tools away from the civil service, this bill adds tools to the civil service. Instead of a 1-year probationary period, it is 2. Instead of having to demote someone, you have a possibility of removing someone. If the behavior is egregious, this is an addition of tools to the civil service arsenal.

We heard testimony in the Rules Committee last night, Mr. Speaker, of a survey of Federal Government employees who themselves said it is too difficult in the current system to get rid of underperformers in their midst.

Who among us does not want to work in a team of excellence?

I am very inspired by the commitment of so many of the men and women in this Chamber, Mr. Speaker. Folks that are depicted in the media as scoundrels, I am proud to work with so many folks here because they are hardworking public servants who want to do the right thing for their constituents back home even when we disagree.

□ 1300

But I will tell you that, far from being a bill targeting this President, this bill has nothing to do with the President. Far from this being an opportunity to try to rein in the President's powers, I would remind my friend from Colorado, Mr. Speaker, that the Constitution gives absolutely no rulemaking authority to the President whatsoever.

I will say that again. The President of the United States under the United States Constitution has absolutely no rulemaking authority whatsoever. Every bit of rulemaking authority granted to the President of the United States is, in fact, a grant, and it is a grant that comes from the United States Congress.

To characterize having this institution do oversight on its delegation of its responsibilities to the chief executive officer, to characterize that as some sort of anti-Obama agenda is ludicrous. In fact, I would tell you, Mr. Speaker, it has been Presidents of both parties as lame ducks, while they are on their way out the door, when they are no longer accountable to anyone in America any longer, who have pursued their most aggressive rulemaking role in those lame duck days, in those final 2 months after the last election their Presidency has taken place. I don't understand how we are served by that on either side of the aisle, on either end of Pennsylvania Avenue.

And I would remind the entire Chamber that the rulemaking that goes on in executive branch agencies is rulemaking in pursuit of the goals that we have legislated. To suggest that failing to implement rules and regulations is somehow harming the President is ludicrous. It is this Congress that has passed the laws that need to be implemented. We are equally harmed in this way.

My challenge to the White House, Mr. Speaker, is don't put it off. For Pete's sake, whatever you have got going on out there that is so mission critical that it could be described as an attack on the integrity of the administration for us to try to rein it in today, let's go ahead and get it done today, let's go ahead and roll that rule out tomorrow, let's go ahead and see it done in August, there is time in September and October.

Every American citizen is instinctively suspicious of what goes on in this town in lame duck sessions. They are suspicious because time and time again they see things happen in lame duck sessions that could never have happened otherwise.

Far from being an attack on the administration, Mr. Speaker, this bill is in service to the American people, and that is why I am proud to represent it today. I do hope we can get expeditiously again to the passage of this rule and to the underlying bill.

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

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

I think it is obvious that this bill is targeted at the current President, Barack Obama, because it affects him during the period between the next election and when the next President, whoever she is, takes office next January. Clearly, that is the President that it is targeted after. I have never heard these Republicans have the same concerns about either President Bush or any prior Presidents, as has been done systematically against this particular President, that prevented him from doing his authority that this body has sent him bills to do. He is doing his job, and we should let him do his job until the next President takes office.

Mr. Speaker, if we defeat the previous question, we will offer an amendment to the rule to bring up the nonpartisan no fly, no buy legislation that will allow the Attorney General to bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

The Republican majority refused even debate closing this glaring loophole for the first half of the year. Only after Democrats took action did the Republicans decide to propose a toothless version of this bill that will do nothing to keep our communities safer.

This country can't wait any longer for Congress to take meaningful action on this issue. We are happy to have a discussion if we want to talk about

how we can have better transparency and oversight of these lists and ensure that due process is followed. Democrats care a lot about those issues, and we are happy to join those discussions and work out any issues that might exist in a bill that really is common sense.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Ms. ESTY), to discuss our proposal, one of our leaders on this effort.

Ms. ESTY. Mr. Speaker, I find it particularly ironic that we are here talking about suspicion of the public, talking about accountability. I will tell you, that is why my colleagues are here today, that is why several hundred Americans came to the Capitol today: to demand accountability of this body, to demand action by this body, because in 3½ years since the slaughter of schoolchildren in my community of Newtown, this body has done nothing, nothing at all.

Today, we are bringing up another useless messaging bill to provide fodder for TV ads in the fall, rather than responding to the needs of the American people. They are here. Ninety of them die every day when we do nothing about guns. So, in fact, we do need to be talking about accountability. But it is the accountability of the elected Members of Congress to bring forth reasonable, commonsense legislation, bipartisan legislation, that will help save lives.

This is about immediate needs of the American people that have been going unanswered now for 3½ years. That is the sort of accountability we should be talking about today.

The two bills we are asking for action on are simple. No fly, no buy. If you are too dangerous to get on an airplane, you pose a threat to the American people and national security of this country and you should not be legally allowed to buy an arsenal. And second, and critical, the basis, and it is, frankly, about accountability, we need to have background checks on each and every commercial sale of guns. If we aren't asking a question, we are not going to know if we are keeping guns out of the hands of dangerous people.

The Internet has now become the go-to place, whether you are a terrorist, a domestic violence abuser, a felon, or dangerously mentally ill. It is our responsibility to take action to close these loopholes, to do our best to actually write the laws that our law enforcement are charged with enforcing.

So with all due respect to my colleagues about important issues about Federal employee accountability, we need to be accountable in this institution. It is our job to protect and defend the American people. That is why we are here today and that is why we are going to be here every day we are in session to raise these issues.

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

I will tell my friends, I have only had a voting card in this institution for 5½ years, but I have learned enough in those 5½ years to know that we can't consider every issue every day. The gentlewoman from Connecticut just had her State ObamaCare exchange taken over by Federal regulators this week because it is so financially unstable. It was the 14th of 23 of these exchanges that have failed in the intervening year. Not failed the American taxpayer, though they have, but failed the American citizens who were forced into them.

I will wait to hear if anybody is going to come to the floor today to wonder why it is we are not focused on abolishing those punitive actions, if we are going to have anybody come to the floor today and ask what we are going to do for those 400,000 people in Connecticut who we forced into an exchange that is now in receivership. We can't do every issue every day. I hope we will get to these issues as well, Mr. Speaker. But let's not minimize what this bill is today.

I am not going to characterize anyone's motives, Mr. Speaker, but the reason this bill was necessary to begin with is because the Federal labor unions that represent Federal Government employees were standing between us and some serious national security concerns. Now, that hasn't been raised yet. But I want to make sure that if we are going to go down some rabbit holes, that we try to come back to why this is so important.

At the Department of Homeland Security, Mr. Speaker, they saw an uptick in the infections of their computer system. Now, they are mandated by Federal law to protect the Federal IT infrastructure. And when they delved further, Mr. Speaker, what they found was that individuals accessing their personal email, their Web mail, from their office computer was providing the gateway for these infections at the Department of Homeland Security.

So, as you would expect, the Department of Homeland Security—and this was in the Immigration and Customs Enforcement subdivision—said no more Web mail until we get this figured out. The labor union filed suit. The labor union appealed that decision and said: No, no, no, no, I understand that you are trying to protect national security here, but we think we have collective bargaining rights and that our employees have the right to access their personal email on their work time and you cannot take this step to protect national IT infrastructure security without coming to the labor union collective bargaining table first. That is just nonsense. That is just nonsense.

Now, you don't have to take my word for it, Mr. Speaker. I don't claim to be a labor union attorney. I have never done that kind of work. But I will read from the report. This is the dissenting member, because when the labor union appealed to the labor union board, the board came down in their favor. The dissenting member of the board wrote this. He said:

> It is obvious to me (after having served for seven and a half years as the chief information officer at the U.S. Department of Labor) that neither the FLRA—

That is the board.

> —nor the arbitrator possesses the specialized knowledge or expertise that would permit us to decide when a Federal agency ought to address specific security risks or permit us to second-guess how that agency should exercise those responsibilities.

This is a member of the labor board saying: Guess what? Having been the chief information officer, I can tell you this board has no skills that enable it to make decisions in this area.

He goes on:

> I cannot conclude that Congress intended for our statute to be read so expansively as to impose additional—

In this case bargaining.

> —requirements on Federal agencies before they can act to secure the integrity of their Federal IT systems, the breach of which could directly impact our Nation's security and economic prosperity.

Mr. Speaker, this is a member of the labor board saying: I cannot believe that what Congress intended was to give labor relations so much power in this country that agency heads would be prevented from acting in the name of national security. And he was right. He was right.

But you don't have to take my word for it that he is right. If this rule passes, if this bill comes to the floor, we are going to pass it again today. If you wonder what it was Congress intended, you need wait no further in the middle of the afternoon here on a Wednesday to find out what Congress intended because we are going to act on it again.

It is lunacy, it is lunacy to suggest that collective bargaining rights have to run in conflict with national security. But that is the way the labor board came down. And only with the passage of this statutory change will we be able to see that Congress' original intent is fulfilled.

Mr. DEUTCH. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Florida.

Mr. DEUTCH. Mr. Speaker, I appreciate the gentleman's discussion and analysis of these issues, but it begs just a couple of questions.

There is some extensive discussion about what Congress intended and how a statute will be interpreted and whether interpreting that statute, acting in the name of national security, whether the statute should be clear so that it can be acted upon in the name of national security.

So I ask my friend, if that is the case, if we are so worried about IT infrastructure and the security risks of

IT infrastructure and what Congress intended in a statute, then clearly the gentleman would agree we ought to be more concerned. In fact, it should be our fundamental concern to worry not just about the security risk to IT, but the security risk to the lives of people who live in our communities.

Mr. WOODALL. Mr. Speaker, reclaiming my time, the gentleman knows what bills we are discussing, the gentleman knows it well. I had constituents in the office today. They brought their young children in. They are in town for the Fourth of July. And the dad said: ROB, sometimes I think folks are just trying to pick a fight up there. They are not even trying to find a solution or a pathway forward.

My friend knows what FISMA requires, and it has nothing to do with the topic that the gentleman is pursuing. The gentleman knows what the labor act requires, and it has nothing to do with the topic that the gentleman is pursuing. And the gentleman knows that this bill is not trying to address a frivolous issue. It is an important issue that ought to be a uniting issue.

□ 1315

I understand that, as Members of this Chamber, we all have different axes that we have to grind, that we all have different topics that are hot in our districts back home, and that we all have different ideas about how to move this country forward.

What ought to be number one on that list for me is the FairTax, Mr. Speaker. This doesn't happen to be FairTax day, but it is civil servant improvement day; and there is not a Member in this Chamber who believes we got it right the first time. There is not a Member in this Chamber who doesn't believe that we can do better both for civil servants themselves and for the taxpayers who fund them.

Mr. Speaker, the rule that we are debating right now made amendments in order from every single Member of this body who had ideas about how to change it. I want to make that clear, Mr. Speaker. We may hear some conversation about voices in this Chamber and whether or not they will have an opportunity to be heard on this bill. On this bill, in this moment, on this day, for this issue, every single Member who said ''pick me'' had a chance to have his voice heard.

Mr. DEUTCH. Will the gentleman yield for a question?

Mr. WOODALL. I yield to the gentleman from Florida.

Mr. DEUTCH. I understand what we are debating here; but I would just ask the gentleman that, as we have a discussion about national security and the security risk to infrastructure: Isn't it true that the threat of a suspected terrorist purchasing a gun and the failure——

Mr. WOODALL. Reclaiming my time from the gentleman, Mr. Speaker, perhaps we are not going to be able to come together on solving civil service issues today. Perhaps we are not. Perhaps we are just going to have to bring this bill to the floor without the kind of collegial debate that I would have hoped for. We will just have a vote on it, and we will see where the vote lies, but it doesn't have to be that way, Mr. Speaker. It doesn't have to be that way.

I tell my constituents at town hall meetings all the time that what has disappointed me the most in this Chamber has been the focus that folks put on those things that divide us instead of on those things that unite us.

If folks treat me shabbily on the little issues, Mr. Speaker, how do I gain the trust with them to work with them on the difficult issues? If folks go around the process on the little issues, how do we gain the trust with one another to work together on the big issues?

We have got to get the little things right. It provides a framework for success that we will use to conquer the big issues, too. I have unlimited faith and expectations for this body, Mr. Speaker, but let's get this little thing right today. Let's build that trust.

I reserve the balance of my time.

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

I thank the gentleman from Georgia for yielding.

Mr. Speaker, our time is spoken for, so I appreciate our being able to ask some questions even if we weren't able to complete them on our time. I think the gentleman from Florida's point was that many of the arguments by the gentleman from Georgia can be applied to the need to actually prevent terrorists from acquiring arsenals to commit terrorist acts.

Are we concerned about cybersecurity?

Yes. Again, our time is spoken for.

Mr. WOODALL. Will the gentleman yield?

Mr. POLIS. No. I will be happy to enter into a discourse with the gentleman on his time, but I have a number of speakers here.

Mr. Speaker, I yield 4 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a leader on the issue of fighting against terrorism.

Mr. CICILLINE. I thank the gentleman for yielding.

Mr. Speaker, I think it is clear to the American people the extraordinary irony of this argument by our colleagues on the other side of the aisle in that they are deeply focused on national security interests and the protection of infrastructure while they refuse to debate, for a moment, the fact that thousands of people on the terrorist watch list have purchased guns.

Ninety-five percent of the people who have been killed in this country by terrorists since September 11 have been killed by a firearm, and there is no legal prohibition against preventing those individuals from going into a gun store and buying as many weapons as they want. So if we are really interested in protecting the American people and the infrastructure and the national security of this country, let's start with the simple proposition: prevent suspected terrorists from buying guns.

Mr. Speaker, since we adjourned the last time, 2 weeks ago, 543 Americans have been killed by gun violence. In my home State, since the beginning of this year, five people have been killed, and 36 people have been wounded in the State of Rhode Island by gun violence. Every day, 91 Americans lose their lives to an incident of gun violence. We kill each other with guns at a rate that is 297 times higher than in Japan, 49 times higher than in France, and 33 times higher than in Israel, just to give you some comparison. We have a gun violence epidemic in this country.

We have a lot of statistics, and we have heard a lot of numbers. Earlier today, many of us stood on the steps of the Capitol with the survivors of gun violence, with mothers and fathers, with sons and daughters, with people all across this country who have suffered and whose lives have been changed forever because of gun violence.

We heard from Catherine Bodine, from New Paris, Ohio. She was shot, and her 10-year-old daughter was killed because a convicted domestic abuser—someone who was legally prohibited from owning a gun—was able to purchase a firearm in a private sale without there being a background check.

We heard from Antwan Reeves, a father of four, who was sitting in a parked car with his cousin, Los Angeles Rams' wide receiver Stedman Bailey, in November of last year, when someone drove past and sprayed their car with bullets. Antwan was shot 11 times as he shielded his kids in the back seat. His cousin was shot twice in the head, but, miraculously, he survived.

We heard from Barbara Parker, whose daughter, Alison Parker, a reporter, was on live television when she was shot and killed, along with her cameraman, by a disgruntled former coworker in Roanoke, Virginia.

We heard from Jill Robinson, whose 43-year-old son died in Baltimore after he was shot in the head, chest, and leg during a robbery gone wrong.

We heard from DeAndra Yates, whose 13-year-old son was hit by a stray bullet at a birthday party in Indianapolis. Once an aspiring athlete, DeAndre is now a paraplegic who has lost the power of speech.

We heard from Kate Ranta, who was shot by her estranged husband after he broke into her apartment in Coral Springs, Florida. Kate's father was also shot. The incident took place in front of her 4-year-old son.

Finally, we heard from Andrew Goddard, whose son, Colin, was shot and killed in his French class at Virginia Tech during one of the worst mass shootings in American history.

This epidemic is affecting Americans all across our country—young and old, rich and poor, Black and White, gay and straight. There are 33,000 Americans who lose their lives every year in an incident of gun violence. For these families, a moment of silence is not enough; and for these families, the conversation they are hearing from the Republicans is not enough.

As much as you try to change the subject, we will not. We heard their stories today. It is time for the entire Congress to hear their calls and to take up commonsense bills that will reduce the ongoing bloodshed in this country.

Mr. Speaker, preventing suspects who are on the terrorist watch list from buying guns and having universal background checks are bills that will make a difference in the lives of all Americans. Bring those bills to the floor. Do it today. Let's have a debate. Let's hear the arguments. Do it for every American whose life has been changed by this epidemic. We owe it to them. We can have lots of debates, but these are urgent issues that are facing our country. We owe it to the American people.

I ask my friend from Georgia: Will you use your influence in the Republican caucus to bring these bills to the floor? To urge the Speaker?

You are an eloquent debater. Bring these bills to the floor. Defend your opposition so as to let the American people have a vote. Let's honor the memories of all who have been hurt by gun violence in this country, and let's do something today.

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

I would say to my friends that I believe in this institution, and I believe in the debates that we have here. I was very disappointed in what I saw before the Fourth of July when folks took away the voices of many of us on the floor, and did so in violation of the rules that I hold to be very important; but I am grateful to my friends for the way that they are doing their debate today. They have an important issue that they want to spend time on, and I would be happy to reserve so that they could continue to do that.

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

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

I want to be clear. We would rather have this debate time under the rule for a bill that allows for the consideration of the no fly, no buy bill; but given that that rule hasn't come up before the Rules Committee yet, this and the 1 minutes and the sit-ins are, really, the only alternatives that are left to what I believe to be a majority of this body that cares a lot about keeping weapons out of the hands of terrorists.

Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. LARSON), a leader on the issue to reduce gun violence.

Mr. LARSON of Connecticut. I thank the gentleman from Colorado. I associate myself with his remarks.

Mr. Speaker, I would say to my colleague from Georgia that the disappointment that you had before the Fourth of July break pales in comparison to the disappointment of the families in the State of Connecticut and of the families all across this Nation who have witnessed firsthand devastation that defies comprehension and definition. It is that palpable feeling and their frustration for people who are sworn to serve the constituents they represent and to be denied even a vote.

As for the bill for which this rule is currently being discussed, I agree with what Mr. POLIS had to say, but I would say this: At least you are getting a vote.

PAUL RYAN has said—and I have great respect for our Speaker—''we will not duck the tough issues. We will take them head on . . . We should not hide our disagreements. We should embrace them. We have nothing to fear from honest disagreements honestly stated,'' except we don't ever get to state them because there is never a bill that comes before the floor.

JOHN LEWIS and I had a candid discussion with the Speaker last night at the Speaker's invitation. The Speaker is an honorable man, and his respect for JOHN LEWIS and for JOHN LEWIS' explanation in talking about why we are here and why people are gathering outside of this building on a daily basis and throughout the social media, I think, is indicative to what is happening here in our call for a vote.

Later today, on a rule and on a bill that TIM MURPHY is putting forth, the Speaker said: Geez, I hope we can all come together on that.

We went back to our caucus and to our people, and they all said: We understand the importance and magnitude of that bill. We understand the work that has gone into it.

We will work and participate even in the midst of strong disagreement and differences because of the respect for the institution and also the work that went into that. We just ask that you respect our concerns, and, more importantly than our concerns, the concerns of hundreds of thousands of constituents all across the country who are asking for one simple thing: the responsibility, and then the dignity that comes from a vote. It doesn't matter where we sit in the final analysis. It matters where Congress stands, and we need to stand up and be counted.

As has been said, the gentleman from Georgia is an eloquent debater. I have great respect for people on the other side of the aisle. It is now long overdue that we have an honest debate, whether we disagree or not, and to honestly state them.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to tell my friend from Connecticut how much I appreciate his comments. You don't solve big issues by fussing at each other on TV. You solve big issues by sitting down with each other and talking about them. I appreciate the gentleman's accepting the Speaker's invitation. It was an earnest effort to try to find a pathway forward. I am proud to serve in a House that is led by someone who is committed to finding pathways forward and to doing them in the collaborative way that the gentleman from Connecticut described.

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

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. I thank my friend from Colorado.

Mr. Speaker, I would, respectfully, tell my friend from Georgia that preventing guns from falling into the hands of suspected terrorists is a big issue, but it is a small issue for us to address. It is very straightforward. I oppose the rule today because I find it hard to believe, given the threat of suspected terrorists' buying guns, that, rather than debating that, we are debating a bill about eliminating pornography from our agencies. That is the priority.

America is watching. What is this House going to do in response to the continued threat of gun violence?

Last month, in my home State of Florida, we suffered the worst mass shooting in our Nation's history. We shut down the House to demand a vote on legislation that will make our communities safer. Now, this week, we have a proposal before us that looks like it was blessed by the gun lobby. The fact is that gun companies have had their way in Washington for too long, and it is about time that we put the safety of the American people first.

This morning, I met with my constituent Kate Ranta and joined her on the Capitol steps. She is a brave survivor of gun violence. Her words that she shared on the Capitol steps deserve to be heard in the people's House; so I will share them.

''I am far too familiar with the dangerous and deadly relationship between guns and violence against women in America.

''Three-and-a-half years ago, my estranged husband stalked me to my apartment, an address I had not given him.

□ 1330

''He shot through the door with a 9-millimeter handgun. My father and I were standing behind that door pushing against it. My son was standing directly behind us and the bullets flew through the door.

''My father and I were both shot in front of my son when he was only 4 years old. He screamed, 'Don't do it, daddy. Don't shoot mommy.'

''He then watched me crawl in my own blood and begged for my life. He was only 4.''

Kate's domestic abuser shouldn't have been able to get a gun, but our

broken and disjointed laws just don't work.

Thirty-two States don't require background checks on all gun transfers. Those who we know are dangerous, those we know who want to hurt their own family, the presence of a gun, Mr. Speaker, in a domestic violence situation makes it five times more likely that the woman will be killed.

Our broken gun laws make it as easy as a mouse click to get a handgun or a rifle with a 30-round magazine. Or they can go to one of the estimated 2,000 gun shows held every year in America. They can get these guns with no questions asked. We must close these loopholes.

Kate won't stop speaking out for her family and for others like hers. I won't stop speaking out for them. We have to have a vote to close the background check loophole.

I also value the way this body works. I value debate. But it is not debatable. It is not debatable that if you buy a gun in a gun store and have to have a background check that you shouldn't have to have the same check if you buy it at a gun show or if you buy it online. It is not debatable. It is not debatable that suspected terrorists shouldn't be able to buy guns.

Let's move forward and do the right thing for the American people.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Speaker, I rise in opposition to the previous question so that the House can consider legislation to close an outrageous legal loophole that allows known terrorists to purchase deadly weapons.

Mr. Speaker, I am a United States Marine. I carried an M16A4 in Iraq, and I know something about firearms. I know that marines go into battle armed with these weapons because they are an effective tool for killing people.

I know that military-style weapons fire rounds at velocities exceeding 3,000 feet per second. And as a surgeon in Orlando said, ''the bullets have more energy to them—more speed—so they cause more tissue injury.'' I know that causing more tissue injury is the very point of these weapons.

I know that high-capacity magazines enable shooters to kill more people before law enforcement can stop them. I also know that these magazines have no useful purpose for hunting or for sports shooting.

I know that, despite all of this, House Republicans oppose keeping assault rifles and high-capacity magazines off our streets. Incredibly, they even oppose legislation that would prevent terrorists who want to kill Americans from purchasing military-style weapons.

Finally, Mr. Speaker, I know that it is shameful and horrifying that children in America today conduct active-shooter drills in their classrooms. I know it is shameful and horrifying that, in the wake of Orlando, some of our LGBT brothers and sisters still live in fear in the 21st century. And I know that it's within our power to stop the carnage in our communities by passing commonsense gun violence legislation.

Let's defeat the previous question, and let's finally get serious about ending the epidemic of gun violence in America.

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

We are going to have an opportunity to vote on this rule here in about 15 minutes. And when we dispose of this rule and then we bring up the underlying bill and then we vote on that underlying bill, we are going to make a difference on the one issue that is before us today.

I do hope that we will be back in here to have more of a conversation. I regret that we didn't start that conversation sooner. I regret that when Republicans controlled the House, the Senate, and the Presidency, they did not solve the challenge of violence in this country. And I regret that when the Democrats controlled everything in this Nation—the House, the Senate, and the White House—they did not solve the challenge of violence in this country.

Mr. Speaker, if it were easy, we would have done it before. But I am absolutely certain of one thing, and that is that the solution is going to be found with earnest discussion, not shrill recriminations. Of that, I can be sure.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I say to my friend from Georgia (Mr. WOODALL) that I don't think anybody is saying that this will somehow solve the issue of violence in this country. We all know that is a complicated issue. There are economic factors. There are social factors. But it should be common sense that terrorists shouldn't be able to assemble arsenals to commit acts of mass violence against our fellow Americans.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I am going to vote against the previous question today so we can bring up amendments that will address the issue of gun violence prevention in our country.

Eighty-five percent of Americans believe that we should pass the no fly, no buy bill. Ninety percent of Americans believe that we should expand and enhance background checks for those folks who are trying to buy guns. And we have a perfect opportunity to do it.

There are two bills in the House, both of them bipartisan, that address these two issues. Both of them are bipartisan. Both of them are pro Second Amendment. Both bills help keep guns away from criminals, terrorists, and the dangerously mentally ill.

Earlier today, some 300 victims and survivors of gun violence assembled outside. I listened to what they had to say.

Later, I met with one of the women, one of the victims, Catherine Bodine from Ohio. She was wounded, and her 10-year-old daughter, Samantha, was killed.

The murderer was a felon. He could not pass a background check, could not go to a licensed gun dealer and buy a gun. So instead he went online, and he bought a gun online. He wounded this woman, and he killed her 10-year-old daughter, Samantha.

We should do everything we can to prevent those sorts of tragedies from happening, and we have a chance to do it with the two bills that are in this House. The background check bill, the bill that would have prevented this murderer from buying a gun online, is not only bipartisan, it is not only pro Second Amendment, it has 186 bipartisan coauthors.

This is easy to do. This isn't a heavy lift. Bring the bill to the floor for a vote. Let America see us do our work. Let the Representatives of the American people have a vote on a background check bill that will, in fact, save lives.

We know that background checks save lives. Every day, 170 felons are prohibited from buying guns through licensed dealers because of background checks. Every day, 50 domestic abusers are prohibited from buying guns through licensed dealers because of background checks.

Why not expand it to include all commercial sales of firearms, not just 60 percent of the commercial sale of firearms? This makes sense. It is bipartisan. It is pro Second Amendment, and it will save lives. It works. We know it works. It will stop criminals. It will stop terrorists, and it will stop the dangerously mentally ill. It will make it much more difficult for them to get guns.

Will it stop all violence? No. Nothing can do that, but this is our first line of defense. This is something that this Congress can do that will save lives.

Please bring these bills for a vote.

Mr. WOODALL. Mr. Speaker, I would ask my friend from Colorado (Mr. POLIS) if he has any further speakers remaining.

Mr. POLIS. We have a lot of speakers, hundreds of them. As much time as you want to give us, we will be happy to use.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time so those speakers can continue.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I am on the floor today to urge our Republican colleagues to allow the two bills that have been spoken of over and over and over and over again to be brought to the floor. You know the statistics.

Abraham Lincoln said that the sentiment of the American people is everything. The sentiment of the American

people has been expressed. There is over 90 percent support for one bill and 85 percent support for the other.

We all know that our top responsibility as Members of Congress is the security of our country and its people. This is a national security issue. This is a national security issue.

No one in my district can believe that we would allow someone that the FBI has placed on their terrorist list to be able to go out and purchase weapons. This simply doesn't make any sense. The American people are worthy of so much more.

The other bill, the background check, Mr. THOMPSON gave a magnificent description of that.

You know, above the Speaker's chair, it says, ''In God we trust''—''In God we trust.'' Do you think for a moment that God is proud of where we are and what we are not doing?

Members gather here, and they have moments of silence, moments of silence, thoughts and prayers. You know what? Maybe we should gather and pray for ourselves that God will give every single Member of this House the courage to stand up and to do the right thing for our country and to lessen this devastating violence that is taking and claiming too many lives of the American people.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to share with the gentlewoman from California (Ms. ESHOO) that I don't know how things work on the other side of the aisle, but I will tell you, at every Republican Conference meeting we have, we open it in prayer. We pray for ourselves; we pray for you; we pray for this Chamber; and we pray for the President of the United States. I think that is time well spent, and I am glad that we still open this House in prayer every day of the week.

Again, there is more that we can accomplish beginning on that foundation of those things that unite us than we can on those foundations of things that divide us.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, I rise to respectfully request that my constituents and your constituents receive the dignity of having their Member of Congress cast a vote on gun safety legislation, specifically, on background checks and making sure that terrorists don't buy guns.

I served on Active Duty in the U.S. Military. I am still in the Reserves. I fired guns. I have taken them apart, cleaned them, and put them back together. I have two marksmanship awards from the United States Air Force, and I know how lethal these weapons are, which is why we need gun safety legislation.

Every day, 297 people are shot. That means that in the next 5 minutes, someone else will be shot. Who will that be? Will it be a child? Will it be someone that you know?

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

Mr. POLIS. Mr. Speaker, we have many more speakers, but we are out of time. I yield myself the balance of my time to close.

Jonathan Blunk, A.J. Boik, Air Force Staff Sergeant Jesse Childress, Gordon Cowden, Jessica Ghawi, Navy Petty Officer Third Class John Thomas Larimer, Matt McQuinn, Micayla Medek, Veronica Moser-Sullivan, Alex Sullivan, Alex Teves, Rebecca Wingo, those are the victims of the Aurora shooting.

Jennifer Markovsky, Ke'Arre M. Stewart, Garrett A. Swasey, those are the victims of the recent shooting at the healthcare clinic in Colorado Springs.

It is time for action. As we stand here today, we are still reeling from the deadliest mass shooting in our country's history at the Pulse nightclub in Orlando, targeted against the gay community.

It is time for action. It is our duty in Congress, our moral duty as parents, sisters, brothers, husbands, and wives to protect our fellow Americans. We can do that and protect the Second Amendment. We can and must do both.

Vote ''no'' on this rule and the underlying bill. Demand the leadership of this House bring up the bipartisan background check bill and the no fly, no buy bill to prevent terrorists from assembling arsenals to kill our fellow Americans.

Personal liberties and public safety are not mutually exclusive. We can protect both.

I yield back the balance of my time.

□ 1345

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

I love serving on the Committee on Rules. We are the last committee to touch every piece of legislation before it comes to this House. It gives us a chance to perfect some of that legislation, but it also gives us a chance to work through the rules of the House.

There are some things that people think are glorious and glamorous about being a United States Congressman, Mr. Speaker, and I wish someone would send me a list of those things from time to time. I will tell you one thing that is not particularly glamorous, and that is sorting through Jefferson's Manual of procedure here. What is not particularly glamorous is reading the House rules. But if one were to do those things, Mr. Speaker, if one were to do those things, what one would find is that any Member of this Chamber can bring up any bill they wish to bring up if they can get a majority of the House to agree with them to do it. Not the majority of the House, Mr. Speaker, but a majority of the House.

I am going to say that again. Any Member of this Chamber can bring up any bill in this House if only they go out and do the work of finding 218 votes to agree with them.

Now, Mr. Speaker, it sounds like a lot of heavy lifting to get 218 votes to agree with you, but it turns out, if you can't get 218 votes to agree with you to bring it up, you can't get 218 votes to agree with you to pass it, so you can't move the legislation anyway.

We heard testimony from the other side about the outreach that our Speaker, PAUL RYAN, is doing to try to bring together the sides of this House, and I love him for that. But we have also heard it suggested that the majority is using its majority to silence voices in this House—and it can't be done. It can't be done. If you have 218 votes, you can do anything you want in this institution, and if you don't have the 218 votes, you can't do anything at all.

Time and time again, Mr. Speaker, we have seen this Chamber moved from the filing of a discharge petition, the gathering of 218 votes, and this House coming together to move issues forward. There is no shortage of avenues for a Member of Congress to have their voice heard. What there is a shortage of sometimes is finding the folks who want to do the hard work to make it happen because, I promise you, Mr. Speaker, it is easier to come down here on the floor of the House and make a speech than it is to go door to door and gather 218 votes to move a priority of mine. It is hard. It is hard.

Now, we have done that on the underlying bill, brought together different pieces of legislation designed to make incremental changes to provide taxpayers more bang for their buck and civil servants more tools at their disposal. We did it because agency heads who were trying to implement procedures in the name of national security were stymied. We did it because Federal employees, when surveyed, said they feel like they are surrounded by underperformers, and folks can't get rid of those underperformers in a capable and efficient way. We are responding to those changes.

When folks came to the Committee on Rules and said: We know how to do it better—and by ''folks,'' Mr. Speaker, I just want to be clear, I am not talking about Republican folks. I am talking about Republicans, Democrats, every Member of this Chamber who came to the Committee on Rules and said: I have a plan to do it better. We said: Bring your amendment to the floor of the House, and let's have a vote. Bring your amendment to the floor of the House, and let's have a vote.

Do not let someone tell you that when PAUL RYAN is trying to run an open facility that it is not happening right here in this Chamber. It is happening here today, and it happens over and over and over again. Every Member who does the hard work and the heavy lifting to craft an idea—not to craft a speech, Mr. Speaker, but to craft an amendment, not to come down here and make a point, but to come down

here and make a difference. Every single Member who said: I have a difference that I can make on this legislation, the Committee on Rules said: Bring your amendment to the floor, and we will have a vote.

Let's succeed together on the little things, Mr. Speaker. If the hard things were easy, we would have done them already. The hard things are hard, and that is the problem. Let's get together on these things that are common sense. Let's get together on these things that bring us together. Let's get together on these things where every single voice in the Chamber is being heard. Let's succeed, let's make a difference, and then let's come back tomorrow and do it again.

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

AN AMENDMENT TO H. RES. 803 OFFERED BY MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The question is on ordering the previous question.

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

Mr. POLIS. 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.

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 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.

HELPING FAMILIES IN MENTAL HEALTH CRISIS ACT OF 2016

Mr. MURPHY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2646) to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2646

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Helping Families in Mental Health Crisis Act of 2016".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ASSISTANT SECRETARY FOR MENTAL HEALTH AND SUBSTANCE USE

Sec. 101. Assistant Secretary for Mental Health and Substance Use.
Sec. 102. Improving oversight of mental health and substance use programs.
Sec. 103. National Mental Health and Substance Use Policy Laboratory.
Sec. 104. Peer-support specialist programs.
Sec. 105. Prohibition against lobbying using Federal funds by systems accepting Federal funds to protect and advocate the rights of individuals with mental illness.
Sec. 106. Reporting for protection and advocacy organizations.
Sec. 107. Grievance procedure.
Sec. 108. Center for Behavioral Health Statistics and Quality.
Sec. 109. Strategic plan.
Sec. 110. Authorities of centers for mental health services and substance abuse treatment.
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TITLE I—ASSISTANT SECRETARY FOR MENTAL HEALTH AND SUBSTANCE USE

SEC. 101. ASSISTANT SECRETARY FOR MENTAL HEALTH AND SUBSTANCE USE.

(a) ASSISTANT SECRETARY.—Section 501(c) of the Public Health Service Act (42 U.S.C. 290aa) is amended to read as follows:

''(c) ASSISTANT SECRETARY AND DEPUTY ASSISTANT SECRETARY.—

''(1) ASSISTANT SECRETARY.—

''(A) APPOINTMENT.—The Administration shall be headed by an official to be known as the Assistant Secretary for Mental Health and Substance Use (hereinafter in this title referred to as the 'Assistant Secretary') who shall be appointed by the President, by and with the advice and consent of the Senate.

''(B) QUALIFICATIONS.—In selecting the Assistant Secretary, the President shall give preference to individuals who have—

''(i) a doctoral degree in medicine, osteopathic medicine, or psychology;

''(ii) clinical and research experience regarding mental health and substance use disorders; and

''(iii) an understanding of biological, psychosocial, and pharmaceutical treatments of mental illness and substance use disorders.

''(2) DEPUTY ASSISTANT SECRETARY.—The Assistant Secretary, with the approval of the Secretary, may appoint a Deputy Assistant Secretary and may employ and prescribe the functions of such officers and employees, including attorneys, as are necessary to administer the activities to be carried out through the Administration.''.

(b) TRANSFER OF AUTHORITIES.—The Secretary of Health and Human Services shall delegate to the Assistant Secretary for Mental Health and Substance Use all duties and authorities that—

(1) as of the day before the date of enactment of this Act, were vested in the Administrator of the Substance Abuse and Mental Health Services Administration; and

(2) are not terminated by this Act.

(c) EVALUATION.—Section 501(d) of the Public Health Service Act (42 U.S.C. 290aa(d)) is amended—

(1) in paragraph (17), by striking ''and'' at the end;

(2) in paragraph (18), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(19) evaluate, in consultation with the Assistant Secretary for Financial Resources, the information used for oversight of grants under programs related to mental illness and substance use disorders, including co-occurring illness or disorders, administered by the Center for Mental Health Services;

''(20) periodically review Federal programs and activities relating to the diagnosis or prevention of, or treatment or rehabilitation for, mental illness and substance use disorders to identify any such programs or activities that have proven to be effective or efficient in improving outcomes or increasing access to evidence-based programs;

''(21) establish standards for the appointment of peer-review panels to evaluate grant applications and recommend standards for mental health grant programs; and''.

(d) STANDARDS FOR GRANT PROGRAMS.—Section 501(d) of the Public Health Service Act (42 U.S.C. 290aa(d)), as amended by subsection (c), is further amended by adding at the end the following:

''(22) in consultation with the National Mental Health and Substance Use Policy Laboratory, and after providing an opportunity for public input, set standards for grant programs under this title for mental health and substance use services, which may address—

''(A) the capacity of the grantee to implement the award;

''(B) requirements for the description of the program implementation approach;

''(C) the extent to which the grant plan submitted by the grantee as part of its application must explain how the grantee will reach the population of focus and provide a statement of need, including to what extent the grantee will increase the number of clients served and the estimated percentage of clients receiving services who report positive functioning after 6 months or no past-month substance use, as applicable;

''(D) the extent to which the grantee must collect and report on required performance measures; and

''(E) the extent to which the grantee is proposing evidence-based practices and the extent to which—

''(i) those evidence-based practices must be used with respect to a population similar to the population for which the evidence-based practices were shown to be effective; or

''(ii) if no evidence-based practice exists for a population of focus, the way in which the grantee will implement adaptations of evidence-based practices, promising practices, or cultural practices.''.

(e) EMERGENCY RESPONSE.—Section 501(m) of the Public Health Service Act (42 U.S.C. 290aa(m)) is amended by adding at the end the following:

''(4) AVAILABILITY OF FUNDS THROUGH FOLLOWING FISCAL YEAR.—Amounts made available for carrying out this subsection shall remain available through the end of the fiscal year following the fiscal year for which such amounts are appropriated.''.

(f) MEMBER OF COUNCIL ON GRADUATE MEDICAL EDUCATION.—Section 762 of the Public Health Service Act (42 U.S.C. 290o) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively; and

(B) by inserting after paragraph (3) the following:

''(4) the Assistant Secretary for Mental Health and Substance Use;''; and

(2) in subsection (c), by striking ''(4), (5), and (6)'' each place it appears and inserting ''(5), (6), and (7)''.

(g) CONFORMING AMENDMENTS.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by the previous provisions of this section, is further amended—

(1) by striking ''Administrator of the Substance Abuse and Mental Health Services Administration'' each place it appears and inserting ''Assistant Secretary for Mental Health and Substance Use''; and

(2) by striking ''Administrator'' each place it appears (including in any headings) and inserting ''Assistant Secretary'', except where the term ''Administrator'' appears—

(A) in each of subsections (e) and (f) of section 501 of such Act (42 U.S.C. 290aa), including the headings of such subsections, within the term ''Associate Administrator'';

(B) in section 507(b)(6) of such Act (42 U.S.C. 290bb(b)(6)), within the term ''Administrator of the Health Resources and Services Administration'';

(C) in section 507(b)(6) of such Act (42 U.S.C. 290bb(b)(6)), within the term ''Administrator of the Centers for Medicare & Medicaid Services'';

(D) in section 519B(c)(1)(B) of such Act (42 U.S.C. 290bb-25b(c)(1)(B)), within the term ''Administrator of the National Highway Traffic Safety Administration''; or

(E) in each of sections 519B(c)(1)(B), 520C(a), and 520D(a) of such Act (42 U.S.C. 290bb-25b(c)(1)(B), 290bb-34(a), 290bb-35(a)), within the term ''Administrator of the Office of Juvenile Justice and Delinquency Prevention''.

(h) REFERENCES.—After executing subsections (a), (b), and (f), any reference in statute, regulation, or guidance to the Administrator of the Substance Abuse and Mental Health Services Administration shall be construed to be a reference to the Assistant Secretary for Mental Health and Substance Use.

SEC. 102. IMPROVING OVERSIGHT OF MENTAL HEALTH AND SUBSTANCE USE PROGRAMS.

Title V of the Public Health Service Act is amended by inserting after section 501 of such Act (42 U.S.C. 290aa) the following:

''SEC. 501A. IMPROVING OVERSIGHT OF MENTAL HEALTH AND SUBSTANCE USE PROGRAMS.

''(a) ACTIVITIES.—For the purpose of ensuring efficient and effective planning and evaluation of mental illness and substance use disorder programs and related activities, the Assistant Secretary for Planning and Evaluation, in consultation with the Assistant Secretary for Mental Health and Substance Use, shall—

''(1) collect and organize relevant data on homelessness, involvement with the criminal justice system, hospitalizations, mortality outcomes, and other measures the Secretary deems appropriate from across Federal departments and agencies;

''(2) evaluate programs related to mental illness and substance use disorders, including co-occurring illness or disorders, across Federal departments and agencies, as appropriate, including programs related to—

''(A) prevention, intervention, treatment, and recovery support services, including such services for individuals with a serious mental illness or serious emotional disturbance;

''(B) the reduction of homelessness and involvement with the criminal justice system among individuals with a mental illness or substance use disorder; and

''(C) public health and health services; and

''(3) consult, as appropriate, with the Assistant Secretary, the Behavioral Health Coordinating Council of the Department of Health and Human Services, other agencies within the Department of Health and Human Services, and other relevant Federal departments.

''(b) RECOMMENDATIONS.—The Assistant Secretary for Planning and Evaluation shall develop an evaluation strategy that identifies priority programs to be evaluated by the Assistant Secretary and priority programs to be evaluated by other relevant agencies within the Department of Health and Human Services. The Assistant Secretary for Planning and Evaluation shall provide recommendations on improving programs and activities based on the evaluation described in subsection (a)(2) as needing improvement.''.

SEC. 103. NATIONAL MENTAL HEALTH AND SUBSTANCE USE POLICY LABORATORY.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by inserting after section 501A, as added by section 102 of this Act, the following:

''SEC. 501B. NATIONAL MENTAL HEALTH AND SUBSTANCE USE POLICY LABORATORY.

''(a) IN GENERAL.—There shall be established within the Administration a National Mental Health and Substance Use Policy Laboratory (referred to in this section as the 'Laboratory').

''(b) RESPONSIBILITIES.—The Laboratory shall—

''(1) continue to carry out the authorities and activities that were in effect for the Office of Policy, Planning, and Innovation as such Office existed prior to the date of enactment of the Helping Families in Mental Health Crisis Act of 2016;

''(2) identify, coordinate, and facilitate the implementation of policy changes likely to have a significant effect on mental health, mental illness, and the prevention and treatment of substance use disorder services;

''(3) collect, as appropriate, information from grantees under programs operated by the Administration in order to evaluate and disseminate information on evidence-based practices, including culturally and linguistically appropriate services, as appropriate, and service delivery models;

''(4) provide leadership in identifying and coordinating policies and programs, including evidence-based programs, related to mental illness and substance use disorders;

''(5) recommend ways in which payers may implement program and policy findings of the Administration and the Laboratory to improve outcomes and reduce per capita program costs;

''(6) in consultation with the Assistant Secretary for Planning and Evaluation, as appropriate, periodically review Federal programs and activities relating to the diagnosis or prevention of, or treatment or rehabilitation for, mental illness and substance use disorders, including by—

''(A) identifying any such programs or activities that are duplicative;

''(B) identifying any such programs or activities that are not evidence-based, effective, or efficient; and

''(C) formulating recommendations for coordinating, eliminating, or improving programs or activities identified under subparagraph (A) or (B) and merging such programs or activities into other successful programs or activities; and

''(7) carry out other activities as deemed necessary to continue to encourage innovation and disseminate evidence-based programs and practices, including programs and practices with scientific merit.

''(c) EVIDENCE-BASED PRACTICES AND SERVICE DELIVERY MODELS.—

''(1) IN GENERAL.—In selecting evidence-based best practices and service delivery models for evaluation and dissemination, the Laboratory—

''(A) shall give preference to models that improve—

''(i) the coordination between mental health and physical health providers;

''(ii) the coordination among such providers and the justice and corrections system; and

''(iii) the cost effectiveness, quality, effectiveness, and efficiency of health care services furnished to individuals with serious mental illness or serious emotional disturbance, in mental health crisis, or at risk to themselves, their families, and the general public; and

''(B) may include clinical protocols and practices used in the Recovery After Initial Schizophrenia Episode (RAISE) project and the North American Prodrome Longitudinal Study (NAPLS) of the National Institute of Mental Health.

''(2) DEADLINE FOR BEGINNING IMPLEMENTATION.—The Laboratory shall begin implementation of the duties described in this section not later than January 1, 2018.

''(3) CONSULTATION.—In carrying out the duties under this section, the Laboratory shall consult with—

''(A) representatives of the National Institute of Mental Health, the National Institute on Drug Abuse, and the National Institute on Alcohol Abuse and Alcoholism, on an ongoing basis;

''(B) other appropriate Federal agencies;

''(C) clinical and analytical experts with expertise in psychiatric medical care and clinical psychological care, health care management, education, corrections health care, and mental health court systems, as appropriate; and

''(D) other individuals and agencies as determined appropriate by the Assistant Secretary.''.

SEC. 104. PEER-SUPPORT SPECIALIST PROGRAMS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on peer-support specialist programs in up to 10 States (to be selected by the Comptroller General) that receive funding from the Substance Abuse and Mental Health Services Administration and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report containing the results of such study.

(b) CONTENTS OF STUDY.—In conducting the study under subsection (a), the Comptroller General of the United States shall examine and identify best practices in the selected States related to training and credential requirements for peer-support specialist programs, such as—

(1) hours of formal work or volunteer experience related to mental illness and substance use disorders conducted through such programs;

(2) types of peer-support specialist exams required for such programs in the States;

(3) codes of ethics used by such programs in the States;

(4) required or recommended skill sets of such programs in the State; and

(5) requirements for continuing education.

SEC. 105. PROHIBITION AGAINST LOBBYING USING FEDERAL FUNDS BY SYSTEMS ACCEPTING FEDERAL FUNDS TO PROTECT AND ADVOCATE THE RIGHTS OF INDIVIDUALS WITH MENTAL ILLNESS.

Section 105(a) of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10805(a)) is amended—

(1) in paragraph (9), by striking ''and'' at the end;

(2) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(11) agree to refrain, during any period for which funding is provided to the system under this part, from using Federal funds to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to

influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State or local government, including any legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local, or tribal government in policymaking and administrative processes within the executive branch of that government.''.

SEC. 106. REPORTING FOR PROTECTION AND ADVOCACY ORGANIZATIONS.

(a) PUBLIC AVAILABILITY OF REPORTS.—Section 105(a)(7) of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10805(a)(7)) is amended by striking ''is located a report'' and inserting ''is located, and make publicly available, a report''.

(b) DETAILED ACCOUNTING.—Section 114(a) of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10824(a)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) using data from the existing required annual program progress reports submitted by each system funded under this title, a detailed accounting for each such system of how funds are spent, disaggregated according to whether the funds were received from the Federal Government, the State government, a local government, or a private entity.''.

SEC. 107. GRIEVANCE PROCEDURE.

Section 105 of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10805), as amended, is further amended by adding at the end the following:

''(d) GRIEVANCE PROCEDURE.—The Secretary shall establish an independent grievance procedure for persons described in subsection (a)(9).''.

SEC. 108. CENTER FOR BEHAVIORAL HEALTH STATISTICS AND QUALITY.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended—

(1) in section 501(b) (42 U.S.C. 290aa(b)), by adding at the end the following:

''(4) The Center for Behavioral Health Statistics and Quality.'';

(2) in section 502(a)(1) (42 U.S.C. 290aa–1(a)(1))—

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

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

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

''(E) the Center for Behavioral Health Statistics and Quality.''; and

(3) in part B (42 U.S.C. 290bb et seq.) by adding at the end the following new subpart:

"Subpart 4—Center for Behavioral Health Statistics and Quality

"SEC. 520L. CENTER FOR BEHAVIORAL HEALTH STATISTICS AND QUALITY.

''(a) ESTABLISHMENT.—There is established in the Administration a Center for Behavioral Health Statistics and Quality (in this section referred to as the 'Center'). The Center shall be headed by a Director (in this section referred to as the 'Director') appointed by the Secretary from among individuals with extensive experience and academic qualifications in research and analysis in behavioral health care or related fields.

''(b) DUTIES.—The Director of the Center shall—

''(1) coordinate the Administration's integrated data strategy by coordinating—

''(A) surveillance and data collection (including that authorized by section 505);

''(B) evaluation;

''(C) statistical and analytic support;

''(D) service systems research; and

''(E) performance and quality information systems;

''(2) recommend a core set of measurement standards for grant programs administered by the Administration; and

''(3) coordinate evaluation efforts for the grant programs, contracts, and collaborative agreements of the Administration.

''(c) BIANNUAL REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section, and every 2 years thereafter, the Director of the Center shall submit to Congress a report on the quality of services furnished through grant programs of the Administration, including applicable measures of outcomes for individuals and public outcomes such as—

''(1) the number of patients screened positive for unhealthy alcohol use who receive brief counseling as appropriate; the number of patients screened positive for tobacco use and receiving smoking cessation interventions; the number of patients with a new diagnosis of major depressive episode who are assessed for suicide risk; the number of patients screened positive for clinical depression with a documented followup plan; and the number of patients with a documented pain assessment that have a followup treatment plan when pain is present; and satisfaction with care;

''(2) the incidence and prevalence of mental illness and substance use disorders; the number of suicide attempts and suicide completions; overdoses seen in emergency rooms resulting from alcohol and drug use; emergency room boarding; overdose deaths; emergency psychiatric hospitalizations; new criminal justice involvement while in treatment; stable housing; and rates of involvement in employment, education, and training; and

''(3) such other measures for outcomes of services as the Director may determine.

''(d) STAFFING COMPOSITION.—The staff of the Center may include individuals with advanced degrees and field expertise as well as clinical and research experience in mental illness and substance use disorders such as—

''(1) professionals with clinical and research expertise in the prevention and treatment of, and recovery from, mental illness and substance use disorders;

''(2) professionals with training and expertise in statistics or research and survey design and methodologies; and

''(3) other related fields in the social and behavioral sciences, as specified by relevant position descriptions.

''(e) GRANTS AND CONTRACTS.—In carrying out the duties established in subsection (b), the Director may make grants to, and enter into contracts and cooperative agreements with, public and nonprofit private entities.

''(f) DEFINITION.—In this section, the term 'emergency room boarding' means the practice of admitting patients to an emergency department and holding such patients in the department until inpatient psychiatric beds become available.''.

SEC. 109. STRATEGIC PLAN.

Section 501 of the Public Health Service Act (42 U.S.C. 290aa) is further amended—

(1) by redesignating subsections (l) through (o) as subsections (m) through (p), respectively; and

(2) by inserting after subsection (k) the following:

''(l) STRATEGIC PLAN.—

''(1) IN GENERAL.—Not later than December 1, 2017, and every 5 years thereafter, the Assistant Secretary shall develop and carry out a strategic plan in accordance with this subsection for the planning and operation of evidence-based programs and grants carried out by the Administration.

''(2) COORDINATION.—In developing and carrying out the strategic plan under this section, the Assistant Secretary shall take into consideration the report of the Interdepartmental Serious Mental Illness Coordinating Committee under section 301 of the Helping Families in Mental Health Crisis Act of 2016.

''(3) PUBLICATION OF PLAN.—Not later than December 1, 2017, and every 5 years thereafter, the Assistant Secretary shall—

''(A) submit the strategic plan developed under paragraph (1) to the appropriate committees of Congress; and

''(B) post such plan on the Internet website of the Administration.

''(4) CONTENTS.—The strategic plan developed under paragraph (1) shall—

''(A) identify strategic priorities, goals, and measurable objectives for mental illness and substance use disorder activities and programs operated and supported by the Administration, including priorities to prevent or eliminate the burden of mental illness and substance use disorders;

''(B) identify ways to improve services for individuals with a mental illness or substance use disorder, including services related to the prevention of, diagnosis of, intervention in, treatment of, and recovery from, mental illness or substance use disorders, including serious mental illness or serious emotional disturbance, and access to services and supports for individuals with a serious mental illness or serious emotional disturbance;

''(C) ensure that programs provide, as appropriate, access to effective and evidence-based prevention, diagnosis, intervention, treatment, and recovery services, including culturally and linguistically appropriate services, as appropriate, for individuals with a mental illness or substance use disorder;

''(D) identify opportunities to collaborate with the Health Resources and Services Administration to develop or improve—

''(i) initiatives to encourage individuals to pursue careers (especially in rural and underserved areas and populations) as psychiatrists, psychologists, psychiatric nurse practitioners, physician assistants, occupational therapists, clinical social workers, certified peer-support specialists, licensed professional counselors, or other licensed or certified mental health professionals, including such professionals specializing in the diagnosis, evaluation, or treatment of individuals with a serious mental illness or serious emotional disturbance; and

''(ii) a strategy to improve the recruitment, training, and retention of a workforce for the treatment of individuals with mental illness or substance use disorders, or co-occurring illness or disorders;

''(E) identify opportunities to improve collaboration with States, local governments, communities, and Indian tribes and tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)); and

''(F) specify a strategy to disseminate evidenced-based and promising best practices related to prevention, diagnosis, early intervention, treatment, and recovery services related to mental illness, particularly for individuals with a serious mental illness and children and adolescents with a serious emotional disturbance, and substance use disorders.''.

SEC. 110. AUTHORITIES OF CENTERS FOR MENTAL HEALTH SERVICES AND SUBSTANCE ABUSE TREATMENT.

(a) CENTER FOR MENTAL HEALTH SERVICES.—Section 520(b) of the Public Health Service Act (42 U.S.C. 290bb–31(b)) is amended—

(1) by redesignating paragraphs (3) through (15) as paragraphs (4) through (16), respectively;

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

''(3) collaborate with the Director of the National Institute of Mental Health to ensure that, as appropriate, programs related to the prevention and treatment of mental illness and the promotion of mental health are carried out in a manner that reflects the best available science and evidence-based practices, including culturally and linguistically appropriate services;'';

(3) in paragraph (5), as so redesignated, by inserting ''through policies and programs that reduce risk and promote resiliency'' before the semicolon;

(4) in paragraph (6), as so redesignated, by inserting ''in collaboration with the Director of the National Institute of Mental Health,'' before ''develop'';

(5) in paragraph (8), as so redesignated, by inserting '', increase meaningful participation of individuals with mental illness in programs and activities of the Administration,'' before ''and protect the legal'';

(6) in paragraph (10), as so redesignated, by striking ''professional and paraprofessional personnel pursuant to section 303'' and inserting ''paraprofessional personnel and health professionals'';

(7) in paragraph (11), as so redesignated, by inserting ''and telemental health,'' after ''rural mental health,'';

(8) in paragraph (12), as so redesignated, by striking ''establish a clearinghouse for mental health information to assure the widespread dissemination of such information'' and inserting ''disseminate mental health information, including evidenced-based practices,'';

(9) in paragraph (15), as so redesignated, by striking ''and'' at the end;

(10) in paragraph (16), as so redesignated, by striking the period and inserting ''; and''; and

(11) by adding at the end the following:

''(17) consult with other agencies and offices of the Department of Health and Human Services to ensure, with respect to each grant awarded by the Center for Mental Health Services, the consistent documentation of the application of criteria when awarding grants and the ongoing oversight of grantees after such grants are awarded.''.

(b) DIRECTOR OF THE CENTER FOR SUBSTANCE ABUSE TREATMENT.—Section 507 of the Public Health Service Act (42 U.S.C. 290bb) is amended—

(1) in subsection (a)—

(A) by striking ''treatment of substance abuse'' and inserting ''treatment of substance use disorders''; and

(B) by striking ''abuse treatment systems'' and inserting ''use disorder treatment systems''; and

(2) in subsection (b)—

(A) in paragraph (3), by striking ''abuse'' and inserting ''use disorder'';

(B) in paragraph (4), by striking ''individuals who abuse drugs'' and inserting ''individuals who use drugs'';

(C) in paragraph (9), by striking ''carried out by the Director'';

(D) by striking paragraph (10);

(E) by redesignating paragraphs (11) through (14) as paragraphs (10) through (13), respectively;

(F) in paragraph (12), as so redesignated, by striking ''; and'' and inserting a semicolon; and

(G) by striking paragraph (13), as so redesignated, and inserting the following:

''(13) ensure the consistent documentation of the application of criteria when awarding grants and the ongoing oversight of grantees after such grants are awarded; and

''(14) work with States, providers, and individuals in recovery, and their families, to promote the expansion of recovery support services and systems of care oriented towards recovery.''.

SEC. 111. ADVISORY COUNCILS.

Section 502(b) of the Public Health Service Act (42 U.S.C. 290aa–1(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (E), by striking ''and'' after the semicolon;

(B) by redesignating subparagraph (F) as subparagraph (I); and

(C) by inserting after subparagraph (E), the following:

''(F) for the advisory councils appointed under subsections (a)(1)(A) and (a)(1)(D), the Director of the National Institute of Mental Health;

''(G) for the advisory councils appointed under subsections (a)(1)(A), (a)(1)(B), and (a)(1)(C), the Director of the National Institute on Drug Abuse;

''(H) for the advisory councils appointed under subsections (a)(1)(A), (a)(1)(B), and (a)(1)(C), the Director of the National Institute on Alcohol Abuse and Alcoholism; and''; and

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

''(C) Not less than half of the members of the advisory council appointed under subsection (a)(1)(D)—

''(i) shall have—

''(I) a medical degree;

''(II) a doctoral degree in psychology; or

''(III) an advanced degree in nursing or social work from an accredited graduate school or be a certified physician assistant; and

''(ii) shall specialize in the mental health field.''.

SEC. 112. PEER REVIEW.

Section 504(b) of the Public Health Service Act (42 U.S.C. 290aa–3(b)) is amended by adding at the end the following: ''In the case of any such peer review group that is reviewing a grant, cooperative agreement, or contract related to mental illness treatment, not less than half of the members of such peer review group shall be licensed and experienced professionals in the prevention, diagnosis, or treatment of, or recovery from, mental illness or substance use disorders and have a medical degree, a doctoral degree in psychology, or an advanced degree in nursing or social work from an accredited program.''.

TITLE II—MEDICAID MENTAL HEALTH COVERAGE

SEC. 201. RULE OF CONSTRUCTION RELATED TO MEDICAID COVERAGE OF MENTAL HEALTH SERVICES AND PRIMARY CARE SERVICES FURNISHED ON THE SAME DAY.

Nothing in title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) shall be construed as prohibiting separate payment under the State plan under such title (or under a waiver of the plan) for the provision of a mental health service or primary care service under such plan, with respect to an individual, because such service is—

(1) a primary care service furnished to the individual by a provider at a facility on the same day a mental health service is furnished to such individual by such provider (or another provider) at the facility; or

(2) a mental health service furnished to the individual by a provider at a facility on the same day a primary care service is furnished to such individual by such provider (or another provider) at the facility.

SEC. 202. OPTIONAL LIMITED COVERAGE OF INPATIENT SERVICES FURNISHED IN INSTITUTIONS FOR MENTAL DISEASES.

(a) IN GENERAL.—Section 1903(m)(2) of the Social Security Act (42 U.S.C. 1396b(m)(2)) is amended by adding at the end the following new subparagraph:

''(I)(i) Notwithstanding the limitation specified in the subdivision (B) following paragraph (29) of section 1905(a) and subject to clause (ii), a State may, under a risk contract entered into by the State under this title (or under section 1115) with a medicaid managed care organization or a prepaid inpatient health plan (as defined in section 438.2 of title 42, Code of Federal Regulations (or any successor regulation)), make a monthly capitation payment to such organization or plan for enrollees with the organization or plan who are over 21 years of age and under 65 years of age and are receiving inpatient treatment in an institution for mental diseases (as defined in section 1905(i)), so long as each of the following conditions is met:

''(I) The institution is a hospital providing inpatient psychiatric or substance use disorder services or a sub-acute facility providing psychiatric or substance use disorder crisis residential services.

''(II) The length of stay in such an institution for such treatment is for a short-term stay of no more than 15 days during the period of the monthly capitation payment.

''(III) The provision of such treatment meets the following criteria for consideration as services or settings that are provided in lieu of services or settings covered under the State plan:

''(aa) The State determines that the alternative service or setting is a medically appropriate and cost-effective substitute for the service or setting covered under the State plan.

''(bb) The enrollee is not required by the managed care organization or prepaid inpatient health plan to use the alternative service or setting.

''(cc) Such treatment is authorized and identified in such contract, and will be offered to such enrollees at the option of the managed care organization or prepaid inpatient health plan.

''(ii) For purposes of setting the amount of such a monthly capitation payment, a State may use the utilization of services provided to an individual under this subparagraph when developing the inpatient psychiatric or substance use disorder component of such payment, but the amount of such payment for such services may not exceed the cost of the same services furnished through providers included under the State plan.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply beginning on July 5, 2016, or the date of the enactment of this Act, whichever is later.

SEC. 203. STUDY AND REPORT RELATED TO MEDICAID MANAGED CARE REGULATION.

(a) STUDY.—The Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall conduct a study on coverage under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) of services provided through a medicaid managed care organization (as defined in section 1903(m) of such Act (42 U.S.C. 1396b(m)) or a prepaid inpatient health plan (as defined in section 438.2 of title 42, Code of Federal Regulations (or any successor regulation)) with respect to individuals over the age of 21 and under the age of 65 for the treatment of a mental health disorder in institutions for mental diseases (as defined in section 1905(i) of such Act (42 U.S.C. 1396d(i))). Such study shall include information on the following:

(1) The extent to which States, including the District of Columbia and each territory or possession of the United States, are providing capitated payments to such organizations or plans for enrollees who are receiving services in institutions for mental diseases.

(2) The number of individuals receiving medical assistance under a State plan under such title XIX, or a waiver of such plan, who receive services in institutions for mental diseases through such organizations and plans.

(3) The range of and average number of months, and the length of stay during such months, that such individuals are receiving such services in such institutions.

(4) How such organizations or plans determine when to provide for the furnishing of such services through an institution for mental diseases in lieu of other benefits (including the full range of community-based services) under their contract with the State agency administering the State plan under such title XIX, or a waiver of such plan, to address psychiatric or substance use disorder treatment.

(5) The extent to which the provision of services within such institutions has affected the capitated payments for such organizations or plans.

(b) REPORT.—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under subsection (a).

SEC. 204. GUIDANCE ON OPPORTUNITIES FOR INNOVATION.

Not later than one year after the date of the enactment of this Act, the Administrator of the Centers for Medicare & Medicaid Services shall issue a State Medicaid Director letter regarding opportunities to design innovative service delivery systems, including systems for providing community-based services, for individuals with serious mental illness or serious emotional disturbance who are receiving medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.). The letter shall include opportunities for demonstration projects under section 1115 of such Act (42 U.S.C. 1315), to improve care for such individuals.

SEC. 205. STUDY AND REPORT ON MEDICAID EMERGENCY PSYCHIATRIC DEMONSTRATION PROJECT.

(a) COLLECTION OF INFORMATION.—The Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall, with respect to each State that has participated in the demonstration project established under section 2707 of the Patient Protection and Affordable Care Act (42 U.S.C. 1396a note), collect from each such State information on the following:

(1) The number of institutions for mental diseases (as defined in section 1905(i) of the Social Security Act (42 U.S.C. 1396d(i))) and beds in such institutions that received payment for the provision of services to individuals who receive medical assistance under a State plan under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (or under a waiver of such plan) through the demonstration project in each such State as compared to the total number of institutions for mental diseases and beds in the State.

(2) The extent to which there is a reduction in expenditures under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or other spending on the full continuum of physical or mental health care for individuals who receive treatment in an institution for mental diseases under the demonstration project, including outpatient, inpatient, emergency, and ambulatory care, that is attributable to such individuals receiving treatment in institutions for mental diseases under the demonstration project.

(3) The number of forensic psychiatric hospitals, the number of beds in such hospitals, and the number of forensic psychiatric beds in other hospitals in such State, based on the most recent data available, to the extent practical, as determined by such Administrator.

(4) The amount of any disproportionate share hospital payments under section 1923 of the Social Security Act (42 U.S.C. 1396r–4) that institutions for mental diseases in the State received during the period beginning on July 1, 2012, and ending on June 30, 2015, and the extent to which the demonstration project reduced the amount of such payments.

(5) The most recent data regarding all facilities or sites in the State in which any individuals with serious mental illness who are receiving medical assistance under a State plan under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (or under a waiver of such plan) are treated during the period referred to in paragraph (4), to the extent practical, as determined by the Administrator, including—

(A) the types of such facilities or sites (such as an institution for mental diseases, a hospital emergency department, or other inpatient hospital);

(B) the average length of stay in such a facility or site by such an individual, disaggregated by facility type; and

(C) the payment rate under the State plan (or a waivers of such plan) for services furnished to such an individual for that treatment, disaggregated by facility type, during the period in which the demonstration project is in operation.

(6) The extent to which the utilization of hospital emergency departments during the period in which the demonstration project was is in operation differed, with respect to individuals who are receiving medical assistance under a State plan under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (or under a waiver of such plan), between—

(A) those individuals who received treatment in an institution for mental diseases under the demonstration project;

(B) those individuals who met the eligibility requirements for the demonstration project but who did not receive treatment in an institution for mental diseases under the demonstration project; and

(C) those individuals with serious mental illness who did not meet such eligibility requirements and did not receive treatment for such illness in an institution for mental diseases.

(b) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that summarizes and analyzes the information collected under subsection (a). Such report may be submitted as part of the report required under section 2707(f) of the Patient Protection and Affordable Care Act (42 U.S.C. 1396a note) or separately.

SEC. 206. PROVIDING EPSDT SERVICES TO CHILDREN IN IMDS.

(a) IN GENERAL.—Section 1905(a)(16) of the Social Security Act (42 U.S.C. 1396d(a)(16)) is amended—

(1) by striking ''effective January 1, 1973'' and inserting ''(A) effective January 1, 1973''; and

(2) by inserting before the semicolon at the end the following: '', and, (B) for individuals receiving services described in subparagraph (A), early and periodic screening, diagnostic, and treatment services (as defined in subsection (r)), whether or not such screening, diagnostic, and treatment services are furnished by the provider of the services described in such subparagraph''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to items and services furnished in calendar quarters beginning on or after January 1, 2019.

SEC. 207. ELECTRONIC VISIT VERIFICATION SYSTEM REQUIRED FOR PERSONAL CARE SERVICES AND HOME HEALTH CARE SERVICES UNDER MEDICAID.

(a) IN GENERAL.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by inserting after subsection (k) the following new subsection:

''(l)(1) Subject to paragraphs (3) and (4), with respect to any amount expended for personal care services or home health care services requiring an in-home visit by a provider that are provided under a State plan under this title (or under a waiver of the plan) and furnished in a calendar quarter beginning on or after January 1, 2019 (or, in the case of home health care services, on or after January 1, 2023), unless a State requires the use of an electronic visit verification system for such services furnished in such quarter under the plan or such waiver, the Federal medical assistance percentage shall be reduced—

''(A) in the case of personal care services—

''(i) for calendar quarters in 2019 and 2020, by .25 percentage points;

''(ii) for calendar quarters in 2021, by .5 percentage points;

''(iii) for calendar quarters in 2022, by .75 percentage points; and

''(iv) for calendar quarters in 2023 and each year thereafter, by 1 percentage point; and

''(B) in the case of home health care services—

''(i) for calendar quarters in 2023 and 2024, by .25 percentage points;

''(ii) for calendar quarters in 2025, by .5 percentage points;

''(iii) for calendar quarters in 2026, by .75 percentage points; and

''(iv) for calendar quarters in 2027 and each year thereafter, by 1 percentage point.

''(2) Subject to paragraphs (3) and (4), in implementing the requirement for the use of an electronic visit verification system under paragraph (1), a State shall—

''(A) consult with agencies and entities that provide personal care services, home health care services, or both under the State plan (or under a waiver of the plan) to ensure that such system—

''(i) is minimally burdensome;

''(ii) takes into account existing best practices and electronic visit verification systems in use in the State; and

''(iii) is conducted in accordance with the requirements of HIPAA privacy and security law (as defined in section 3009 of the Public Health Service Act);

''(B) take into account a stakeholder process that includes input from beneficiaries, family caregivers, individuals who furnish personal care services or home health care services, and other stakeholders, as determined by the State in accordance with guidance from the Secretary; and

''(C) ensure that individuals who furnish personal care services, home health care services, or both under the State plan (or under a waiver of the plan) are provided the opportunity for training on the use of such system.

''(3) Paragraphs (1) and (2) shall not apply in the case of a State that, as of the date of the enactment of this subsection, requires the use of any system for the electronic verification of visits conducted as part of both personal care services and home health care services, so long as the State continues to require the use of such system with respect to the electronic verification of such visits.

''(4)(A) In the case of a State described in subparagraph (B), the reduction under paragraph (1) shall not apply—

''(i) in the case of personal care services, for calendar quarters in 2019; and

''(ii) in the case of home health care services, for calendar quarters in 2023.

''(B) For purposes of subparagraph (A), a State described in this subparagraph is a State that demonstrates to the Secretary that the State—

''(i) has made a good faith effort to comply with the requirements of paragraphs (1) and (2) (including by taking steps to adopt the technology used for an electronic visit verification system); or

''(ii) in implementing such a system, has encountered unavoidable system delays.

''(5) In this subsection:

''(A) The term 'electronic visit verification system' means, with respect to personal care services or home health care services, a system under which visits conducted as part of such services are electronically verified with respect to—

''(i) the type of service performed;

''(ii) the individual receiving the service;

''(iii) the date of the service;

''(iv) the location of service delivery;

''(v) the individual providing the service; and

''(vi) the time the service begins and ends.

''(B) The term 'home health care services' means services described in section 1905(a)(7) provided under a State plan under this title (or under a waiver of the plan).

''(C) The term 'personal care services' means personal care services provided under a State plan under this title (or under a waiver of the plan), including services provided under section 1905(a)(24), 1915(c), 1915(i), 1915(j), or 1915(k) or under a wavier under section 1115.

''(6)(A) In the case in which a State requires personal care service and home health care service providers to utilize an electronic visit verification system operated by the State or a contractor on behalf of the State, the Secretary shall pay to the State, for each quarter, an amount equal to 90 per centum of so much of the sums expended during such quarter as are attributable to the design, development, or installation of such system, and 75 per centum of so much of the sums for the operation and maintenance of such system.

''(B) Subparagraph (A) shall not apply in the case in which a State requires personal care service and home health care service providers to utilize an electronic visit verification system that is not operated by the State or a contractor on behalf of the State.''.

(b) COLLECTION AND DISSEMINATION OF BEST PRACTICES.—Not later than January 1, 2018, the Secretary of Health and Human Services shall, with respect to electronic visit verification systems (as defined in subsection (l)(5) of section 1903 of the Social Security Act (42 U.S.C. 1396b), as inserted by subsection (a)), collect and disseminate best practices to State Medicaid Directors with respect to—

(1) training individuals who furnish personal care services, home health care services, or both under the State plan under title XIX of such Act (or under a waiver of the plan) on such systems and the operation of such systems and the prevention of fraud with respect to the provision of personal care services or home health care services (as defined in such subsection (l)(5)); and

(2) the provision of notice and educational materials to family caregivers and beneficiaries with respect to the use of such electronic visit verification systems and other means to prevent such fraud.

(c) RULES OF CONSTRUCTION.—

(1) NO EMPLOYER-EMPLOYEE RELATIONSHIP ESTABLISHED.—Nothing in the amendment made by this section may be construed as establishing an employer-employee relationship between the agency or entity that provides for personal care services or home health care services and the individuals who, under a contract with such an agency or entity, furnish such services for purposes of part 552 of title 29, Code of Federal Regulations (or any successor regulations).

(2) NO PARTICULAR OR UNIFORM ELECTRONIC VISIT VERIFICATION SYSTEM REQUIRED.—Nothing in the amendment made by this section shall be construed to require the use of a particular or uniform electronic visit verification system (as defined in subsection (l)(5) of section 1903 of the Social Security Act (42 U.S.C. 1396b), as inserted by subsection (a)) by all agencies or entities that provide personal care services or home health care under a State plan under title XIX of the Social Security Act (or under a waiver of the plan) (42 U.S.C. 1396 et seq.).

(3) NO LIMITS ON PROVISION OF CARE.—Nothing in the amendment made by this section may be construed to limit, with respect to personal care services or home health care services provided under a State plan under title XIX of the Social Security Act (or under a waiver of the plan) (42 U.S.C. 1396 et seq.), provider selection, constrain beneficiaries' selection of a caregiver, or impede the manner in which care is delivered.

(4) NO PROHIBITION ON STATE QUALITY MEASURES REQUIREMENTS.—Nothing in the amendment made by this section shall be construed as prohibiting a State, in implementing an electronic visit verification system (as defined in subsection (l)(5) of section 1903 of the Social Security Act (42 U.S.C. 1396b), as inserted by subsection (a)), from establishing requirements related to quality measures for such system.

TITLE III—INTERDEPARTMENTAL SERIOUS MENTAL ILLNESS COORDINATING COMMITTEE

SEC. 301. INTERDEPARTMENTAL SERIOUS MENTAL ILLNESS COORDINATING COMMITTEE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Secretary of Health and Human Services, or the designee of the Secretary, shall establish a committee to be known as the ''Interdepartmental Serious Mental Illness Coordinating Committee'' (in this section referred to as the ''Committee'').

(2) FEDERAL ADVISORY COMMITTEE ACT.—Except as provided in this section, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

(b) MEETINGS.—The Committee shall meet not fewer than 2 times each year.

(c) RESPONSIBILITIES.—Not later than 1 year after the date of enactment of this Act, and 5 years after such date of enactment, the Committee shall submit to Congress a report including—

(1) a summary of advances in serious mental illness and serious emotional disturbance research related to the prevention of, diagnosis of, intervention in, and treatment and recovery of, serious mental illnesses, serious emotional disturbances, and advances in access to services and support for individuals with a serious mental illness or serious emotional disturbance;

(2) an evaluation of the effect on public health of Federal programs related to serious mental illness or serious emotional disturbance, including measurements of public health outcomes such as—

(A) rates of suicide, suicide attempts, prevalence of serious mental illness, serious emotional disturbances, and substance use disorders, overdose, overdose deaths, emergency hospitalizations, emergency room boarding, preventable emergency room visits, involvement with the criminal justice system, crime, homelessness, and unemployment;

(B) increased rates of employment and enrollment in educational and vocational programs;

(C) quality of mental illness and substance use disorder treatment services; and

(D) any other criteria as may be determined by the Secretary;

(3) a plan to improve outcomes for individuals with serious mental illness or serious emotional disturbances, including reducing incarceration for such individuals, reducing homelessness, and increasing employment; and

(4) specific recommendations for actions that agencies can take to better coordinate the administration of mental health services for people with serious mental illness or serious emotional disturbances.

(d) COMMITTEE EXTENSION.—Upon the submission of the second report under subsection (c), the Secretary shall submit a recommendation to Congress on whether to extend the operation of the Committee.

(e) MEMBERSHIP.—

(1) FEDERAL MEMBERS.—The Committee shall be composed of the following Federal representatives, or their designees:

(A) The Secretary of Health and Human Services, who shall serve as the Chair of the Committee.

(B) The Director of the National Institutes of Health.

(C) The Assistant Secretary for Health of the Department of Health and Human Services.

(D) The Assistant Secretary for Mental Health and Substance Use.

(E) The Attorney General of the United States.

(F) The Secretary of Veterans Affairs.

(G) The Secretary of Defense.

(H) The Secretary of Housing and Urban Development.

(I) The Secretary of Education.

(J) The Secretary of Labor.

(K) The Commissioner of Social Security.

(L) The Administrator of the Centers for Medicare & Medicaid Services.

(2) NON-FEDERAL MEMBERS.—The Committee shall also include not less than 14 non-Federal public members appointed by the Secretary of Health and Human Services, of which—

(A) at least 2 members shall be individuals with lived experience with serious mental illness or serious emotional disturbance;

(B) at least 1 member shall be a parent or legal guardian of an individual with a history of a serious mental illness or serious emotional disturbance;

(C) at least 1 member shall be a representative of a leading research, advocacy, or service organization for individuals with serious mental illness or serious emotional disturbance;

(D) at least 2 members shall be—

(i) a licensed psychiatrist with experience treating serious mental illnesses or serious emotional disturbances;

(ii) a licensed psychologist with experience treating serious mental illnesses or serious emotional disturbances;

(iii) a licensed clinical social worker with experience treating serious mental illness or serious emotional disturbances; or

(iv) a licensed psychiatric nurse, nurse practitioner, or physician assistant with experience treating serious mental illnesses or serious emotional disturbances;

(E) at least 1 member shall be a licensed mental health professional with a specialty in treating children and adolescents with serious emotional disturbances;

(F) at least 1 member shall be a mental health professional who has research or clinical mental health experience working with minorities;

(G) at least 1 member shall be a mental health professional who has research or clinical mental health experience working with medically underserved populations;

(H) at least 1 member shall be a State certified mental health peer-support specialist;

(I) at least 1 member shall be a judge with experience adjudicating cases within a mental health court;

(J) at least 1 member shall be a law enforcement officer or corrections officer with extensive experience in interfacing with individuals with a serious mental illness or serious emotional disturbance, or in a mental health crisis; and

(K) at least 1 member shall be a homeless services provider with experience working with individuals with serious mental illness, with serious emotional disturbance, or having mental health crisis.

(3) TERMS.—A member of the Committee appointed under paragraph (2) shall serve for a term of 3 years, and may be reappointed for one or more additional 3-year terms. Any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of such term. A member may serve after the expiration of the member's term until a successor has been appointed.

(f) WORKING GROUPS.—In carrying out its functions, the Committee may establish working groups. Such working groups shall be composed of Committee members, or their designees, and may hold such meetings as are necessary.

(g) SUNSET.—The Committee shall terminate on the date that is 6 years after the date on which the Committee is established under subsection (a)(1).

TITLE IV—COMPASSIONATE COMMUNICATION ON HIPAA

SEC. 401. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) The vast majority of individuals with mental illness are capable of understanding their illness and caring for themselves.

(2) Persons with serious mental illness (in this section referred to as ''SMI''), including schizophrenia spectrum, bipolar disorders, and major depressive disorder, may be significantly impaired in their ability to understand or make sound decisions for their care and needs. By nature of their illness, cognitive impairments in reasoning and judgment, as well as the presence of hallucinations, delusions, and severe emotional distortions, they may lack the awareness they even have a mental illness (a condition known as anosognosia), and thus may be unable to make sound decisions regarding their care, nor follow through consistently and effectively on their care needs.

(3) Persons with mental illness or SMI may require and benefit from mental health treatment in order to recover to the fullest extent of their ability; these beneficial interventions may include psychiatric care, psychological care, medication, peer support, educational support, employment support, and housing support.

(4) Persons with SMI who are provided with professional and supportive services may still experience times when their symptoms may greatly impair their abilities to make sound decisions for their personal care or may discontinue their care as a result of this impaired decisionmaking resulting in a further deterioration of their condition. They may experience a temporary or prolonged impairment as a result of their diminished capacity to care for themselves.

(5) Episodes of psychiatric crises among those with SMI can result in neurological harm to the individual's brain.

(6) Persons with SMI—

(A) are at high risk for other chronic physical illnesses, with approximately 50 percent having two or more co-occurring chronic physical illnesses such as cardiac, pulmonary, cancer, and endocrine disorders; and

(B) have three times the odds of having chronic bronchitis, five times the odds of having emphysema, and four times the odds of having COPD, are more than four times as likely to have fluid and electrolyte disorders, and are nearly three times as likely to be nicotine dependent.

(7) Some psychotropic medications, such as second generation antipsychotics, significantly increase risk for chronic illnesses such as diabetes and cardiovascular disease.

(8) When the individual fails to seek or maintain treatment for these physical conditions over a long term, it can result in the individual becoming gravely disabled, or developing life-threatening illnesses. Early and consistent treatment can ameliorate or reduce symptoms or cure the disease.

(9) Persons with SMI die 7 to 24 years earlier than their age cohorts primarily because of complications from their chronic physical illness and failure to seek or maintain treatment resulting from emotional and cognitive impairments from their SMI.

(10) It is beneficial to the person with SMI and chronic illness to seek and maintain continuity of medical care and treatment for their mental illness to prevent further deterioration and harm to their own safety.

(11) When the individual with SMI is significantly diminished in their capacity to care for themselves long term or acutely, other supportive interventions to assist their care may be necessary to protect their health and safety.

(12) Prognosis for the physical and psychiatric health of those with SMI may improve when responsible caregivers facilitate and participate in care.

(13) When an individual with SMI is chronically incapacitated in their ability to care for themselves, caregivers can pursue legal guardianship to facilitate care in appropriate areas while being mindful to allow the individual to make decisions for themselves in areas where they are capable.

(14) Individuals with SMI who have prolonged periods of being significantly functional can, during such periods, design and sign an advanced directive to predefine and choose medications, providers, treatment plans, and hospitals, and provide caregivers with guardianship the ability to help in those times when a patient's psychiatric symptoms worsen to the point of making them incapacitated or leaving them with a severely diminished capacity to make informed decisions about their care which may result in harm to their physical and mental health.

(15) All professional and support efforts should be made to help the individual with SMI and acute or chronic physical illnesses to understand and follow through on treatment.

(16) When individuals with SMI, even after efforts to help them understand, have failed to care for themselves, there exists confusion in the health care community around what is currently permissible under HIPAA rules. This confusion may hinder communication with responsible caregivers who may be able to facilitate care for the patient with SMI in instances when the individual does not give permission for disclosure.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that, for the sake of the health and safety of persons with serious mental illness, more clarity is needed surrounding the existing HIPAA privacy rule promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act (42 U.S.C. 1320d–2 note) to permit health care professionals to communicate, when necessary, with responsible known caregivers of such persons, the limited, appropriate protected health information of such persons in order to facilitate treatment, but not including psychotherapy notes.

SEC. 402. CONFIDENTIALITY OF RECORDS.

Not later than one year after the date on which the Secretary of Health and Human Services first finalizes regulations updating part 2 of title 42, Code of Federal Regulations (relating to confidentiality of alcohol and drug abuse patient records) after the date of enactment of this Act, the Secretary shall convene relevant stakeholders to determine the effect of such regulations on patient care, health outcomes, and patient privacy. The Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and make publicly available, a report on the findings of such stakeholders.

SEC. 403. CLARIFICATION OF CIRCUMSTANCES UNDER WHICH DISCLOSURE OF PROTECTED HEALTH INFORMATION IS PERMITTED.

(a) IN GENERAL.—Not later than one year after the date of enactment of this section, the Secretary of Health and Human Services shall promulgate final regulations clarifying the circumstances under which, consistent with the provisions of subpart C of title XI of the Social Security Act (42 U.S.C. 1320d et seq.) and regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), a health care provider or covered entity may disclose the protected health information of a patient with a mental illness, including for purposes of—

(1) communicating (including with respect to treatment, side effects, risk factors, and the availability of community resources) with a family member of such patient, caregiver of such patient, or other individual to the extent that such family member, caregiver, or individual is involved in the care of the patient;

(2) communicating with a family member of the patient, caregiver of such patient, or other individual involved in the care of the patient in the case that the patient is an adult;

(3) communicating with the parent or caregiver of a patient in the case that the patient is a minor;

(4) considering the patient's capacity to agree or object to the sharing of the protected health information of the patient;

(5) communicating and sharing information with the family or caregivers of the patient when—

(A) the patient consents;

(B) the patient does not consent, but the patient lacks the capacity to agree or object and the communication or sharing of information is in the patient's best interest;

(C) the patient does not consent and the patient is not incapacitated or in an emergency circumstance, but the ability of the patient to make rational health care decisions is significantly diminished by reason of the physical or mental health condition of the patient; and

(D) the patient does not consent, but such communication and sharing of information is necessary to prevent impending and serious deterioration of the patient's mental or physical health;

(6) involving a patient's family members, caregivers, or others involved in the patient's care or care plan, including facilitating treatment and medication adherence,

in dealing with patient failures to adhere to medication or other therapy;

(7) listening to or receiving information with respect to the patient from the family or caregiver of such patient receiving mental illness treatment;

(8) communicating with family members of the patient, caregivers of the patient, law enforcement, or others when the patient presents a serious and imminent threat of harm to self or others; and

(9) communicating to law enforcement and family members of the patient or caregivers of the patient about the admission of the patient to receive care at a facility or the release of a patient who was admitted to a facility for an emergency psychiatric hold or involuntary treatment.

(b) COORDINATION.—The Secretary of Health and Human Services shall carry out this section in coordination with the Director of the Office for Civil Rights within the Department of Health and Human Services.

(c) CONSISTENCY WITH GUIDANCE.—The Secretary of Health and Human Services shall ensure that the regulations under this section are consistent with the guidance entitled ''HIPAA Privacy Rule and Sharing Information Related to Mental Health'', issued by the Department of Health and Human Services on February 20, 2014.

SEC. 404. DEVELOPMENT AND DISSEMINATION OF MODEL TRAINING PROGRAMS.

(a) INITIAL PROGRAMS AND MATERIALS.—Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall develop and disseminate—

(1) a model program and materials for training health care providers (including physicians, emergency medical personnel, psychologists, counselors, therapists, behavioral health facilities and clinics, care managers, and hospitals) regarding the circumstances under which, consistent with the standards governing the privacy and security of individually identifiable health information promulgated by the Secretary under subpart C of title XI of the Social Security Act (42 U.S.C. 1320d et seq.) and regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), the protected health information of patients with a mental illness may be disclosed with and without patient consent;

(2) a model program and materials for training lawyers and others in the legal profession on such circumstances; and

(3) a model program and materials for training patients and their families regarding their rights to protect and obtain information under the standards specified in paragraph (1).

(b) PERIODIC UPDATES.—The Secretary shall—

(1) periodically review and update the model programs and materials developed under subsection (a); and

(2) disseminate the updated model programs and materials.

(c) CONTENTS.—The programs and materials developed under subsection (a) shall address the guidance entitled ''HIPAA Privacy Rule and Sharing Information Related to Mental Health'', issued by the Department of Health and Human Services on February 20, 2014.

(d) COORDINATION.—The Secretary shall carry out this section in coordination with the Director of the Office for Civil Rights within the Department of Health and Human Services, the Assistant Secretary for Mental Health and Substance Use, the Administrator of the Health Resources and Services Administration, and the heads of other relevant agencies within the Department of Health and Human Services.

(e) INPUT OF CERTAIN ENTITIES.—In developing the model programs and materials required by subsections (a) and (b), the Secretary shall solicit the input of relevant national, State, and local associations, medical societies, and licensing boards.

(f) FUNDING.—There are authorized to be appropriated to carry out this section $4,000,000 for fiscal year 2018, $2,000,000 for each of fiscal years 2019 and 2020, and $1,000,000 for each of fiscal years 2021 and 2022.

TITLE V—INCREASING ACCESS TO TREATMENT FOR SERIOUS MENTAL ILLNESS

SEC. 501. ASSERTIVE COMMUNITY TREATMENT GRANT PROGRAM FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS.

Part B of title V of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended by inserting after section 520L the following:

''SEC. 520M. ASSERTIVE COMMUNITY TREATMENT GRANT PROGRAM FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS.

''(a) IN GENERAL.—The Assistant Secretary shall award grants to eligible entities—

''(1) to establish assertive community treatment programs for individuals with serious mental illness; or

''(2) to maintain or expand such programs.

''(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be a State, county, city, tribe, tribal organization, mental health system, health care facility, or any other entity the Assistant Secretary deems appropriate.

''(c) SPECIAL CONSIDERATION.—In selecting among applicants for a grant under this section, the Assistant Secretary may give special consideration to the potential of the applicant's program to reduce hospitalization, homelessness, and involvement with the criminal justice system while improving the health and social outcomes of the patient.

''(d) ADDITIONAL ACTIVITIES.—The Assistant Secretary shall—

''(1) not later than the end of fiscal year 2021, submit a report to the appropriate congressional committees on the grant program under this section, including an evaluation of—

''(A) cost savings and public health outcomes such as mortality, suicide, substance abuse, hospitalization, and use of services;

''(B) rates of involvement with the criminal justice system of patients;

''(C) rates of homelessness among patients; and

''(D) patient and family satisfaction with program participation; and

''(2) provide appropriate information, training, and technical assistance to grant recipients under this section to help such recipients to establish, maintain, or expand their assertive community treatment programs.

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—To carry out this section, there is authorized to be appropriated $5,000,000 for the period of fiscal years 2018 through 2022.

''(2) USE OF CERTAIN FUNDS.—Of the funds appropriated to carry out this section in any fiscal year, no more than 5 percent shall be available to the Assistant Secretary for carrying out subsection (d).''.

SEC. 502. STRENGTHENING COMMUNITY CRISIS RESPONSE SYSTEMS.

Section 520F of the Public Health Service Act (42 U.S.C. 290bb–37) is amended to read as follows:

''SEC. 520F. STRENGTHENING COMMUNITY CRISIS RESPONSE SYSTEMS.

''(a) IN GENERAL.—The Secretary shall award competitive grants—

''(1) to State and local governments and Indian tribes and tribal organizations to enhance community-based crisis response systems; or

''(2) to States to develop, maintain, or enhance a database of beds at inpatient psychiatric facilities, crisis stabilization units, and residential community mental health and residential substance use disorder treatment facilities, for individuals with serious mental illness, serious emotional disturbance, or substance use disorders.

''(b) APPLICATION.—

''(1) IN GENERAL.—To receive a grant or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require.

''(2) COMMUNITY-BASED CRISIS RESPONSE PLAN.—An application for a grant under subsection (a)(1) shall include a plan for—

''(A) promoting integration and coordination between local public and private entities engaged in crisis response, including first responders, emergency health care providers, primary care providers, law enforcement, court systems, health care payers, social service providers, and behavioral health providers;

''(B) developing a plan for entering into memoranda of understanding with public and private entities to implement crisis response services;

''(C) expanding the continuum of community-based services to address crisis intervention and prevention; and

''(D) developing models for minimizing hospital readmissions, including through appropriate discharge planning.

''(3) BEDS DATABASE PLAN.—An application for a grant under subsection (a)(2) shall include a plan for developing, maintaining, or enhancing a real-time Internet-based bed database to collect, aggregate, and display information about beds in inpatient psychiatric facilities and crisis stabilization units, and residential community mental health and residential substance use disorder treatment facilities, to facilitate the identification and designation of facilities for the temporary treatment of individuals in mental or substance use disorder crisis.

''(c) DATABASE REQUIREMENTS.—A bed database described in this section is a database that—

''(1) includes information on inpatient psychiatric facilities, crisis stabilization units, and residential community mental health and residential substance use disorder facilities in the State involved, including contact information for the facility or unit;

''(2) provides real-time information about the number of beds available at each facility or unit and, for each available bed, the type of patient that may be admitted, the level of security provided, and any other information that may be necessary to allow for the proper identification of appropriate facilities for treatment of individuals in mental or substance use disorder crisis; and

''(3) enables searches of the database to identify available beds that are appropriate for the treatment of individuals in mental or substance use disorder crisis.

''(d) EVALUATION.—An entity receiving a grant under subsection (a)(1) shall submit to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require, a report, including an evaluation of the effect of such grant on—

''(1) local crisis response services and measures of individuals receiving crisis planning and early intervention supports;

''(2) individuals reporting improved functional outcomes; and

''(3) individuals receiving regular followup care following a crisis.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section, $5,000,000 for the period of fiscal years 2018 through 2022.''.

SEC. 503. INCREASED AND EXTENDED FUNDING FOR ASSISTED OUTPATIENT GRANT PROGRAM FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS.

Section 224(g) of the Protecting Access to Medicare Act of 2014 (42 U.S.C. 290aa note) is amended—

(1) in paragraph (1), by striking ''2018'' and inserting ''2022''; and

(2) in paragraph (2), by striking ''is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2015 through 2018'' and inserting ''are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2015 through 2017, $20,000,000 for fiscal year 2018, $19,000,000 for each of fiscal years 2019 and 2020, and $18,000,000 for each of fiscal years 2021 and 2022''.

SEC. 504. LIABILITY PROTECTIONS FOR HEALTH PROFESSIONAL VOLUNTEERS AT COMMUNITY HEALTH CENTERS.

Section 224 of the Public Health Service Act (42 U.S.C. 233) is amended by adding at the end the following:

''(q)(1) For purposes of this section, a health professional volunteer at an entity described in subsection (g)(4) shall, in providing a health professional service eligible for funding under section 330 to an individual, be deemed to be an employee of the Public Health Service for a calendar year that begins during a fiscal year for which a transfer was made under paragraph (4)(C). The preceding sentence is subject to the provisions of this subsection.

''(2) In providing a health service to an individual, a health care practitioner shall for purposes of this subsection be considered to be a health professional volunteer at an entity described in subsection (g)(4) if the following conditions are met:

''(A) The service is provided to the individual at the facilities of an entity described in subsection (g)(4), or through offsite programs or events carried out by the entity.

''(B) The entity is sponsoring the health care practitioner pursuant to paragraph (3)(B).

''(C) The health care practitioner does not receive any compensation for the service from the individual or from any third-party payer (including reimbursement under any insurance policy or health plan, or under any Federal or State health benefits program), except that the health care practitioner may receive repayment from the entity described in subsection (g)(4) for reasonable expenses incurred by the health care practitioner in the provision of the service to the individual.

''(D) Before the service is provided, the health care practitioner or the entity described in subsection (g)(4) posts a clear and conspicuous notice at the site where the service is provided of the extent to which the legal liability of the health care practitioner is limited pursuant to this subsection.

''(E) At the time the service is provided, the health care practitioner is licensed or certified in accordance with applicable law regarding the provision of the service.

''(3) Subsection (g) (other than paragraphs (3) and (5)) and subsections (h), (i), and (l) apply to a health care practitioner for purposes of this subsection to the same extent and in the same manner as such subsections apply to an officer, governing board member, employee, or contractor of an entity described in subsection (g)(4), subject to paragraph (4) and subject to the following:

''(A) The first sentence of paragraph (1) applies in lieu of the first sentence of subsection (g)(1)(A).

''(B) With respect to an entity described in subsection (g)(4), a health care practitioner is not a health professional volunteer at such entity unless the entity sponsors the health care practitioner. For purposes of this subsection, the entity shall be considered to be sponsoring the health care practitioner if—

''(i) with respect to the health care practitioner, the entity submits to the Secretary an application meeting the requirements of subsection (g)(1)(D); and

''(ii) the Secretary, pursuant to subsection (g)(1)(E), determines that the health care practitioner is deemed to be an employee of the Public Health Service.

''(C) In the case of a health care practitioner who is determined by the Secretary pursuant to subsection (g)(1)(E) to be a health professional volunteer at such entity, this subsection applies to the health care practitioner (with respect to services performed on behalf of the entity sponsoring the health care practitioner pursuant to subparagraph (B)) for any cause of action arising from an act or omission of the health care practitioner occurring on or after the date on which the Secretary makes such determination.

''(D) Subsection (g)(1)(F) applies to a health care practitioner for purposes of this subsection only to the extent that, in providing health services to an individual, each of the conditions specified in paragraph (2) is met.

''(4)(A) Amounts in the fund established under subsection (k)(2) shall be available for transfer under subparagraph (C) for purposes of carrying out this subsection.

''(B) Not later May 1 of each fiscal year, the Attorney General, in consultation with the Secretary, shall submit to the Congress a report providing an estimate of the amount of claims (together with related fees and expenses of witnesses) that, by reason of the acts or omissions of health professional volunteers, will be paid pursuant to this section during the calendar year that begins in the following fiscal year. Subsection (k)(1)(B) applies to the estimate under the preceding sentence regarding health professional volunteers to the same extent and in the same manner as such subsection applies to the estimate under such subsection regarding officers, governing board members, employees, and contractors of entities described in subsection (g)(4).

''(C) Not later than December 31 of each fiscal year, the Secretary shall transfer from the fund under subsection (k)(2) to the appropriate accounts in the Treasury an amount equal to the estimate made under subparagraph (B) for the calendar year beginning in such fiscal year, subject to the extent of amounts in the fund.

''(5)(A) This subsection takes effect on October 1, 2017, except as provided in subparagraph (B).

''(B) Effective on the date of the enactment of this subsection—

''(i) the Secretary may issue regulations for carrying out this subsection, and the Secretary may accept and consider applications submitted pursuant to paragraph (3)(B); and

''(ii) reports under paragraph (4)(B) may be submitted to the Congress.''.

TITLE VI—SUPPORTING INNOVATIVE AND EVIDENCE-BASED PROGRAMS

Subtitle A—Encouraging the Advancement, Incorporation, and Development of Evidence-Based Practices

SEC. 601. ENCOURAGING INNOVATION AND EVIDENCE-BASED PROGRAMS.

Section 501B of the Public Health Service Act, as inserted by section 103, is further amended, by inserting after subsection (c) the following new subsection:

''(d) PROMOTING INNOVATION.—

''(1) IN GENERAL.—The Assistant Secretary, in coordination with the Laboratory, may award grants to States, local governments, Indian tribes or tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act), educational institutions, and nonprofit organizations to develop evidence-based interventions, including culturally and linguistically appropriate services, as appropriate, for—

''(A) evaluating a model that has been scientifically demonstrated to show promise, but would benefit from further applied development, for—

''(i) enhancing the prevention, diagnosis, intervention, treatment, and recovery of mental illness, serious emotional disturbance, substance use disorders, and co-occurring illness or disorders; or

''(ii) integrating or coordinating physical health services and mental illness and substance use disorder services; and

''(B) expanding, replicating, or scaling evidence-based programs across a wider area to enhance effective screening, early diagnosis, intervention, and treatment with respect to mental illness, serious mental illness, and serious emotional disturbance, primarily by—

''(i) applying delivery of care, including training staff in effective evidence-based treatment; or

''(ii) integrating models of care across specialties and jurisdictions.

''(2) CONSULTATION.—In awarding grants under this paragraph, the Assistant Secretary shall, as appropriate, consult with the advisory councils described in section 502, the National Institute of Mental Health, the National Institute on Drug Abuse, and the National Institute on Alcohol Abuse and Alcoholism, as appropriate.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

''(A) to carry out paragraph (1)(A), $7,000,000 for the period of fiscal years 2018 through 2020; and

''(B) to carry out paragraph (1)(B), $7,000,000 for the period of fiscal years 2018 through 2020.''.

SEC. 602. PROMOTING ACCESS TO INFORMATION ON EVIDENCE-BASED PROGRAMS AND PRACTICES.

Part D of title V of the Public Health Service Act is amended by inserting after section 543 of such Act (42 U.S.C. 290dd–2) the following:

''SEC. 544. PROMOTING ACCESS TO INFORMATION ON EVIDENCE-BASED PROGRAMS AND PRACTICES.

''(a) IN GENERAL.—The Assistant Secretary shall improve access to reliable and valid information on evidence-based programs and practices, including information on the strength of evidence associated with such programs and practices, related to mental illness and substance use disorders for States, local communities, nonprofit entities, and other stakeholders by posting on the website of the National Registry of Evidence-Based Programs and Practices evidence-based programs and practices that have been reviewed by the Assistant Secretary pursuant to the requirements of this section.

''(b) NOTICE.—

''(1) PERIODS.—In carrying out subsection (a), the Assistant Secretary may establish an initial period for the submission of applications for evidence-based programs and practices to be posted publicly in accordance with subsection (a) (and may establish subsequent such periods). The Assistant Secretary shall publish notice of such application periods in the Federal Register.

''(2) ADDRESSING GAPS.—Such notice may solicit applications for evidence-based practices and programs to address gaps in information identified by the Assistant Secretary, the Assistant Secretary for Planning

and Evaluation, the Assistant Secretary for Financial Resources, or the National Mental Health and Substance Use Policy Laboratory, including pursuant to priorities identified in the strategic plan established under section 501(l).

''(c) REQUIREMENTS.—The Assistant Secretary shall establish minimum requirements for applications referred to in this section, including applications related to the submission of research and evaluation.

''(d) REVIEW AND RATING.—The Assistant Secretary shall review applications prior to public posting, and may prioritize the review of applications for evidence-based practices and programs that are related to topics included in the notice established under subsection (b). The Assistant Secretary shall utilize a rating and review system, which shall include information on the strength of evidence associated with such programs and practices and a rating of the methodological rigor of the research supporting the application. The Assistant Secretary shall make the metrics used to evaluate applications and the resulting ratings publicly available.''.

SEC. 603. SENSE OF CONGRESS.

It is the sense of the Congress that the National Institute of Mental Health should conduct or support research on the determinants of self-directed and other violence connected to mental illness.

Subtitle B—Supporting the State Response to Mental Health Needs

SEC. 611. COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT.

(a) FORMULA GRANTS.—Section 1911(b) of the Public Health Service Act (42 U.S.C. 300x(b)) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(2) by inserting before paragraph (2) (as so redesignated), the following:

''(1) providing community mental health services for adults with a serious mental illness and children with a serious emotional disturbance as defined in accordance with section 1912(c);''.

(b) STATE PLAN.—Subsection (b) of section 1912 of the Public Health Service Act (42 U.S.C. 300x–1) is amended to read as follows:

''(b) CRITERIA FOR PLAN.—The criteria specified in this subsection are as follows:

''(1) SYSTEM OF CARE.—The plan provides a description of the system of care of the State, including as follows:

''(A) COMPREHENSIVE COMMUNITY-BASED HEALTH SYSTEMS.—The plan shall—

''(i) identify the single State agency to be responsible for the administration of the program under the grant and any third party with whom the agency will contract (subject to such third party complying with the requirements of this part) for administering mental health services through such program;

''(ii) provide for an organized community-based system of care for individuals with mental illness, and describe available services and resources in a comprehensive system of care, including services for individuals with mental health and behavioral health co-occurring illness or disorders;

''(iii) include a description of the manner in which the State and local entities will coordinate services to maximize the efficiency, effectiveness, quality, and cost effectiveness of services and programs to produce the best possible outcomes (including health services, rehabilitation services, employment services, housing services, educational services, substance use disorder services, legal services, law enforcement services, social services, child welfare services, medical and dental care services, and other support services to be provided with Federal, State, and local public and private resources) with other agencies to enable individuals receiving services to function outside of inpatient or residential institutions, to the maximum extent of their capabilities, including services to be provided by local school systems under the Individuals with Disabilities Education Act;

''(iv) include a description of how the State—

''(I) promotes evidence-based practices, including those evidence-based programs that address the needs of individuals with early serious mental illness regardless of the age of the individual at onset;

''(II) provides comprehensive individualized treatment; or

''(III) integrates mental and physical health services;

''(v) include a description of case management services in the State;

''(vi) include a description of activities that seek to engage individuals with serious mental illness or serious emotional disturbance and their caregivers where appropriate in making health care decisions, including activities that enhance communication between individuals, families, caregivers, and treatment providers; and

''(vii) as appropriate to and reflective of the uses the State proposes for the block grant monies—

''(I) a description of the activities intended to reduce hospitalizations and hospital stays using the block grant monies;

''(II) a description of the activities intended to reduce incidents of suicide using the block grant monies; and

''(III) a description of how the State integrates mental health and primary care using the block grant monies.

''(B) MENTAL HEALTH SYSTEM DATA AND EPIDEMIOLOGY.—The plan shall contain an estimate of the incidence and prevalence in the State of serious mental illness among adults and serious emotional disturbance among children and presents quantitative targets and outcome measures for programs and services provided under this subpart.

''(C) CHILDREN'S SERVICES.—In the case of children with serious emotional disturbance (as defined in accordance with subsection (c)), the plan shall provide for a system of integrated social services, educational services, child welfare services, juvenile justice services, law enforcement services, and substance use disorder services that, together with health and mental health services, will be provided in order for such children to receive care appropriate for their multiple needs (such system to include services provided under the Individuals with Disabilities Education Act).

''(D) TARGETED SERVICES TO RURAL AND HOMELESS POPULATIONS.—The plan shall describe the State's outreach to and services for individuals who are homeless and how community-based services will be provided to individuals residing in rural areas.

''(E) MANAGEMENT SERVICES.—The plan shall—

''(i) describe the financial resources available, the existing mental health workforce, and the workforce trained in treating individuals with co-occurring mental illness and substance use disorders;

''(ii) provide for the training of providers of emergency health services regarding mental health;

''(iii) describe the manner in which the State intends to expend the grant under section 1911 for the fiscal year involved; and

''(iv) describe the manner in which the State intends to comply with each of the funding agreements in this subpart and subpart III.

''(2) GOALS AND OBJECTIVES.—The plan establishes goals and objectives for the period of the plan, including targets and milestones that are intended to be met, and the activities that will be undertaken to achieve those goals and objectives.''.

(c) BEST PRACTICES IN CLINICAL CARE MODELS.—Section 1920 of the Public Health Service Act (42 U.S.C. 300x–9) is amended by adding at the end the following:

''(c) BEST PRACTICES IN CLINICAL CARE MODELS.—A State shall expend not less than 10 percent of the amount the State receives for carrying out this subpart in each fiscal year to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at the onset of such illness.''.

(d) ADDITIONAL PROVISIONS.—Section 1915(b) of the Public Health Service Act (42 U.S.C. 300x–4(b)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—A funding agreement for a grant under section 1911 is that the State involved will maintain State expenditures for community mental health services at a level that is not less than the average of the amounts prescribed by this paragraph (prior to any waiver under paragraph (3)) for such expenditures by such State for each of the two fiscal years immediately preceding the fiscal year for which the State is applying for the grant.'';

(2) in paragraph (2)—

(A) by striking ''under subsection (a)'' and inserting ''specified in paragraph (1)''; and

(B) by striking ''principle'' and inserting ''principal'';

(3) by amending paragraph (3) to read as follows:

''(3) WAIVER.—

''(A) IN GENERAL.—The Secretary may, upon the request of a State, waive the requirement established in paragraph (1) in whole or in part, if the Secretary determines that extraordinary economic conditions in the State in the fiscal year involved or in the previous fiscal year justify the waiver.

''(B) DATE CERTAIN FOR ACTION UPON REQUEST.—The Secretary shall approve or deny a request for a waiver under this paragraph not later than 120 days after the date on which the request is made.

''(C) APPLICABILITY OF WAIVER.—A waiver provided by the Secretary under this paragraph shall be applicable only to the fiscal year involved.''; and

(4) in paragraph (4)—

(A) by amending subparagraph (A) to read as follows:

''(A) IN GENERAL.—

''(i) DETERMINATION AND REDUCTION.—The Secretary shall determine, in the case of each State, and for each fiscal year, whether the State maintained material compliance with the agreement made under paragraph (1). If the Secretary determines that a State has failed to maintain such compliance for a fiscal year, the Secretary shall reduce the amount of the allotment under section 1911 for the State, for the first fiscal year beginning after such determination is final, by an amount equal to the amount constituting such failure for the previous fiscal year about which the determination was made.

''(ii) ALTERNATIVE SANCTION.—The Secretary may by regulation provide for an alternative method of imposing a sanction for a failure by a State to maintain material compliance with the agreement under paragraph (1) if the Secretary determines that such alternative method would be more equitable and would be a more effective incentive for States to maintain such material compliance.''; and

(B) in subparagraph (B)—

(i) by inserting after the subparagraph designation the following: ''SUBMISSION OF INFORMATION TO THE SECRETARY.—''; and

(ii) by striking ''subparagraph (A)'' and inserting ''subparagraph (A)(i)''.

(e) APPLICATION FOR GRANT.—Section 1917(a) of the Public Health Service Act (42 U.S.C. 300x–6(a)) is amended—

(1) in paragraph (1), by striking ''1941'' and inserting ''1942(a)''; and

(2) in paragraph (5), by striking ''1915(b)(3)(B)'' and inserting ''1915(b)''.

Subtitle C—Strengthening Mental Health Care for Children and Adolescents

SEC. 621. TELE-MENTAL HEALTH CARE ACCESS GRANTS.

Title III of the Public Health Service Act is amended by inserting after section 330L of such Act (42 U.S.C. 254c–18) the following new section:

''SEC. 330M. TELE-MENTAL HEALTH CARE ACCESS GRANTS.

''(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration and in coordination with other relevant Federal agencies, shall award grants to States, political subdivisions of States, Indian tribes, and tribal organizations (for purposes of this section, as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) to promote behavioral health integration in pediatric primary care by—

''(1) supporting the development of statewide child mental health care access programs; and

''(2) supporting the improvement of existing statewide child mental health care access programs.

''(b) PROGRAM REQUIREMENTS.—

''(1) IN GENERAL.—A child mental health care access program referred to in subsection (a), with respect to which a grant under such subsection may be used, shall—

''(A) be a statewide network of pediatric mental health teams that provide support to pediatric primary care sites as an integrated team;

''(B) support and further develop organized State networks of child and adolescent psychiatrists and psychologists to provide consultative support to pediatric primary care sites;

''(C) conduct an assessment of critical behavioral consultation needs among pediatric providers and such providers' preferred mechanisms for receiving consultation and training and technical assistance;

''(D) develop an online database and communication mechanisms, including telehealth, to facilitate consultation support to pediatric practices;

''(E) provide rapid statewide clinical telephone or telehealth consultations when requested between the pediatric mental health teams and pediatric primary care providers;

''(F) conduct training and provide technical assistance to pediatric primary care providers to support the early identification, diagnosis, treatment, and referral of children with behavioral health conditions or co-occurring intellectual and other developmental disabilities;

''(G) provide information to pediatric providers about, and assist pediatric providers in accessing, child psychiatry and psychology consultations and in scheduling and conducting technical assistance;

''(H) assist with referrals to specialty care and community or behavioral health resources; and

''(I) establish mechanisms for measuring and monitoring increased access to child and adolescent psychiatric and psychology services by pediatric primary care providers and expanded capacity of pediatric primary care providers to identify, treat, and refer children with mental health problems.

''(2) PEDIATRIC MENTAL HEALTH TEAMS.—In this subsection, the term 'pediatric mental health team' means a team of case coordinators, child and adolescent psychiatrists, and licensed clinical mental health professionals, such as a psychologist, social worker, or mental health counselor.

''(c) APPLICATION.—A State, political subdivision of a State, Indian tribe, or tribal organization seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the rigorous evaluation of activities that are carried out with funds received under such grant.

''(d) EVALUATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under this section shall prepare and submit an evaluation of activities carried out with funds received under such grant to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including a process and outcome evaluation.

''(e) MATCHING REQUIREMENT.—The Secretary may not award a grant under this section unless the State, political subdivision of a State, Indian tribe, or tribal organization involved agrees, with respect to the costs to be incurred by the State, political subdivision of a State, Indian tribe, or tribal organization in carrying out the purpose described in this section, to make available non-Federal contributions (in cash or in kind) toward such costs in an amount that is not less than 20 percent of Federal funds provided in the grant.

''(f) AUTHORIZATION OF APPROPRIATIONS.—To carry this section, there are authorized to be appropriated $9,000,000 for the period of fiscal years 2018 through 2020.''.

SEC. 622. INFANT AND EARLY CHILDHOOD MENTAL HEALTH PROMOTION, INTERVENTION, AND TREATMENT.

Part Q of title III of the Public Health Service Act (42 U.S.C. 290h et seq.) is amended by adding at the end the following:

''SEC. 399Z–2. INFANT AND EARLY CHILDHOOD MENTAL HEALTH PROMOTION, INTERVENTION, AND TREATMENT.

''(a) GRANTS.—The Secretary shall—

''(1) award grants to eligible entities, including human services agencies, to develop, maintain, or enhance infant and early childhood mental health promotion, intervention, and treatment programs, including—

''(A) programs for infants and children at significant risk of developing, showing early signs of, or having been diagnosed with mental illness including serious emotional disturbance; and

''(B) multigenerational therapy and other services that support the caregiving relationship; and

''(2) ensure that programs funded through grants under this section are evidence-informed or evidence-based models, practices, and methods that are, as appropriate, culturally and linguistically appropriate, and can be replicated in other appropriate settings.

''(b) ELIGIBLE CHILDREN AND ENTITIES.—In this section:

''(1) ELIGIBLE CHILD.—The term 'eligible child' means a child from birth to not more than 5 years of age who—

''(A) is at risk for, shows early signs of, or has been diagnosed with a mental illness, including serious emotional disturbance; and

''(B) may benefit from infant and early childhood intervention or treatment programs or specialized preschool or elementary school programs that are evidence-based or that have been scientifically demonstrated to show promise but would benefit from further applied development.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means a nonprofit institution that—

''(A) is accredited or approved by a State mental health or education agency, as applicable, to provide for children from infancy to 5 years of age mental health promotion, intervention, or treatment services that are evidence-based or that have been scientifically demonstrated to show promise but would benefit from further applied development; and

''(B) provides programs described in subsection (a) that are evidence-based or that have been scientifically demonstrated to show promise but would benefit from further applied development.

''(c) APPLICATION.—An eligible entity seeking a grant under subsection (a) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(d) USE OF FUNDS FOR EARLY INTERVENTION AND TREATMENT PROGRAMS.—An eligible entity may use amounts awarded under a grant under subsection (a)(1) to carry out the following:

''(1) Provide age-appropriate mental health promotion and early intervention services or mental illness treatment services, which may include specialized programs, for eligible children at significant risk of developing, showing early signs of, or having been diagnosed with a mental illness, including serious emotional disturbance. Such services may include social and behavioral services as well as multigenerational therapy and other services ?that support the caregiving relationship.

''(2) Provide training for health care professionals with expertise in infant and early childhood mental health care with respect to appropriate and relevant integration with other disciplines such as primary care clinicians, early intervention specialists, child welfare staff, home visitors, early care and education providers, and others who work with young children and families.

''(3) Provide mental health consultation to personnel of early care and education programs (including licensed or regulated center-based and home-based child care, home visiting, preschool special education, and early intervention programs) who work with children and families.

''(4) Provide training for mental health clinicians in infant and early childhood in promising and evidence-based practices and models for infant and early childhood mental health treatment and early intervention, including with regard to practices for identifying and treating mental illness and behavioral disorders of infants and children resulting from exposure or repeated exposure to adverse childhood experiences or childhood trauma.

''(5) Provide age-appropriate assessment, diagnostic, and intervention services for eligible children, including early mental health promotion, intervention, and treatment services.

''(e) MATCHING FUNDS.—The Secretary may not award a grant under this section to an eligible entity unless the eligible entity agrees, with respect to the costs to be incurred by the eligible entity in carrying out the activities described in subsection (d), to make available non-Federal contributions (in cash or in kind) toward such costs in an amount that is not less than 10 percent of the total amount of Federal funds provided in the grant.

''(f) AUTHORIZATION OF APPROPRIATIONS.—To carry this section, there are authorized to be appropriated $20,000,000 for the period of fiscal years 2018 through 2022.''.

SEC. 623. NATIONAL CHILD TRAUMATIC STRESS INITIATIVE.

Section 582 of the Public Health Service Act (42 U.S.C. 290hh–1; relating to grants to address the problems of persons who experience violence related stress) is amended—

(1) in subsection (a), by striking ''developing programs'' and all that follows and inserting the following: ''developing and maintaining programs that provide for—

''(1) the continued operation of the National Child Traumatic Stress Initiative (referred to in this section as the 'NCTSI'), which includes a coordinating center that focuses on the mental, behavioral, and biological aspects of psychological trauma response; and

''(2) the development of knowledge with regard to evidence-based practices for identifying and treating mental illness, behavioral disorders, and physical health conditions of children and youth resulting from witnessing or experiencing a traumatic event.'';

(2) in subsection (b)—

(A) by striking ''subsection (a) related'' and inserting ''subsection (a)(2) (related'';

(B) by striking ''treating disorders associated with psychological trauma'' and inserting ''treating mental illness and behavioral and biological disorders associated with psychological trauma)''; and

(C) by striking ''mental health agencies and programs that have established clinical and basic research'' and inserting ''universities, hospitals, mental health agencies, and other programs that have established clinical expertise and research'';

(3) by redesignating subsections (c) through (g) as subsections (g) through (k), respectively;

(4) by inserting after subsection (b), the following:

''(c) CHILD OUTCOME DATA.—The NCTSI coordinating center shall collect, analyze, report, and make publicly available NCTSI-wide child treatment process and outcome data regarding the early identification and delivery of evidence-based treatment and services for children and families served by the NCTSI grantees.

''(d) TRAINING.—The NCTSI coordinating center shall facilitate the coordination of training initiatives in evidence-based and trauma-informed treatments, interventions, and practices offered to NCTSI grantees, providers, and partners.

''(e) DISSEMINATION.—The NCTSI coordinating center shall, as appropriate, collaborate with the Secretary in the dissemination of evidence-based and trauma-informed interventions, treatments, products, and other resources to appropriate stakeholders.

''(f) REVIEW.—The Secretary shall, consistent with the peer-review process, ensure that NCTSI applications are reviewed by appropriate experts in the field as part of a consensus review process. The Secretary shall include review criteria related to expertise and experience in child trauma and evidence-based practices.'';

(5) in subsection (g) (as so redesignated), by striking ''with respect to centers of excellence are distributed equitably among the regions of the country'' and inserting ''are distributed equitably among the regions of the United States'';

(6) in subsection (i) (as so redesignated), by striking ''recipient may not exceed 5 years'' and inserting ''recipient shall not be less than 4 years, but shall not exceed 5 years''; and

(7) in subsection (j) (as so redesignated), by striking ''$50,000,000'' and all that follows through ''2006'' and inserting ''$46,887,000 for each of fiscal years 2017 through 2021''.

TITLE VII—GRANT PROGRAMS AND PROGRAM REAUTHORIZATION

Subtitle A—Garrett Lee Smith Memorial Act Reauthorization

SEC. 701. YOUTH INTERAGENCY RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE CENTERS.

Section 520C of the Public Health Service Act (42 U.S.C. 290bb–34) is amended—

(1) by striking the section heading and inserting ''**SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.**'';

(2) in subsection (a), by striking ''and in consultation with'' and all that follows through the period at the end of paragraph (2) and inserting ''shall establish a research, training, and technical assistance resource center to provide appropriate information, training, and technical assistance to States, political subdivisions of States, federally recognized Indian tribes, tribal organizations, institutions of higher education, public organizations, or private nonprofit organizations regarding the prevention of suicide among all ages, particularly among groups that are at high risk for suicide.'';

(3) by striking subsections (b) and (c);

(4) by redesignating subsection (d) as subsection (b);

(5) in subsection (b), as so redesignated—

(A) by striking the subsection heading and inserting ''RESPONSIBILITIES OF THE CENTER.—'';

(B) in the matter preceding paragraph (1), by striking ''The additional research'' and all that follows through ''nonprofit organizations for'' and inserting ''The center established under subsection (a) shall conduct activities for the purpose of'';

(C) by striking ''youth suicide'' each place such term appears and inserting ''suicide'';

(D) in paragraph (1)—

(i) by striking ''the development or continuation of'' and inserting ''developing and continuing''; and

(ii) by inserting ''for all ages, particularly among groups that are at high risk for suicide'' before the semicolon at the end;

(E) in paragraph (2), by inserting ''for all ages, particularly among groups that are at high risk for suicide'' before the semicolon at the end;

(F) in paragraph (3), by inserting ''and tribal'' after ''statewide'';

(G) in paragraph (5), by inserting ''and prevention'' after ''intervention'';

(H) in paragraph (8), by striking ''in youth'';

(I) in paragraph (9), by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(J) in paragraph (10), by inserting ''conducting'' before ''other''; and

(6) by striking subsection (e) and inserting the following:

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $5,988,000 for each of fiscal years 2017 through 2021.

''(d) REPORT.—Not later than 2 years after the date of enactment of the Helping Families in Mental Health Crisis Act of 2016, the Secretary shall submit to Congress a report on the activities carried out by the center established under subsection (a) during the year involved, including the potential effects of such activities, and the States, organizations, and institutions that have worked with the center.''.

SEC. 702. YOUTH SUICIDE EARLY INTERVENTION AND PREVENTION STRATEGIES.

Section 520E of the Public Health Service Act (42 U.S.C. 290bb–36) is amended—

(1) in paragraph (1) of subsection (a) and in subsection (c), by striking ''substance abuse'' each place such term appears and inserting ''substance use disorder'';

(2) in subsection (b)(2)—

(A) by striking ''each State is awarded only 1 grant or cooperative agreement under this section'' and inserting ''a State does not receive more than 1 grant or cooperative agreement under this section at any 1 time''; and

(B) by striking ''been awarded'' and inserting ''received''; and

(3) by striking subsection (m) and inserting the following:

''(m) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $35,427,000 for each of fiscal years 2017 through 2021.''.

SEC. 703. MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES ON CAMPUS.

Section 520E–2 of the Public Health Service Act (42 U.S.C. 290bb–36b) is amended—

(1) in the section heading, by striking ''**AND BEHAVIORAL HEALTH**'' and inserting ''**HEALTH AND SUBSTANCE USE DISORDER**'';

(2) in subsection (a)—

(A) by striking ''Services,'' and inserting ''Services and'';

(B) by striking ''and behavioral health problems'' and inserting ''health or substance use disorders''; and

(C) by striking ''substance abuse'' and inserting ''substance use disorders'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''for—'' and inserting ''for one or more of the following:''; and

(B) by striking paragraphs (1) through (6) and inserting the following:

''(1) Educating students, families, faculty, and staff to increase awareness of mental health and substance use disorders.

''(2) The operation of hotlines.

''(3) Preparing informational material.

''(4) Providing outreach services to notify students about available mental health and substance use disorder services.

''(5) Administering voluntary mental health and substance use disorder screenings and assessments.

''(6) Supporting the training of students, faculty, and staff to respond effectively to students with mental health and substance use disorders.

''(7) Creating a network infrastructure to link colleges and universities with health care providers who treat mental health and substance use disorders.'';

(4) in subsection (c)(5), by striking ''substance abuse'' and inserting ''substance use disorder'';

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''An institution of higher education desiring a grant under this section'' and inserting ''To be eligible to receive a grant under this section, an institution of higher education'';

(B) in paragraph (1)—

(i) by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(ii) by inserting '', including veterans whenever possible and appropriate,'' after ''students''; and

(C) in paragraph (2), by inserting '', which may include, as appropriate and in accordance with subsection (b)(7), a plan to seek input from relevant stakeholders in the community, including appropriate public and private entities, in order to carry out the program under the grant'' before the period at the end;

(6) in subsection (e)(1), by striking ''and behavioral health problems'' and inserting ''health and substance use disorders'';

(7) in subsection (f)(2)—

(A) by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(B) by striking ''suicide and substance abuse'' and inserting ''suicide and substance use disorders''; and

(8) in subsection (h), by striking ''$5,000,000 for fiscal year 2005'' and all that follows through the period at the end and inserting ''$6,488,000 for each of fiscal years 2017 through 2021.''.

Subtitle B—Other Provisions

SEC. 711. NATIONAL SUICIDE PREVENTION LIFELINE PROGRAM.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.) is amended by inserting after section 520E–2 (42 U.S.C. 290bb–36b) the following:

''SEC. 520E–3. NATIONAL SUICIDE PREVENTION LIFELINE PROGRAM.

''(a) IN GENERAL.—The Secretary, acting through the Assistant Secretary, shall maintain the National Suicide Prevention Lifeline Program (referred to in this section as the 'Program'), authorized under section 520A and in effect prior to the date of enactment of the Helping Families in Mental Health Crisis Act of 2016.

''(b) ACTIVITIES.—In maintaining the Program, the activities of the Secretary shall include—

''(1) coordinating a network of crisis centers across the United States for providing suicide prevention and crisis intervention services to individuals seeking help at any time, day or night;

''(2) maintaining a suicide prevention hotline to link callers to local emergency, mental health, and social services resources; and

''(3) consulting with the Secretary of Veterans Affairs to ensure that veterans calling the suicide prevention hotline have access to a specialized veterans' suicide prevention hotline.

''(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $7,198,000 for each of fiscal years 2017 through 2021.''.

SEC. 712. WORKFORCE DEVELOPMENT STUDIES AND REPORTS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Assistant Secretary for Mental Health and Substance Use, in consultation with the Administrator of the Health Resources and Services Administration, shall conduct a study, and publicly post on the appropriate Internet website of the Department of Health and Human Services a report, on the mental health and substance use disorder workforce in order to inform Federal, State, and local efforts related to workforce enhancement.

(b) CONTENTS.—The report under this section shall contain—

(1) national and State-level projections of the supply and demand of mental health and substance use disorder health workers, including the number of individuals practicing in fields deemed relevant by the Secretary;

(2) an assessment of the mental health and substance use disorder workforce capacity, strengths, and weaknesses as of the date of the report, including the capacity of primary care to prevent, screen, treat, or refer for mental health and substance use disorders;

(3) information on trends within the mental health and substance use disorder provider workforce, including the number of individuals entering the mental health workforce over the next five years;

(4) information on the gaps in workforce development for mental health providers and professionals, including those who serve pediatric, adult, and geriatric patients; and

(5) any additional information determined by the Assistant Secretary for Mental Health and Substance Use, in consultation with the Administrator of the Health Resources and Services Administration, to be relevant to the mental health and substance use disorder provider workforce.

SEC. 713. MINORITY FELLOWSHIP PROGRAM.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''PART K—MINORITY FELLOWSHIP PROGRAM

''SEC. 597. FELLOWSHIPS.

''(a) IN GENERAL.—The Secretary shall maintain a program, to be known as the Minority Fellowship Program, under which the Secretary awards fellowships, which may include stipends, for the purposes of—

''(1) increasing behavioral health practitioners' knowledge of issues related to prevention, treatment, and recovery support for mental illness and substance use disorders among racial and ethnic minority populations;

''(2) improving the quality of mental illness and substance use disorder prevention and treatment delivered to racial and ethnic minorities; and

''(3) increasing the number of culturally competent behavioral health professionals and school personnel who teach, administer, conduct services research, and provide direct mental health or substance use services to racial and ethnic minority populations.

''(b) TRAINING COVERED.—The fellowships under subsection (a) shall be for postbaccalaureate training (including for master's and doctoral degrees) for mental health professionals, including in the fields of psychiatry, nursing, social work, psychology, marriage and family therapy, mental health counseling, and substance use and addiction counseling.

''(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $12,669,000 for each of fiscal years 2017, 2018, and 2019 and $13,669,000 for each of fiscal years 2020 and 2021.''.

SEC. 714. CENTER AND PROGRAM REPEALS.

Part B of title V of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended by striking the second section 514 (42 U.S.C. 290bb–9), relating to methamphetamine and amphetamine treatment initiatives, and sections 514A, 517, 519A, 519C, 519E, 520D, and 520H (42 U.S.C. 290bb–8, 290bb–23, 290bb–25a, 290bb–25c, 290bb–25e, 290bb–35, and 290bb–39).

SEC. 715. NATIONAL VIOLENT DEATH REPORTING SYSTEM.

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, is encouraged to improve, particularly through the inclusion of additional States, the National Violent Death Reporting System as authorized by title III of the Public Health Service Act (42 U.S.C. 241 et seq.). Participation in the system by the States shall be voluntary.

SEC. 716. SENSE OF CONGRESS ON PRIORITIZING NATIVE AMERICAN YOUTH AND SUICIDE PREVENTION PROGRAMS.

(a) FINDINGS.—The Congress finds as follows:

(1) Suicide is the eighth leading cause of death among American Indians and Alaska Natives across all ages.

(2) Among American Indians and Alaska Natives who are 10 to 34 years of age, suicide is the second leading cause of death.

(3) The suicide rate among American Indian and Alaska Native adolescents and young adults ages 15 to 34 (19.5 per 100,000) is 1.5 times higher than the national average for that age group (12.9 per 100,000).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Health and Human Services, in carrying out programs for Native American youth and suicide prevention programs for youth suicide intervention, should prioritize programs and activities for individuals who have a high risk or disproportional burden of suicide, such as Native Americans.

SEC. 717. PEER PROFESSIONAL WORKFORCE DEVELOPMENT GRANT PROGRAM.

(a) IN GENERAL.—For the purposes described in subsection (b), the Secretary of Health and Human Services shall award grants to develop and sustain behavioral health paraprofessional training and education programs, including through tuition support.

(b) PURPOSES.—The purposes of grants under this section are—

(1) to increase the number of behavioral health paraprofessionals, including trained peers, recovery coaches, mental health and addiction specialists, prevention specialists, and pre-masters-level addiction counselors; and

(2) to help communities develop the infrastructure to train and certify peers as behavioral health paraprofessionals.

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be a community college or other entity the Secretary deems appropriate.

(d) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Secretary shall seek to achieve an appropriate national balance in the geographic distribution of such awards.

(e) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary may give special consideration to proposed and existing programs targeting peer professionals serving youth ages 16 to 25.

(f) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $10,000,000 for the period of fiscal years 2018 through 2022.

SEC. 718. NATIONAL HEALTH SERVICE CORPS.

(a) DEFINITIONS.—

(1) PRIMARY HEALTH SERVICES.—Section 331(a)(3)(D) of the Public Health Service Act (42 U.S.C. 254d(a)(3)) is amended by inserting ''(including pediatric mental health subspecialty services)'' after ''pediatrics''.

(2) BEHAVIORAL AND MENTAL HEALTH PROFESSIONALS.—Clause (i) of section 331(a)(3)(E) of the Public Health Service Act (42 U.S.C. 254d(a)(3)(E)) is amended by inserting ''(and pediatric subspecialists thereof)'' before the period at the end.

(b) ELIGIBILITY TO PARTICIPATE IN LOAN REPAYMENT PROGRAM.—Section 338B(b)(1)(B) of the Public Health Service Act (42 U.S.C. 254l–1(b)(1)(B)) is amended by inserting '', including any physician child and adolescent psychiatry residency or fellowship training program'' after ''be enrolled in an approved graduate training program in medicine, osteopathic medicine, dentistry, behavioral and mental health, or other health profession''.

SEC. 719. ADULT SUICIDE PREVENTION.

(a) GRANTS.—

(1) AUTHORITY.—The Assistant Secretary for Mental Health and Substance Use (referred to in this section as the ''Assistant Secretary'') may award grants to eligible entities in order to implement suicide prevention efforts amongst adults 25 and older.

(2) PURPOSE.—The grant program under this section shall be designed to raise suicide awareness, establish referral processes, and improve clinical care practice standards for treating suicide ideation, plans, and attempts among adults.

(3) RECIPIENTS.—To be eligible to receive a grant under this section, an entity shall be a community-based primary care or behavioral health care setting, an emergency department, a State mental health agency, an Indian tribe, a tribal organization, or any other entity the Assistant Secretary deems appropriate.

(4) NATURE OF ACTIVITIES.—The grants awarded under paragraph (1) shall be used to implement programs that—

(A) screen for suicide risk in adults and provide intervention and referral to treatment;

(B) implement evidence-based practices to treat individuals who are at suicide risk, including appropriate followup services; and

(C) raise awareness, reduce stigma, and foster open dialogue about suicide prevention.

(b) ADDITIONAL ACTIVITIES.—The Assistant Secretary shall—

(1) evaluate the activities supported by grants awarded under subsection (a) in order to further the Nation's understanding of effective interventions to prevent suicide in adults;

(2) disseminate the findings from the evaluation as the Assistant Secretary considers appropriate; and

(3) provide appropriate information, training, and technical assistance to eligible entities that receive a grant under this section, in order to help such entities to meet the requirements of this section, including assistance with—

(A) selection and implementation of evidence-based interventions and frameworks to prevent suicide, such as the Zero Suicide framework; and

(B) other activities as the Assistant Secretary determines appropriate.

(c) DURATION.—A grant under this section shall be for a period of not more than 5 years.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $30,000,000 for the period of fiscal years 2018 through 2022.

(2) USE OF CERTAIN FUNDS.—Of the funds appropriated to carry out this section in any fiscal year, the lesser of 5 percent of such funds or $500,000 shall be available to the Assistant Secretary for purposes of carrying out subsection (b).

SEC. 720. CRISIS INTERVENTION GRANTS FOR POLICE OFFICERS AND FIRST RESPONDERS.

(a) IN GENERAL.—The Assistant Secretary for Mental Health and Substance Use may award grants to entities such as law enforcement agencies and first responders—

(1) to provide specialized training to law enforcement officers, corrections officers, paramedics, emergency medical services workers, and other first responders (including village public safety officers (as defined in section 247 of the Indian Arts and Crafts Amendments Act of 2010 (42 U.S.C. 3796dd note)))—

(A) to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness; and

(B) to establish programs that enhance the ability of law enforcement agencies to address the mental health, behavioral, and substance use problems of individuals encountered in the line of duty; and

(2) to establish collaborative law enforcement and mental health programs, including behavioral health response teams and mental health crisis intervention teams comprised of mental health professionals, law enforcement officers, and other first responders, as appropriate, to provide on-site, face-to-face, mental and behavioral health care services during a mental health crisis, and to connect the individual in crisis to appropriate community-based treatment services in lieu of unnecessary hospitalization or further involvement with the criminal justice system.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $9,000,000 for the period of fiscal years 2018 through 2020.

SEC. 721. DEMONSTRATION GRANT PROGRAM TO TRAIN HEALTH SERVICE PSYCHOLOGISTS IN COMMUNITY-BASED MENTAL HEALTH.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services shall establish a grant program under which the Assistant Secretary of Mental Health and Substance Use Disorders may award grants to eligible institutions to support the recruitment, education, and clinical training experiences of health services psychology students, interns, and postdoctoral residents for education and clinical experience in community mental health settings.

(b) ELIGIBLE INSTITUTIONS.—For purposes of this section, the term ''eligible institutions'' includes American Psychological Association-accredited doctoral, internship, and postdoctoral residency schools or programs in health service psychology that—

(1) are focused on the development and implementation of interdisciplinary training of psychology graduate students and postdoctoral fellows in providing mental and behavioral health services to address substance use disorders, serious emotional disturbance, and serious illness, as well as developing faculty and implementing curriculum to prepare psychologists to work with underserved populations; and

(2) demonstrate an ability to train health service psychologists in psychiatric hospitals, forensic hospitals, community mental health centers, community health centers, federally qualified health centers, or adult and juvenile correctional facilities.

(c) PRIORITIES.—In selecting grant recipients under this section, the Secretary shall give priority to eligible institutions in which training focuses on the needs of individuals with serious mental illness, serious emotional disturbance, justice-involved youth, and individuals with or at high risk for substance use disorders.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $12,000,000 for the period of fiscal years 2018 through 2022.

SEC. 722. INVESTMENT IN TOMORROW'S PEDIATRIC HEALTH CARE WORKFORCE.

Section 775(e) of the Public Health Service Act (42 U.S.C. 295f(e)) is amended to read as follows:

''(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $12,000,000 for the period of fiscal years 2018 through 2022.''.

SEC. 723. CUTGO COMPLIANCE.

Section 319D(f) of the Public Health Service Act (42 U.S.C. 247d–4(f)) is amended by striking ''$138,300,000 for each of fiscal years 2014 through 2018'' and inserting ''$138,300,000 for each of fiscal years 2014 through 2016 and $58,000,000 for each of fiscal years 2017 and 2018''.

TITLE VIII—MENTAL HEALTH PARITY

SEC. 801. ENHANCED COMPLIANCE WITH MENTAL HEALTH AND SUBSTANCE USE DISORDER COVERAGE REQUIREMENTS.

(a) COMPLIANCE PROGRAM GUIDANCE DOCUMENT.—Section 2726(a) of the Public Health Service Act (42 U.S.C. 300gg–26(a)) is amended by adding at the end the following:

''(6) COMPLIANCE PROGRAM GUIDANCE DOCUMENT.—

''(A) IN GENERAL.—Not later than 12 months after the date of enactment of the Helping Families in Mental Health Crisis Act of 2016, the Secretary, the Secretary of Labor, and the Secretary of the Treasury, in consultation with the Inspector General of the Department of Health and Human Services, shall issue a compliance program guidance document to help improve compliance with this section, section 712 of the Employee Retirement Income Security Act of 1974, and section 9812 of the Internal Revenue Code of 1986, as applicable.

''(B) EXAMPLES ILLUSTRATING COMPLIANCE AND NONCOMPLIANCE.—

''(i) IN GENERAL.—The compliance program guidance document required under this paragraph shall provide illustrative, de-identified examples (that do not disclose any protected health information or individually identifiable information) of previous findings of compliance and noncompliance with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable, based on investigations of violations of such sections, including—

''(I) examples illustrating requirements for information disclosures and nonquantitative treatment limitations; and

''(II) descriptions of the violations uncovered during the course of such investigations.

''(ii) NONQUANTITATIVE TREATMENT LIMITATIONS.—To the extent that any example described in clause (i) involves a finding of compliance or noncompliance with regard to any requirement for nonquantitative treatment limitations, the example shall provide sufficient detail to fully explain such finding, including a full description of the criteria involved for medical and surgical benefits and the criteria involved for mental health and substance use disorder benefits.

''(iii) ACCESS TO ADDITIONAL INFORMATION REGARDING COMPLIANCE.—In developing and issuing the compliance program guidance document required under this paragraph, the Secretaries specified in subparagraph (A)—

''(I) shall enter into interagency agreements with the Inspector General of the Department of Health and Human Services, the Inspector General of the Department of Labor, and the Inspector General of the Department of the Treasury to share findings of compliance and noncompliance with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable; and

''(II) shall seek to enter into an agreement with a State to share information on findings of compliance and noncompliance with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable.

''(C) RECOMMENDATIONS.—The compliance program guidance document shall include recommendations to comply with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable, and encourage the development and use of internal controls to monitor adherence to applicable statutes, regulations, and program requirements. Such internal controls may include a compliance checklist with illustrative examples of nonquantitative treatment limitations on mental health and substance use disorder benefits, which may fail to comply with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable, in relation to nonquantitative treatment limitations on medical and surgical benefits.

''(D) UPDATING THE COMPLIANCE PROGRAM GUIDANCE DOCUMENT.—The compliance program guidance document shall be updated every 2 years to include illustrative, de-identified examples (that do not disclose any protected health information or individually identifiable information) of previous findings of compliance and noncompliance with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable.''.

(b) ADDITIONAL GUIDANCE.—Section 2726(a) of the Public Health Service Act (42 U.S.C. 300gg–26(a)), as amended by subsection (a), is further amended by adding at the end the following:

''(7) ADDITIONAL GUIDANCE.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Helping Families in Mental Health Crisis Act of 2016,

the Secretary, in coordination with the Secretary of Labor and the Secretary of the Treasury, shall issue guidance to group health plans and health insurance issuers offering group or individual health insurance coverage to assist such plans and issuers in satisfying the requirements of this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable,.

''(B) DISCLOSURE.—

''(i) GUIDANCE FOR PLANS AND ISSUERS.—The guidance issued under this paragraph shall include clarifying information and illustrative examples of methods that group health plans and health insurance issuers offering group or individual health insurance coverage may use for disclosing information to ensure compliance with the requirements under this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable, (and any regulations promulgated pursuant to such sections, as applicable).

''(ii) DOCUMENTS FOR PARTICIPANTS, BENEFICIARIES, CONTRACTING PROVIDERS, OR AUTHORIZED REPRESENTATIVES.—The guidance issued under this paragraph shall include clarifying information and illustrative examples of methods that group health plans and health insurance issuers offering group or individual health insurance coverage may use to provide any participant, beneficiary, contracting provider, or authorized representative, as applicable, with documents containing information that the health plans or issuers are required to disclose to participants, beneficiaries, contracting providers, or authorized representatives to ensure compliance with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable; any regulation issued pursuant to such respective section, or any other applicable law or regulation, including information that is comparative in nature with respect to—

''(I) nonquantitative treatment limitations for both medical and surgical benefits and mental health and substance use disorder benefits;

''(II) the processes, strategies, evidentiary standards, and other factors used to apply the limitations described in subclause (I); and

''(III) the application of the limitations described in subclause (I) to ensure that such limitations are applied in parity with respect to both medical and surgical benefits and mental health and substance use disorder benefits.

''(C) NONQUANTITATIVE TREATMENT LIMITATIONS.—The guidance issued under this paragraph shall include clarifying information and illustrative examples of methods, processes, strategies, evidentiary standards, and other factors that group health plans and health insurance issuers offering group or individual health insurance coverage may use regarding the development and application of nonquantitative treatment limitations to ensure compliance with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable, (and any regulations promulgated pursuant to such respective section), including—

''(i) examples of methods of determining appropriate types of nonquantitative treatment limitations with respect to both medical and surgical benefits and mental health and substance use disorder benefits, including nonquantitative treatment limitations pertaining to—

''(I) medical management standards based on medical necessity or appropriateness, or whether a treatment is experimental or investigative;

''(II) limitations with respect to prescription drug formulary design; and

''(III) use of fail-first or step therapy protocols;

''(ii) examples of methods of determining—

''(I) network admission standards (such as credentialing); and

''(II) factors used in provider reimbursement methodologies (such as service type, geographic market, demand for services, and provider supply, practice size, training, experience, and licensure) as such factors apply to network adequacy;

''(iii) examples of sources of information that may serve as evidentiary standards for the purposes of making determinations regarding the development and application of nonquantitative treatment limitations;

''(iv) examples of specific factors, and the evidentiary standards used to evaluate such factors, used by such plans or issuers in performing a nonquantitative treatment limitation analysis;

''(v) examples of how specific evidentiary standards may be used to determine whether treatments are considered experimental or investigative;

''(vi) examples of how specific evidentiary standards may be applied to each service category or classification of benefits;

''(vii) examples of methods of reaching appropriate coverage determinations for new mental health or substance use disorder treatments, such as evidence-based early intervention programs for individuals with a serious mental illness and types of medical management techniques;

''(viii) examples of methods of reaching appropriate coverage determinations for which there is an indirect relationship between the covered mental health or substance use disorder benefit and a traditional covered medical and surgical benefit, such as residential treatment or hospitalizations involving voluntary or involuntary commitment; and

''(ix) additional illustrative examples of methods, processes, strategies, evidentiary standards, and other factors for which the Secretary determines that additional guidance is necessary to improve compliance with this section, section 712 of the Employee Retirement Income Security Act of 1974, or section 9812 of the Internal Revenue Code of 1986, as applicable.

''(D) PUBLIC COMMENT.—Prior to issuing any final guidance under this paragraph, the Secretary shall provide a public comment period of not less than 60 days during which any member of the public may provide comments on a draft of the guidance.''.

(c) AVAILABILITY OF PLAN INFORMATION.—

(1) PHSA AMENDMENT.—Paragraph (4) of section 2726(a) of the Public Health Service Act (42 U.S.C. 300gg–26(a)) is amended to read as follows:

''(4) AVAILABILITY OF PLAN INFORMATION.—The criteria for medical necessity determinations made under the plan or health insurance coverage with respect to mental health or substance use disorder benefits or medical or surgical benefits, the reason for denial of any such benefits, and any other information appropriate to demonstrate compliance under this section (including any such medical and surgical information) shall be made available by the plan administrator (or the health insurance issuer offering such coverage) in accordance with applicable regulations to the current or potential participant, beneficiary, or contracting provider involved upon request. The Secretary may promulgate any such regulations, including interim final regulations or temporary regulations, as may be appropriate to carry out this paragraph.''.

(2) ERISA AMENDMENT.—Paragraph (4) of section 712(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a(a)) is amended to read as follows:

''(4) AVAILABILITY OF PLAN INFORMATION.—The criteria for medical necessity determinations made under the plan with respect to mental health or substance use disorder benefits or medical or surgical benefits (or the health insurance coverage offered in connection with the plan with respect to such benefits), the reason for denial of any such benefits, and any other information appropriate to demonstrate compliance under this section (including any such medical and surgical information) shall be made available by the plan administrator (or the health insurance issuer offering such coverage) in accordance with applicable regulations to the current or potential participant, beneficiary, or contracting provider involved upon request. The Secretary may promulgate any such regulations, including interim final regulations or temporary regulations, as may be appropriate to carry out this paragraph.''.

(3) IRC AMENDMENT.—Paragraph (4) of section 9812(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(4) AVAILABILITY OF PLAN INFORMATION.—The criteria for medical necessity determinations made under the plan with respect to mental health or substance use disorder benefits or medical or surgical benefits, the reason for denial of any such benefits, and any other information appropriate to demonstrate compliance under this section (including any such medical and surgical information) shall be made available by the plan administrator in accordance with applicable regulations to the current or potential participant, beneficiary, or contracting provider involved upon request. The Secretary may promulgate any such regulations, including interim final regulations or temporary regulations, as may be appropriate to carry out this paragraph.''.

(d) IMPROVING COMPLIANCE.—

(1) IN GENERAL.—In the case that the Secretary of Health and Human Services, the Secretary of Labor, or the Secretary of the Treasury determines that a group health plan or health insurance issuer offering group or individual health insurance coverage has violated, at least 5 times, section 2726 of the Public Health Service Act (42 U.S.C. 300gg–26), section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a), or section 9812 of the Internal Revenue Code of 1986, respectively, the appropriate Secretary shall audit plan documents for such health plan or issuer in the plan year following the Secretary's determination in order to help improve compliance with such section.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority, as in effect on the day before the date of enactment of this Act, of the Secretary of Health and Human Services, the Secretary of Labor, or the Secretary of the Treasury to audit documents of health plans or health insurance issuers.

SEC. 802. ACTION PLAN FOR ENHANCED ENFORCEMENT OF MENTAL HEALTH AND SUBSTANCE USE DISORDER COVERAGE.

(a) PUBLIC MEETING.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall convene a public meeting of stakeholders described in paragraph (2) to produce an action plan for improved Federal and State coordination related to the enforcement of section 2726 of the Public Health Service Act (42 U.S.C. 300gg–26), section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a), and section

9812 of the Internal Revenue Code of 1986, and any comparable provisions of State law (in this section collectively referred to as ''mental health parity and addiction equity requirements'').

(2) STAKEHOLDERS.—The stakeholders described in this paragraph shall include each of the following:

(A) The Federal Government, including representatives from—

(i) the Department of Health and Human Services;

(ii) the Department of the Treasury;

(iii) the Department of Labor; and

(iv) the Department of Justice.

(B) State governments, including—

(i) State health insurance commissioners;

(ii) appropriate State agencies, including agencies on public health or mental health; and

(iii) State attorneys general or other representatives of State entities involved in the enforcement of mental health parity and addiction equity requirements.

(C) Representatives from key stakeholder groups, including—

(i) the National Association of Insurance Commissioners;

(ii) health insurance providers;

(iii) providers of mental health and substance use disorder treatment;

(iv) employers; and

(v) patients or their advocates.

(b) ACTION PLAN.—Not later than 6 months after the conclusion of the public meeting under subsection (a), the Secretary of Health and Human Services shall finalize the action plan described in such subsection and make it plainly available on the Internet website of the Department of Health and Human Services.

(c) CONTENT.—The action plan under this section shall—

(1) reflect the input of the stakeholders participating in the public meeting under subsection (a);

(2) identify specific strategic objectives regarding how the various Federal and State agencies charged with enforcement of mental health parity and addiction equity requirements will collaborate to improve enforcement of such requirements;

(3) provide a timeline for implementing the action plan; and

(4) provide specific examples of how such objectives may be met, which may include—

(A) providing common educational information and documents to patients about their rights under mental health parity and addiction equity requirements;

(B) facilitating the centralized collection of, monitoring of, and response to patient complaints or inquiries relating to mental health parity and addiction equity requirements, which may be through the development and administration of a single, toll-free telephone number and an Internet website portal;

(C) Federal and State law enforcement agencies entering into memoranda of understanding to better coordinate enforcement responsibilities and information sharing, including whether such agencies should make the results of enforcement actions related to mental health parity and addiction equity requirements publicly available; and

(D) recommendations to the Congress regarding the need for additional legal authority to improve enforcement of mental health parity and addiction equity requirements, including the need for additional legal authority to ensure that nonquantitative treatment limitations are applied, and the extent and frequency of the applications of such limitations, both to medical and surgical benefits and to mental health and substance use disorder benefits in a comparable manner.

SEC. 803. REPORT ON INVESTIGATIONS REGARDING PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for the subsequent 5 years, the Administrator of the Centers for Medicare & Medicaid Services, in collaboration with the Assistant Secretary of Labor of the Employee Benefits Security Administration and the Secretary of the Treasury, shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report summarizing the results of all closed Federal investigations completed during the preceding 12-month period with findings of any serious violation regarding compliance with mental health and substance use disorder coverage requirements under section 2726 of the Public Health Service Act (42 U.S.C. 300gg–26), section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a), and section 9812 of the Internal Revenue Code of 1986.

(b) CONTENTS.—Subject to subsection (c), a report under subsection (a) shall, with respect to investigations described in such subsection, include each of the following:

(1) The number of closed Federal investigations conducted during the covered reporting period.

(2) Each benefit classification examined by any such investigation conducted during the covered reporting period.

(3) Each subject matter, including compliance with requirements for quantitative and nonquantitative treatment limitations, of any such investigation conducted during the covered reporting period.

(4) A summary of the basis of the final decision rendered for each closed investigation conducted during the covered reporting period that resulted in a finding of a serious violation.

(c) LIMITATION.—Any individually identifiable information shall be excluded from reports under subsection (a) consistent with protections under the health privacy and security rules promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

SEC. 804. GAO STUDY ON PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury, shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report detailing the extent to which group health plans or health insurance issuers offering group or individual health insurance coverage that provides both medical and surgical benefits and mental health or substance use disorder benefits, medicaid managed care organizations with a contract under section 1903(m) of the Social Security Act (42 U.S.C. 1396b(m)), and health plans provided under the State Children's Health Insurance Program under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.) comply with section 2726 of the Public Health Service Act (42 U.S.C. 300gg–26), section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a), and section 9812 of the Internal Revenue Code of 1986, including—

(1) how nonquantitative treatment limitations, including medical necessity criteria, of such plans or issuers comply with such sections;

(2) how the responsible Federal departments and agencies ensure that such plans or issuers comply with such sections, including an assessment of how the Secretary of Health and Human Services has used its authority to conduct audits of such plans to ensure compliance;

(3) a review of how the various Federal and State agencies responsible for enforcing mental health parity requirements have improved enforcement of such requirements in accordance with the objectives and timeline described in the action plan under section 802; and

(4) recommendations for how additional enforcement, education, and coordination activities by responsible Federal and State departments and agencies could better ensure compliance with such sections, including recommendations regarding the need for additional legal authority.

SEC. 805. INFORMATION AND AWARENESS ON EATING DISORDERS.

(a) INFORMATION.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') may—

(1) update information, related fact sheets, and resource lists related to eating disorders that are available on the public Internet website of the National Women's Health Information Center sponsored by the Office on Women's Health, to include—

(A) updated findings and current research related to eating disorders, as appropriate; and

(B) information about eating disorders, including information related to males and females;

(2) incorporate, as appropriate, and in coordination with the Secretary of Education, information from publicly available resources into appropriate obesity prevention programs developed by the Office on Women's Health; and

(3) make publicly available (through a public Internet website or other method) information, related fact sheets and resource lists, as updated under paragraph (1), and the information incorporated into appropriate obesity prevention programs, as updated under paragraph (2).

(b) AWARENESS.—The Secretary may advance public awareness on—

(1) the types of eating disorders;

(2) the seriousness of eating disorders, including prevalence, comorbidities, and physical and mental health consequences;

(3) methods to identify, intervene, refer for treatment, and prevent behaviors that may lead to the development of eating disorders;

(4) discrimination and bullying based on body size;

(5) the effects of media on self-esteem and body image; and

(6) the signs and symptoms of eating disorders.

SEC. 806. EDUCATION AND TRAINING ON EATING DISORDERS.

The Secretary of Health and Human Services may facilitate the identification of programs to educate and train health professionals and school personnel in effective strategies to—

(1) identify individuals with eating disorders;

(2) provide early intervention services for individuals with eating disorders;

(3) refer patients with eating disorders for appropriate treatment;

(4) prevent the development of eating disorders; or

(5) provide appropriate treatment services for individuals with eating disorders.

SEC. 807. GAO STUDY ON PREVENTING DISCRIMINATORY COVERAGE LIMITATIONS FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS AND SUBSTANCE USE DISORDERS.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress and make publicly available a report detailing Federal oversight of group health plans and health insurance coverage offered in the individual or group market (as such terms are defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91)), including Medicaid managed care plans under section 1903 of the Social Security Act (42 U.S.C. 1396b), to ensure compliance of such plans and coverage with sections 2726 of the Public Health Service Act (42 U.S.C. 300gg–26), 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a), and 9812 of the Internal Revenue Code of 1986 (in this section collectively referred to as the ''parity law''), including—

(1) a description of how Federal regulations and guidance consider nonquantitative treatment limitations, including medical necessity criteria and application of such criteria to medical, surgical, and primary care, of such plans and coverage in ensuring compliance by such plans and coverage with the parity law;

(2) a description of actions that Federal departments and agencies are taking to ensure that such plans and coverage comply with the parity law; and

(3) the identification of enforcement, education, and coordination activities within Federal departments and agencies, including educational activities directed to State insurance commissioners, and a description of how such proper activities can be used to ensure full compliance with the parity law.

SEC. 808. CLARIFICATION OF EXISTING PARITY RULES.

If a group health plan or a health insurance issuer offering group or individual health insurance coverage provides coverage for eating disorder benefits, including residential treatment, such group health plan or health insurance issuer shall provide such benefits consistent with the requirements of section 2726 of the Public Health Service Act (42 U.S.C. 300gg–26), section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a), and section 9812 of the Internal Revenue Code of 1986.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, our mental health system in this country is a failure. This is one of those times where we are not gathered for a moment of silence, but a time of action. We are here finally to speak up for the last, the lost, the least, and the lonely, that is those who suffer from mental illness which is untreated.

Mental illness affects one in five Americans. About 10 million Americans have serious mental illness. About 4 million of those go without any treatment. There are 100,000 new cases each year. Half of psychosis cases emerge by age 14, 75 percent by age 24. We have a need for 30,000 child psychiatrists. We only have 9,000. We have great shortages of psychologists.

The time between the emergence of the first symptoms of serious mental illness and the first appointment is about 80 weeks. We need about 100,000 hospital beds in this country, but we only have 40,000 for psychiatric crises. A person is 10 times more likely, therefore, to be in jail than in a hospital if they are mentally ill.

And these statistics, too: 43,000 suicides last year, 47,000 drug overdose deaths, 1,000 homicides, 250 mentally ill violently killed in a police encounter where they attacked a policeman. We have hundreds of thousands of homeless and mentally ill who die the slow-motion death of chronic illness, and that comes to more than the number who die of breast cancer, perhaps 350,000 or more a year.

The Helping Families in Mental Health Crisis Act, a bipartisan bill with over 205 cosponsors, which came out of the Committee on Energy and Commerce with a unanimous vote, fixes this. It allows parents and caregivers to help with care. It increases the number of crisis mental health beds. It drives evidence-based care. It builds on existing mental health and substance abuse parity laws. It brings accountability to Federal grant programs, which two GAO reports say were disastrous. It focuses on innovation and reaches underserved and rural populations, expands the mental health workforce, advances early intervention and prevention programs, develops alternatives to institutionalization, focuses on suicide prevention, increases program coordination across the 112 Federal programs and agencies, reforms protection and advocacy, provides training grants to train police officers and first responders, and saves the Federal Government money. It is wide ranging, it is impactful, and it is something that we are going to have to pass today if we really, truly want to make a difference.

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

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

I rise in support of H.R. 2646, the Helping Families in Mental Health Crisis Act.

Today's mental health system can hardly be described as a system at all. While some States are undertaking promising improvements, the system is fragmented, overwhelmed, and underresourced. Far too many people with mental illnesses can't get the treatment they need to live long, healthy, and productive lives, so I am pleased that this bill takes an important step toward improving mental health care in this country.

The bill under consideration today, Mr. Speaker, is a significant improvement over the original version introduced a year ago. It is no secret that many of us had substantial concerns with some of the provisions in the original text of the bill, and I am sure that my fellow Members of the Committee on Energy and Commerce remember the extensive debate we had on this bill during our subcommittee markup last November.

Since that time, we have found common ground. We removed many provisions that would have done more harm than good, in my opinion, and replaced them with policies that strengthen the bill. I am proud that H.R. 2646 now includes several policies championed by Democrats.

The bill requires that States provide the full range of early and periodic screening, diagnostic, and treatment—EPSDT—services to children in the Medicaid program who receive inpatient psychiatric care at so-called institutions of mental disease. It creates a new assertive community treatment grant program and a peer professional workforce grant program. The legislation also creates new grant programs to address adult suicide, expands access to community crisis response services, and creates and disseminates model HIPAA training programs.

A great deal of work went into crafting this agreement, and I want to thank my Republican colleagues for continuing to meet with us throughout this process so that we could bring a bipartisan product to the floor.

That said, the bill before us today is not transformative reform nor is it a panacea to the many problems now facing our mental health system. I encourage my colleagues to see this legislation as a necessary step rather than a solution, and I want to be very clear on this point. If we are truly serious about fixing our broken mental health system, we have to expand access and make sustained investment, and that means we must work to encourage all States to expand Medicaid and provide more Federal resources to support the growth of community-based prevention, treatment, and recovery services.

This legislation is not comprehensive. It by no means contains enough funding to make the mental health system whole. I hope that, in the near future, we can work together again on additional legislation to increase treatment options and further strengthen mental health parity enforcement.

I once again want to thank my colleagues who stood with me throughout this long process, fiercely voicing their concerns and advocating for major improvements to the bill. I want to thank Chairman UPTON for his leadership, and the bill's sponsors, Representatives TIM MURPHY and EDDIE BERNICE JOHNSON, for championing this issue for so many years.

I urge my colleagues to support this important bipartisan bill, and I look forward to the Senate's action on this issue.

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a member of the Committee on Energy and Commerce, who has been supporting this from the onset.

Mr. LANCE. Mr. Speaker, today marks a very important moment in the long and tortuous road to reform a mental health system that is broken and must be fixed.

I joined the gentleman from Pennsylvania (Mr. MURPHY), a psychologist and my friend and colleague, and our former colleague, now U.S. Senator from Louisiana, Dr. BILL CASSIDY, in a conference room in the basement of the U.S. Capitol in December 2013, where the three of us stood together and called on Congress to address a mental healthcare system in crisis, a system where millions of Americans suffer every year and are all too often pushed into the shadows by archaic regulations and an outdated Federal bureaucracy. 2½ years later, I am proud that the House stands poised today to pass the most significant reform to our Nation's mental health programs in decades.

This bill includes provisions I have championed to help provide early detection of eating disorders and improve access to treatment coverage. This is an historic achievement, as it marks the first time Congress has addressed eating disorders specifically through legislation.

I thank Subcommittee Chairman MURPHY, Chairman UPTON, and the entire Committee on Energy and Commerce for working together to pass this landmark mental healthcare reform bill and move us one step closer to providing millions of Americans and their families a chance at treatment before tragedy strikes.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. GENE GREEN), the ranking member of the Health Subcommittee.

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Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 2646, legislation to improve our mental health system.

This bill is a positive step forward. I want to thank my colleagues on both sides of the aisle for their work to improve access, prevention, and treatment for those with mental and behavioral conditions. We worked extensively and collaboratively to craft the legislation.

I want to particularly thank Energy and Commerce Committee Chairman UPTON; Ranking Member PALLONE; Representatives KENNEDY, MATSUI, LOEBSACK, TONKO, and DEGETTE for their contributions; and Congressman TIM MURPHY for elevating the conversation about mental health.

H.R. 2646 includes new grant programs that expand access to critical mental health services, such as community crisis response systems and adult suicide prevention. It provides new tools to improve compliance with mental health parity, HIPAA training programs for patients and providers to better understand their protections and rights, and a peer professional workforce development grant.

I am pleased that this legislation extends the Federal Tort Claims Act to help professional volunteers at community health centers. It also affords the full range of Early and Periodic Screening, Diagnostic, and Treatment services to Medicaid children who receive care in Institutes of Mental Diseases.

While not comprehensive and lacking key resources, today's vote marks a significant step forward to strengthening our Nation's mental health system.

Again, I want to thank my colleagues on the Energy and Commerce Committee and their staffs, and I urge Members to vote in favor of this legislation.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE) the majority whip.

Mr. SCALISE. Mr. Speaker, I thank my colleague from Pennsylvania for yielding, but especially for taking the lead on this issue.

Mr. Speaker, it has been decades since Congress has reformed our mental health laws. Unfortunately, we have seen so many negative aspects since then. Suicide rates are through the roof. There are so many other problems throughout our country. It has touched every community in this Nation. We see a growing problem with mental health.

This bill really refocuses efforts, but it also puts a different priority on Federal grants and Federal agencies to force them to do a better job of addressing these problems. It also helps families to get more involved in the mental health problems that their own children face. Right now, some Federal laws make it harder for parents to help their own children. These kinds of serious problems have been complicated to work through.

Mr. Speaker, when you look at the fact that it has been decades, there is a reason why. This is hard work. It is complicated work. This bill has been at least 3 years in the making, and so it is very important that we bring this bill to the floor today and pass it over to the Senate. This is not only reform that can pass the House, but reform that actually get signed by the President and make a real difference and impact in improving people's lives.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I thank the gentleman for yielding.

For far too long, those with mental illness have been left in the shadows, and mental health prevention and treatment have been left out of our health systems.

The mental health crisis in this country is very personal to me, and I have been fighting for patients and their loved ones for many years. I believe there is a lot we can do better to stop or slow down the hurt and pain that patients and families feel when mental health is left unaddressed.

The bill before us today is a good bill. It is a first step toward mental health reform, offering policies that help move us in the direction of better parity between mental and physical illness, a stronger workforce trained to address mental illness, and promotion of evidence-based services and supports.

Especially important to me are the provisions that will help clarify when and how providers are able to share information with families and caregivers in order to better serve the patients in times of need.

There is more left to be done, more to do, and our reform efforts will not be complete or comprehensive until we make real investments in our mental health system. I will continue working for the comprehensive mental health reforms that our families need and deserve.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. UPTON), chairman of the full committee and who we owe a great debt of gratitude for moving forward this bill.

Mr. UPTON. Mr. Speaker, today marks an important milestone in the multiyear, multi-Congress effort to deliver meaningful reforms to the Nation's mental health system.

Last month, the Energy and Commerce Committee passed this bill 53–0 in committee. It has been bipartisan. We know that this is an issue that impacts every community and so many families in one way or another. We continue to hear tales of great loss where intervention was lacking or nonexistent. So we got to work. We spent hundreds and hundreds of hours—I am not kidding—in staff work and work by Members.

For way too long, mental health was a subject that was left in the shadows. Thankfully, that is no longer the case. Today we have developed a thoughtful solution. Throughout the process, we have achieved many important reforms. Today we build upon that momentum.

Our current system of siloed grants, prevention, and treatment simply doesn't work the way it should. This bill changes that with real reforms to provide SAMHSA new tools, under the leadership of a new Assistant Secretary, and we have done it the way that we should.

This bipartisan bill will save lives, aid families, and provide comfort and relief to those who are struggling.

Mr. Speaker, today marks an important milestone in the multi-year, multi-Congress effort to deliver meaningful reforms to the nation's mental health system. Last month, the

Energy and Commerce Committee unanimously approved H.R. 2646 by a vote of 53 to zero to help families in mental health crisis.

This is an issue that impacts every community, and so many families, in one way or another. We continue to hear tales of great loss where intervention was lacking or nonexistent.

But you know what? Congressman Tim MURPHY got to work. For way too long, mental health was a subject left for the shadows. Thankfully, that's no longer the case. Today, we have developed a thoughtful legislative solution. Throughout this process, we have achieved important reforms and today we build upon that momentum.

Our current system of siloed grants, prevention, and treatment simply does not work as well as it should. The "Helping Families in Mental Health Crisis Act" includes new reforms to make sure the federal government is leveraging their dollars with investments in evidence-based programs. The bill includes reforms to provide SAMHSA new tools, under the leadership of an Assistant Secretary for Mental Health and Substance Use, to do its job better.

Thoughtful legislating takes time and dedication. This Congress we have seen multiyear landmark committee efforts finally make it across the finish line in SGR reform, pipeline safety and chemical safety reforms, which were both signed into law late last month. 21st Century Cures has taken years, and we continue to make progress. And I am hopeful these mental health reforms that we have long pursued are on the same path to being signed into law, building upon our proud bipartisan record of success.

This bipartisan bill will save lives, aid families, and provide comfort and relief to those struggling. This strong bill is something that both Republicans and Democrats can be proud of. I thank Dr. MURPHY, Health Subcommittee Chairman PITTS, full committee Ranking Member FRANK PALLONE and the staff, who worked hundreds of hours to bring us to where we are today.

This bill will truly make a real difference and deliver meaningful reforms to families in mental health crisis all across America.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I thank the gentleman from New Jersey for yielding.

Mr. Speaker, I rise today in support of H.R. 2646, the Helping Families in Mental Health Crisis Act. While this bill is not perfect and necessarily represents a compromise from all sides, it is a good first step in making the improvement to our Nation's mental health system. It has been a long road to get here, and the passionate debate we have had has only served to strengthen the bill and produce legislation that we can all support.

In particular, I would like to highlight section 502, which is based on my Coordinating Crisis Care Act, which I sponsored. This provision would authorize a new grant program at SAMHSA to fund the development of real-time bed registry systems that will help get individuals in crisis the appropriate care they need in a timely fashion. By ensuring better coordination of crisis care systems, we can save lives and support individuals and families in their time of need.

Looking forward, Congress needs to do more to heal a broken mental health system. We should pass additional legislation that would ensure vigorous enforcement of our mental health parity laws and to strengthen mental health and substance use coverage for Medicaid and Medicare beneficiaries. That is ultimately the key to quality performance here for the mental health community.

Finally, we have to acknowledge that the current dysfunction in our mental health systems stems, in part, from decades of broken promises and a chronic underinvestment in community-based mental health services that simply cannot be solved by one single bill like this.

We must do better, and I stand ready to help in that fight.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Speaker, today I rise in support of Representative MURPHY's Helping Families in Mental Health Crisis Act.

Ten million Americans suffer from serious mental illness, Mr. Speaker. If they get care, they are 16 times less likely to harm themselves or others. Right now, too many patients fall through the cracks.

At a recent roundtable in Medford, Oregon, and on a tele-townhall I just completed, I heard from parents about their children who experienced homelessness and violence due to their illness, from caregivers about the difficulty of getting timely care, and from law enforcement about how the default place for the mentally ill is often a jail.

The consensus among all of them was that the healthcare system, the government, and society are failing those who need help the most. They overwhelmingly support the provisions in this legislation.

We can improve treatment, we can and do boost resources, and we will get care to people in need, especially in our rural communities.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I want to thank Ranking Member PALLONE, Chairman UPTON, and Congressman MURPHY for, once again, the bipartisan leadership that has guided this bill through our committee and onto the floor.

Mr. Speaker, you cannot listen to the constant stories from patients and families who have been denied access to mental health care and believe that there are not tragic gaps in our mental health system. This bill is a bipartisan, incremental step forward in our efforts to address those gaps.

I am especially pleased by the inclusion of my bill to remove the discriminatory barrier to care for children in certain inpatient psychiatric facilities, yet we have to acknowledge that, unless this is just the first step, we have failed to fix a broken system. Unless we increase Medicaid reimbursements rates, providers will still be forced to turn away our most vulnerable patient populations. Unless we inspire and encourage a new generation to pursue careers as psychologists, psychiatrists, and social workers, there will still be a shortage of professionals to care for our patients. Unless we can guarantee parity, insurance companies will continue to construct barriers to care, leaving patients without access to the mental health system no matter how strong that system may be.

And that is where our eyes should be focused tomorrow after this bill is passed.

Whether in conference or in our future committee hearings, we cannot accept this bill as a full, comprehensive fix to a fully broken system. If we do, patients suffering from mental illness will continue to fall through the same gaps that exist today.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), a member of the Energy and Commerce Committee.

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of H.R. 2646, the Helping Families in Mental Health Crisis Act, of which I am a cosponsor.

I want to thank Chairman MURPHY for the extensive amount of time and attention he has put into addressing mental health and substance abuse disorders. He even joined me in my district to hear directly from my constituents about this particular bill. I thank Chairman MURPHY again for that.

We discussed the struggles that individuals with mental illness face and how Congress can best address the need of those we serve. With their input, we worked to address every aspect of this overall problem.

This legislation will help countless individuals and families in my district in Florida and in communities across our country. I urge my colleagues to support this great piece of legislation.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the Democratic sponsor of the bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H.R. 2646, the Helping Families in Mental Health Crisis Act. As the original Democratic cosponsor of this piece of legislation and the one that preceded it, I am proud to see it come to the floor today.

H.R. 2646 is a demonstration of more than 3 years of collaboration between not only myself and Congressman TIM MURPHY, but the many other Members and organizations that came to the table to offer feedback, suggestions, and, at times, criticism. At no time did Congressman MURPHY turn anyone's input down.

The end result is a bill that remains focused on enabling the most severely and mentally ill to access the treatment they desperately deserve, while allowing their families and caregivers to help them along the way.

This piece of legislation contains several necessary provisions, including the establishment of an Assistant Secretary for Mental Health and Substance Use Disorder, easing our Nation's chronic shortage of psychiatric beds, requiring the Secretary of Health and Human Services to clarify confusing HIPAA rules surrounding mental health patients, and increasing grant programs with results proven to help individuals with serious mental health illness gain access to treatment like Assisted Outpatient Treatment and Assertive Community Treatment.

As two of the few mental health providers serving in Congress—another over here to my left, Dr. MCDERMOTT, a psychiatrist—Congressman MURPHY and I have always been focused on the needs of the severely mentally ill. Many that we read about daily in our many cities across the Nation end up in jail or prison.

□ 1415

While the homeless and prison population are particularly vulnerable to mental illness, these are the individuals that get the least amount of attention and access to mental health services. Through our work, we have a deep understanding of patient need, and this need is not being met.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. PALLONE. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. EDDIE BERNICE JOHNSON of Texas. Unfortunately, we have found that many of our fellow Members lack the understanding of patients in crisis, making this process more difficult.

I am hopeful, however, that this bill will be a framework to help us move the needle forward on mental health treatment in America.

I would like to thank Congressman MURPHY for his steadfast commitment to mental health. I would also like to thank the chairman, FRED UPTON, and our ranking member, Mr. PALLONE, for their hard work on this measure. While we still have a long ways to go, this is certainly a step forward.

Mr. MURPHY of Pennsylvania. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. LOUDERMILK). The gentleman from Pennsylvania has 12½ minutes remaining.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Indiana (Mrs. BROOKS), who has been a real champion of this bill.

Mrs. BROOKS of Indiana. Mr. Speaker, 1 in 4 adults, a total of 61.5 million Americans, will experience mental illness within a given year. The numbers alone don't tell the stories behind the deeply personal pain that this disease inflicts on our friends, neighbors, and, most importantly, their families.

Today, I am proud to stand with the gentleman from Pennsylvania in support of this strong bipartisan bill. He has truly championed the first major mental health reform in this country in 50 years.

Right now, our healthcare system does not allow families of those suffering from mental illness to become partners in their health care, and this bill ensures that adult patients struggling with mental illness will receive the healthcare treatment they need, while allowing their families to become close partners in their care. It expands the mental health workforce and increases the number of psychiatric hospital beds for those experiencing an acute mental health crisis.

This legislation is a significant, important step toward comprehensive, community-based care that will work better for people and, most importantly, their families. I urge my colleagues to vote ''yes'' on this bill.

Mr. PALLONE. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New Jersey has 8½ minutes remaining.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I rise today in support of the Helping Families in Mental Health Crisis Act, H.R. 2646, and wish to thank Chairman UPTON, Ranking Member PALLONE, and the two driving sponsors of this measure, Congressman TIM MURPHY and Congresswoman EDDIE BERNICE JOHNSON, who have adeptly navigated this bill through very choppy legislative waters.

The bill takes head-on one of the most compelling and unaddressed health challenges of our society: the suffering, the anguish, the travails, the plight of the seriously mentally ill. The bill will empower parents and caregivers, drive innovation, advance early-intervention and prevention programs, and offer alternatives to institutionalization, and provide the first step in a long time to show respect and real treatment alternatives to Americans living with mental illness.

It is no secret our prisons have become the domiciles for the mentally ill. This bill rings out: ''No more, no more.''

Sadly, psychiatric care has become the responsibility of our prison system. Three of the largest mental health ''hospitals'' in our country are incarceration facilities. Speak to any local sheriff. They will tell you their jails are overcrowded with the mentally ill.

What too often happens is that the ill person in an adult incarceration facility actually began their journey in a child correction facility, and as they matured, essentially, graduated to the adult facility without their underlying mental illness being properly diagnosed, much less treated. What an indictment of our Nation, not just our health and corrections system, this is, but our entire country.

Today's bill calls for a complete overhaul of the current mental health system. It has been needed since the de-institutionalization that sent millions, some to their death when they were sent to the streets.

I want to congratulate, as I conclude, Representatives MURPHY and JOHNSON for bringing this bill to the floor and addressing a crying human need for too long ignored in our country. They are doing something noble for the Nation. The severely mentally ill must be humanely treated.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS), the chairman of the Health Subcommittee of the Committee on Energy and Commerce.

Mr. PITTS. Mr. Speaker, I thank Mr. MURPHY for his leadership and his persistence in getting this historic legislation to the floor.

When a person struggles with mental illness, he or she may lose her job, her friends, even her family, which can make the mental illness worse. And help for this person may be available, but she may not be able to navigate available resources alone or drive to her doctor's appointments regularly without help.

Therefore, organizations providing mental health assistance must not only provide resources, they must make sure they actually connect people with people in need.

When the Federal Government distributes mental health funding, it needs to go to programs that are doing this, and Congressman MURPHY's bill is a step in the right direction. His bill will increase accountability so that we can better understand how Federal mental health and substance abuse treatment funds are used in each State. It would summarize best practice models in the States and do many other things, and this way we can highlight mental health programs that are most effective.

I urge my colleagues to support the bill.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT), the chairman of the Ways and Means Health Subcommittee.

Mr. MCDERMOTT. Mr. Speaker, first of all, I want to say congratulations to Congressman MURPHY. His persistence brought this bill to the floor, and it is important that this issue be discussed.

We are all going to vote for this bill. It will go out of here unanimously. We are all going to vote for it. But it is a hollow promise if there is not some money in it.

Now, I was in my training in Chicago, in 1964, when the first mental health money came from the Federal Government to Chicago, and it went all

over the country. And if the Federal Government doesn't put money into this program that we are outlining in this very carefully constructed bill, we will be sending out a blank check. There will be nothing. It won't be worth anything. To think that State legislatures or somebody is going to find the money somewhere is simply not real.

Now, this morning, Mr. PALLONE and I sat on a conference committee on opioids. We are doing the same thing there. We know there is addiction, we know there are all kinds of problems all over the place, and we are passing a wonderful bill out with some nice words in it, but no money. And if you are not willing to put some money into a program like this, you are simply consigning the mental health people to the jail.

I was the King County Jail psychiatrist in 1979 and I ran the second-largest mental hospital in the State of Washington. I had more patients every night in that jail than anybody except the guy running the State mental hospital down in Tacoma. And that is where the mentally ill are today.

If you want to get them out of that situation and get them into treatment, you are going to have to put some money out into the community in a variety of these programs. Good programs. I like what is in them. But you have got to put some money where your mouth is.

I will support the bill, and I want to hear the appropriations process next.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. I thank the gentleman for the recognition.

Mr. Speaker, passage of this bill represents a major milestone for individuals affected by mental illness across the country, and, of course, I want to congratulate Chairman and Congressman TIM MURPHY and Congresswoman EDDIE BERNICE JOHNSON on the progress they have made on this front. Many of us have worked in committee for a long time to achieve this day.

And while we are in the business of congratulating ourselves as a routine matter, I also want to take a moment to acknowledge the participation of staff, both in our personal offices, as well as the professional committee staff that helped bring this bill to the point we are today. In particular, an alumnus of my office, Adrianna Simonelli, worked hard to get this bill to a place where both sides could expect and accept the results that we are achieving today.

Thank you, Mr. Chairman, for the recognition. Thanks for bringing this bill to the floor of the House.

Mr. PALLONE. Mr. Speaker, could I inquire again about the time remaining on each side, and ask whether Mr. MURPHY, how many additional speakers he has?

The SPEAKER pro tempore. The gentleman from New Jersey has 5 minutes remaining.

Mr. PALLONE. Does the gentleman have a number of additional speakers?

Mr. MURPHY of Pennsylvania. I have about 10 more speakers who would like to speak.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE), who is the ranking member of the Oversight and Investigations Subcommittee.

Ms. DEGETTE. Mr. Speaker, today's vote on this wonderful bill is the result of longstanding efforts in the Energy and Commerce Committee to come to a bipartisan compromise on mental health legislation. I particularly want to thank my compadre, my chairman, Mr. MURPHY, for his hard work on this. I have spent many, many hours talking to him about this bill over the last few years, and I am happy to have it come together.

This bill really incorporates a number of our positive changes that included key provisions from the Comprehensive Behavioral Health Reform and Recovery Act, which I am an original cosponsor, and other bills.

But as Mr. MCDERMOTT and others on this side of the aisle have said, we still have a lot more work to do. This bill is really just the first step towards true reform. And if we want to make a difference, Congress really does need to provide the resources needed.

We have heard people talking about overfilled jails. We have heard people talking about parents who can't find beds for their tremendously mentally ill children. We have heard about the lack of truly educated professionals.

These things can only be achieved with resources and money. And so I truly see this bill as the first step towards a very robust mental health system in this country.

The last thing I want to say is, action on mental health legislation does not excuse inaction on gun violence prevention legislation. We must do something as well as passing comprehensive mental health legislation to respond to the gun violence epidemic.

Americans, my constituents, want us to take these steps. They have made this abundantly clear in the last few weeks, and I am urging that we have a vote separately on those issues.

But for today, let's all vote ''yes'' on this piece of legislation, and then let's move forward for the important steps we need to take.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 45 seconds to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Mr. Speaker, we are here today to vote on long overdue bipartisan mental health legislation. This bill will finally take concrete steps toward improving the quality of care available to those suffering from mental illness.

For too long, the most desperate among us have not had access to proper mental health care. Patients, along with their families and loved ones, have had nowhere to turn.

As a doctor taking care of patients in northern Michigan for 30 years, I am all too familiar with the lack of resources and attention devoted to providing quality mental health care for our Nation. There are many communities in my district there are no psychiatric beds available. Local agencies don't have the staff or the resources to provide answers for those seeking help, let alone treatment. This bill represents a major step forward in turning all that around.

I hope all my colleagues will join me in supporting this commonsense step to help deliver better mental health care.

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 45 seconds to the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. Mr. Speaker, I want to congratulate Dr. MURPHY and Ms. JOHNSON for this landmark mental health legislation. I believe it builds on earlier legislation we enacted in this Congress, like the Clay Hunt suicide awareness and prevention bill, improving the mental health for our veterans. And it fills a void that has existed for decades now since we de-institutionalized in the 1970s, a decision I support, but we never put Federal policy in behind it until today, Mr. Speaker, resources for the local level for inpatient care for Americans and families in mental health crisis.

□ 1430

It improves coordination across the agencies to deliver better suicide awareness and prevention in mental health.

I want to thank my wife, Mary Jo, a licensed clinical social worker, for her advice and inspiration.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. PALLONE. I continue to reserve the balance of my time, Mr. Speaker.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 45 seconds to the gentleman from Pennsylvania (Mr. ROTHFUS), my friend and colleague.

Mr. ROTHFUS. Mr. Speaker, I want to thank my colleague and neighbor from Pennsylvania, Congressman MURPHY, for his unrelenting leadership on this legislation and for calling attention to a problem that affects millions of families across the country.

Nearly 10 million Americans have serious mental illness, including schizophrenia, substance abuse disorder, and major depression. I think today of the many families in my district who tell me about the heartbreak they have had after losing loved ones to drug addiction or suicide.

This legislation will improve the oversight of mental health and substance abuse programs by ensuring we are using the most relevant data and most effective, evidence-based programs to address our mental health crisis.

I urge my colleagues to support this legislation, and I thank the gentleman for his leadership.

Mr. PALLONE. Mr. Speaker, I will continue to reserve the balance of my time until we get to closing remarks.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 45 seconds to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank Chairman MURPHY for this great piece of legislation.

I rise today in support of H.R. 2646, the Helping Families in Mental Health Crisis Act. Too many families across America have experienced a loved one who is living with or has been diagnosed with a mental illness. Sadly, one in five children ages 13 to 18 have or will battle a mental illness.

As a proud member of the House Education and the Workforce Committee, I had the privilege of visiting schools across Georgia's 12th Congressional District and visiting with educators and staff members. School leaders from elementary school to college all say that mental health is one of their top concerns for the students.

These heartbreaking statistics are more than data and numbers on a spreadsheet. They are mothers, fathers, sisters, brothers, students, friends, and children.

Mr. Speaker, I urge my colleagues to vote in favor of H.R. 2646.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 45 seconds to the gentlewoman from Virginia (Mrs. COMSTOCK).

Mrs. COMSTOCK. Mr. Speaker, I thank the gentleman for yielding and for his tireless work on this important bipartisan legislation which I was proud to cosponsor.

I rise in support of H.R. 2646, the Helping Families in Mental Health Crisis Act.

Every week we hear from constituents concerned about this issue, and, of course, we all no doubt know somebody battling with this issue. I appreciate the input from all stakeholders that has been taken into account here—doctors, healthcare providers, academics, and law enforcement—but, most importantly, the input from the families, the caregivers, and those dealing with the mental health conditions that are in so much need for more care.

So I urge my colleagues to support this bipartisan bill that will allow for more efficient use of the resource allocation, improved responsiveness, and reduced time and energy that is now lost spent navigating a very difficult system that will be improved by this. So I thank the gentleman.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I include in the RECORD this list of over 50 professional organizations in support of this bill and also a list of 65-plus editorials in support of this bill.

HELPING FAMILIES IN MENTAL HEALTH CRISIS EDITORIAL BOARD ENDORSEMENTS (H.R. 2646)

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1. The Florida Times Union, Congress begins to tackle mental illness (April 21, 2015).
2. Observer-Reporter, Reforms to mental-health system neede, (July 21, 2015).
3. The Sacramento Bee, Perhaps Congress will address mental health care (August 1, 2015).
4. The National Review, Congress is Waking Up To Mental health, (August 4, 2015).
5. Reading Record Searchlight, Perhaps Congress will address mental health care (August 9, 2015).
6. U.S. News and World Report, America Wakes Up to Mental Health (August 11, 2015).
7. The Florida Times-Union, Florida's inept system for mental health leads to tragedies (August 20, 2015).
8. The Washington Times, Stopping the shooters (August 27, 2015).
9. KDKA-News, KDKA Urges Congress To Pass Murphy's Helping Families in Mental Health Crisis Act (August 31, 2015).
10. The Connecticut Post, Congress can finally make a difference for mental-health reform (September 17, 2015).
11. The Winona Daily News, Congress can finally make a difference for mental-health reform (September 17, 2015).
12. Dubuque Telegraph Herald, Congress can finally make a difference for mental-health reform (September 17, 2015).
13. Boulder Daily Camera, Congress can finally make a difference for mental-health reform (September 17, 2015).
14. The Rome News-Tribune, Congress can finally make a difference for mental-health reform (September 17, 2015).
15. Carlsbad Current Argus, Congress can finally make a difference for mental-health reform (September 17, 2015).
16. Cecil Whig, Congress can finally make a difference for mental-health reform (September 17, 2015).
17. The Seattle Times, Congress can finally make a difference for mental-health reform (September 17, 2015).
18. Vero Beach Press Journal, Another View: Mental health reform effort deserves support (September 22, 2015).
19. Alamogordo Daily News, Mental health reform effort deserves support (September 25, 2015).
20. Grand Rapids Business Journal, Behavioral Health Care: We Can Do Better Than This (October 2, 2015).
21. The Roanoke Times, Our view: Murphy's (would-be) law (October 7, 2015).
22. The Dallas Morning News, Congress can rewrite mental illness stories by doing this (October 21, 2015).
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25. North Dallas Gazette, Dealing with Mental Illness in a Dysfunctional Society (October 28, 2015).
26. The Daily Courier, Seeking to help people before they pull the trigger (October 29, 2015).
27. The Sacramento Bee, We've come to accept the unacceptable (October 30, 2015).
28. The Washington Post, Movement on mental-health care (November 1, 2015).
29. The National Review, Editorial: The Week (November 2, 2015).
30. Kane County Chronicle, Another view: Movement on Mental Health Care (November 2, 2015).
31. Northwest Arkansas Democrat Gazette, Others say: Movement on mental-health care (November 3, 2015).
32. Grand Forks Herald, OUR OPINION: Support US. House's mental health care reform (November 4, 2015).
33. The Oklahoman, A review of state, federal mental health laws is justified (November 9, 2015).
34. Sarasota Herald Tribune, Bill targets mental health crisis (November 22, 2015).
35. The Wall Street Journal, The Next Mad Gunman (November 29, 2015).
36. The Tampa Bay Tribune, Confront Our Mental Health Crisis (December 1, 2015).
37. PennLive, Full U.S. house should get a vote on Rep. Tim Murphy's mental health bill (December 14, 2015).
38. The Scranton Times-Tribune, Retool mental health system (December 16, 2015).
39. The Citizens Voice, Improve access to mental health care (December 16, 2015).
40. New York Daily News, Sane law promises mental health treatment for the dangerously insane (January 28, 2016).
41. Washington Post, A glimmer of hope for reforming mental health care in America (June 25, 2016).

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42. The Express-Times, Don't give up on background checks, mental health reform (December 15, 2013).
43. Washington Observer-Reporter, Murphy's bill a step toward mental health reform (December 21, 2013).
44. The Wall Street Journal, A Mental Health Overhaul (December 25, 2013).
45. Houston Chronicle, Dealing with it (January 15, 2014).
46. The Wall Street Journal, The Definition of Insanity (March 31, 2014).
47. Pittsburgh Post-Gazette, Worthy of Support: Murphy's Mental Health Bill Faces the Critics (April 6, 2014).
48. The Toledo Blade, Worth of support (April 9, 2014).
49. Pittsburgh Post-Gazette, Better Care for the Mentally Ill is Crucial for Our Society (April 13, 2014).
50. The Washington Post Mental health care in the U.S. needs a check-up (April 16, 2014).
51. The Orange County Register, A Mental Health Fix That Merits A Chance (April 21, 2014).
52. Mansfield News Journal, How Congress can solve our mental-health crisis (May 19, 2014).
53. The Sacramento Bee, Efforts underway to prevent all-too-often tragic results of untreated severe mental illness (May 20, 2014).
54. The Fresno Bee, Orange County sets example with passage of Laura's Law (May 21, 2014).
55. The Seattle Times, Mental-health reform to consider in light of Santa Barbara shootings (May 28, 2014).
56. Cecil Whig, Rampage spurring new approaches (June 2, 2014).
57. The Arizona Republic, Reforms shouldn't protect 'Big Mental Health' (June 6, 2014).
58. National Review, Don't Go Wobbly on Mental Illness (June 9, 2014).
59. The Sacramento Bee, San Francisco Casts Vote for Compassion for People with Severe Mental Illness (July 9, 2014).
60. San Mateo Journal, A vote for compassion (July 10, 2014).
61. Ocala Star Banner, Mental health issue (August 18, 2014).
62. Bradenton Herald, Bill in Congress a solid overhaul of America's broken mental health system (August 21, 2014).
63. Raleigh News & Observer, Pennsylvania Congressman has Ideas to Address Mental Health Care (August 28, 2014).
64. The Fayetteville Observer, Mental health-care Overhaul Bill Worth Attention (August 29, 2014).
65. The Tampa Tribune, Nation needs to treat mental illness as a crisis (December 21, 2014).

ORGANIZATIONS

Adventist Health Care, American Academy of Child & Adolescent Psychiatry, American Academy of Emergency Medicine, American Academy of Forensic Sciences, American Foundation For Suicide Prevention, American College of Emergency Physicians,

American Occupational Therapy Association, Inc., American Psychiatric Association, American Psychological Association, Behavioral Health IT Coalition, California Psychiatric Association, Center for Substance Abuse Research.

College of Psychiatric and Neurologic Pharmacists, Developmental Disabilities Area Board 10 Los Angeles, Federal Law Enforcement Association of America, International Bipolar Foundation, Mental Health America, Mental Health Association of Essex County, NJ.

Mental Illness FACTS, Mental Illness Policy Organization, National Alliance on Mental Illness (NAMI), National Association of Psychiatric Health Systems, NAMI Harlem, NAMI Kentucky.

NAMI Los Angeles County, NAMI New York State, NAMI Ohio, NAMI San Francisco, NAMI West Side Los Angeles, National Association for the Advancement of Psychoanalysis, National Association of Psychiatric Health Systems, National Council for Behavioral Health, National Sheriffs' Association, No Health Without Mental Health, Pennsylvania Medical Society, Pine Rest Christian Mental Health Services.

Saint Paulus Lutheran Church (San Francisco), Schizophrenia and Related Disorders Alliance of America, Sheppard Pratt Hospital, Society of Hospital Medicine, Sunovian, Treatment Advocacy Cater, Treatment Before Tragedy, University of Pittsburgh, Department of Psychiatry, Washington Psychiatric Society, New York State Association of Chiefs of Police.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 45 seconds to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 2646, the Helping Families in Mental Health Crisis Act of 2015.

Mental health has become a crisis in our country. There is a nationwide shortage of nearly 100,000 psychiatric beds. Three of the largest mental health hospitals are, in fact, criminal incarceration facilities. Only one child psychologist is available for every 2,000 children with a mental disorder.

Our Nation's mental health system is broken. Yet through the hard work of my friend from Pennsylvania (Mr. MURPHY), this bill fixes the deficit that currently exists in our mental health system through refocusing programs, reforming grants, and removing Federal barriers for care. It provides for additional psychiatric hospital beds. It advances telepsychiatry to allow for better coordination. It also incentivizes States to provide community-based alternatives to institutionalization.

This bill takes numerous steps to addressing the deficiencies that our mental health community faces.

I commend Representative TIM MURPHY for his work on this bill, and I encourage my colleagues to support this bill.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 45 seconds to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in strong support of the Helping Families in Mental Health Crisis Act.

Across this country, our mental health system is broken. Nearly 10 million Americans suffer from serious mental illness, and for far too many of those individuals the Federal Government stands between them and the care that they so desperately need.

The laws on the books are complicated and outdated, but with this legislation, we have the opportunity to reform our national mental health system. This bipartisan bill will refocus programs, reform grants, and remove the Federal Government as a barrier to lifesaving health care.

I urge my colleagues to support this critical legislation to improve the quality and access to mental health care treatment.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader of the House of Representatives.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is a testament to Representative TIM MURPHY's expertise, persuasion, and sheer force of will that something so many thought would be impossible is now inevitable.

The House will soon vote to pass Mr. MURPHY's Helping Families in Mental Health Crisis Act under suspension. Though this bill is the most significant reform to our Nation's mental health program in decades, it has such a breadth of bipartisan support that we know it will pass with far more than a majority of votes in this House.

This is a work that Mr. MURPHY of Pennsylvania has done not just for 1 month, not 2, not even 1 year, but I would say a lifetime of his work. You see, each year, the Federal Government has responded with money—$130 billion to be exact. But we cannot and should never conflate the amount we spend with the effectiveness of the spending.

The Federal Government has 112 programs to address mental illness. But coordination is limited and gaps are common. Children with mental health disorders can't get psychiatrists. Criminal facilities are commonly used to house mental health patients. Funding isn't going to support evidence-based breakthroughs that improve people's lives.

We need simplification, coordination, and effectiveness. We need reforms that help those who suffer from mental illness while also making our Nation safer.

This bill is thorough and will deliver. From top to bottom it will improve our fragmented mental health systems, giving new hope to those too often forgotten and support to those truly in need.

It is an honor to be on this floor with Representative TIM MURPHY. He had the passion, but he had the servant's heart to never forget those that he wanted to serve. Many of those did not have a voice, and many of those felt left out, with no one there to speak for them.

Mr. MURPHY of Pennsylvania has never given up, and he has shown that the entire body of this House, and in essence willed it together, that it came out of the Committee on Energy and Commerce unanimously, and I hope on this floor we follow that direction.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield 45 seconds to the gentleman from Illinois (Mr. LAHOOD.)

Mr. LAHOOD. Mr. Speaker, I rise in support of H.R. 2646 and commend Dr. MURPHY for introducing it.

Across the country, over 10 million Americans suffer from severe mental illness. Unfortunately, many are not receiving their proper treatment, including access to inpatient facilities or trained mental health professionals.

In my prior life, I spent about 10 years as a State and Federal prosecutor. In that role, I saw the negative effects of a broken mental health system. It is a system in much need of reform in Illinois and all across this country. I have litigated many cases in which mental health played a significant role in the case, and I can assure you that when it comes to mental illness, incarceration in prison is not the solution.

This bill is a step in the right direction. It is comprehensive, and it will help change the direction of our mental health system. I strongly support it and urge my colleagues to support it.

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

Mr. Speaker, this bill is an important and positive step towards expanding and improving mental health care services in this country, but it is only a first step. If we are serious about strengthening our national mental health care system, we must expand access and dedicate more resources.

Comprehensive legislation should include dedicating robust resources to ensure access to community-based prevention, treatment, and recovery services in every community across the country. It must provide additional tools to strengthen mental health parity enforcement.

Democrats will stay focused on continuing to expand and improve the continuum care for mental health care services.

That said, I do want my colleagues, and I urge my colleagues, to support this bipartisan legislation, and let us also work together to get the Senate to pass their bipartisan bill, and they need to go to conference or somehow get a bill that would pass both Houses and get to the President. I do pledge to my colleagues on the Republican side that we need to do that between now and the end of year.

I wanted to take a moment to thank the Democratic committee staff who worked so hard on this bill—most of them are on the floor—Tiffany Guarascio, Waverly Gordon to my right, Rachel Pryor, Arielle Woronoff, Una Lee, and, finally, our fellow, Kyle Fischer.

Again, I urge my colleagues to support this bill.

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 2½ minutes remaining.

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

I want to add my thanks also to the ranking member, Mr. PALLONE, for his steadfast work in this and to his staff. I have learned a lot from them. We have had a lot of conversations and hopefully we have learned from each other.

Particularly, I want to thank EDDIE BERNICE JOHNSON of Texas. Her persistence and her role as a psychiatric nurse has been invaluable in this whole process.

In addition, other Members on the other side of the aisle, Mr. GENE GREEN of Texas and Ms. DEGETTE, MARCY KAPTUR and JIM MCDERMOTT, who have been incredible allies in this process, and, of course, the chairman of the full committee, Mr. UPTON.

The staff I want to thank are Gary Andres, Karen Christian, Sam Spector, Paul Edattel, Adrianna Simonelli; my staff, Susan Mosychuk, Scott Dziengelski; my former staff, Brad Grantz; and also Michelle Rosenberg from the committee, for their help.

Publicly, I want to also thank those families who spoke up. Many families came out of their pain—Senator Creigh Deeds, Cathy Costello of Oklahoma, Anthony Hernandez of California and Jennifer Hoff of California, Liza Long from up in Idaho, and Doris Fuller from nearby—all talking about the suffering of their families.

Thousands of other families spoke up, but there are still millions who suffer silently in the shadows trying to deal with mental illness and a Federal Government that has failed them, States that have underfunded it.

I appreciate the comments from my colleagues. Indeed, if we do not fund some of these things we are authorizing here, it is a far cry from what we need to do. But this bill comes a long way in reforming a system.

I ask my colleagues also now, this is one of those moments to put aside any political differences. In the 40 years that I have worked as a psychologist, I have never once asked any of my patients what party they belonged to. We were there to help them. This is our opportunity to speak up for those who have no voice, as I said at the onset, the last, the lost, the least, and the lonely. They depend on us.

I know that Members from both sides of the aisle have told me many times of the stories that they have suffered themselves of their own families and friends.

But now let me take a moment to set aside my title as Congressman or as doctor but to talk as a family member.

I think I was in college at the time when I heard a soft voice call in my house just saying ''help.'' It was my father. I went into the bathroom where he was. He had cut the arteries in his arms and he was bleeding out. I called an ambulance and asked them to come get help for him. He eventually recovered and made peace. But it was that soft voice calling for help that I responded to.

It is decades later and he is long gone. But it is that soft voice that millions of Americans are also calling out for help.

We have a chance here with this bill to make a huge difference. Unlike any other bills we may pass in Congress, this is one where I think Members can really go back and say: Today I voted to save lives.

Let's have treatment before tragedy, because where there is help, there is hope.

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

Mr. LEVIN. Mr. Speaker, reforming our mental health system has been an active priority of mine. That's why I supported legislation increasing access to the mental health care, including the Mental Health Parity Act of 1996, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, the Excellence in Mental Health Act, and the Affordable Care Act.

Among its provisions, the Affordable Care Act expanded mental health parity protections by including mental health coverage as one of ten Essential Health Benefit categories. The ACA also ended insurers' ability to refuse to cover someone due to a pre-existing condition. Prior to the ACA, insurers often declined to cover someone who had diagnoses of mental health conditions such as bipolar disorder, schizophrenia, and anorexia. This was no accident, and these important mental health reforms were yet another reason I supported the ACA.

The amended version of H.R. 2646, the Helping Families in Mental Health Crisis Act as reported out of Committee on the Energy and Commerce, takes another meaningful step towards reforming our mental health system by strengthening enforcement of mental health parity requirements, increasing access to community-based treatment, and growing the mental health workforce. I am pleased to support this bipartisan legislation, and I look forward to working with my colleagues in Congress to continue to improve the nation's mental health system.

□ 1445

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, H.R. 2646, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MURPHY of Pennsylvania. 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.

RESTORING ACCESS TO MEDICATION AND IMPROVING HEALTH SAVINGS ACT OF 2016

Ms. JENKINS of Kansas. Mr. Speaker, pursuant to House Resolution 793, I call up the bill (H.R. 1270) to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 793, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–60, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1270

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 ''Restoring Access to Medication and Improving Health Savings Act of 2016''.

TITLE I—RESTORING ACCESS TO MEDICATION ACT OF 2016

SEC. 101. SHORT TITLE.

This title may be cited as the ''Restoring Access to Medication Act of 2016''.

SEC. 102. REPEAL OF DISQUALIFICATION OF EXPENSES FOR OVER-THE-COUNTER DRUGS UNDER CERTAIN ACCOUNTS AND ARRANGEMENTS.

(a) HSAS.—Section 223(d)(2)(A) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(b) ARCHER MSAS.—Section 220(d)(2)(A) of such Code is amended by striking the last sentence.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of such Code is amended by striking subsection (f).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses incurred after December 31, 2016.

TITLE II—HEALTH CARE SECURITY ACT OF 2016

SEC. 201. SHORT TITLE.

This title may be cited as the ''Health Care Security Act of 2016''.

SEC. 202. ALLOW BOTH SPOUSES TO MAKE CATCH-UP CONTRIBUTIONS TO THE SAME HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Section 223(b)(5) of the Internal Revenue Code of 1986 is amended to read as follows:

''(5) SPECIAL RULE FOR MARRIED INDIVIDUALS WITH FAMILY COVERAGE.—

''(A) IN GENERAL.—In the case of individuals who are married to each other, if both spouses are eligible individuals and either spouse has family coverage under a high deductible health plan as of the first day of any month—

''(i) the limitation under paragraph (1) shall be applied by not taking into account any other high deductible health plan coverage of either spouse (and if such spouses both have family coverage under separate high deductible health plans, only one such coverage shall be taken into account),

''(ii) such limitation (after application of clause (i)) shall be reduced by the aggregate amount paid to Archer MSAs of such spouses for the taxable year, and

''(iii) such limitation (after application of clauses (i) and (ii)) shall be divided equally between such spouses unless they agree on a different division.

''(B) TREATMENT OF ADDITIONAL CONTRIBUTION AMOUNTS.—If both spouses referred to in subparagraph (A) have attained age 55 before the close of the taxable year, the limitation referred to in subparagraph (A)(iii) which is subject to division between the spouses shall include the additional contribution amounts determined under paragraph (3) for both spouses. In any other case, any additional contribution amount determined under paragraph (3) shall not be taken into account under subparagraph (A)(iii) and shall not be subject to division between the spouses.''.

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

SEC. 203. SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) TREATMENT OF CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.—If a health savings account is established during the 60-day period beginning on the date that coverage of the account beneficiary under a high deductible health plan begins, then, solely for purposes of determining whether an amount paid is used for a qualified medical expense, such account shall be treated as having been established on the date that such coverage begins.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to coverage beginning after December 31, 2016.

SEC. 204. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''$2,250'' and inserting ''the amount in effect under subsection (c)(2)(A)(ii)(I)''.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking ''$4,500'' and inserting ''the amount in effect under subsection (c)(2)(A)(ii)(II)''.

(c) CONFORMING AMENDMENTS.—Section 223(g)(1) of such Code is amended—

(1) by striking ''subsections (b)(2) and'' both places it appears and inserting ''subsection'', and

(2) by striking ''determined by'' in subparagraph (B) thereof and all that follows through '' 'calendar year 2003'.'' and inserting ''determined by substituting 'calendar year 2003' for 'calendar year 1992' in subparagraph (B) thereof .''.

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

TITLE III—PROTECTING TAXPAYERS BY RECOVERING IMPROPER OBAMACARE SUBSIDY OVERPAYMENTS ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Protecting Taxpayers by Recovering Improper Obamacare Subsidy Overpayments Act''.

SEC. 302. RECOVERY OF IMPROPER OVERPAYMENTS RESULTING FROM CERTAIN FEDERALLY SUBSIDIZED HEALTH INSURANCE.

(a) IN GENERAL.—Section 36B(f)(2)(B)(i) of the Internal Revenue Code of 1986 is amended to read as follows:

''(i) IN GENERAL.—In the case of a taxpayer whose household income is less than 300 percent of the poverty line for the size of the family involved for the taxable year, the amount of the increase under subparagraph (A) shall in no event exceed the applicable dollar amount determined in accordance with the following table (one-half of such amount in the case of a taxpayer whose tax is determined under section 1(c) for the taxable year):

''If the household income (expressed as a percent of poverty line) is:	The applicable dollar amount is:
Less than 200%	$600
At least 200% but less than 250%.	$1,500
At least 250% but less than 300%.	$3,000.''.

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

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentlewoman from Kansas (Ms. JENKINS) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentlewoman from Kansas.

GENERAL LEAVE

Ms. JENKINS of Kansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1270, currently under consideration.

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

There was no objection.

Ms. JENKINS of Kansas. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1270, the Restoring Access to Medication and Improving Health Savings Act. This bill contains policies that folks on both sides of the aisle can support and have supported in the past.

With the cost of health care rising, from hospital stays to doctor visits and prescription drugs, and the ever-present regulatory burdens of the Patient Protection and Affordable Care Act, H.R. 1270 combines three measures that put the people back in control of their own healthcare spending, gain more access to the over-the-counter medications they need, and decrease government spending.

One of the most head-scratching provisions of ObamaCare requires people to get a doctor's prescription if they want to buy over-the-counter medicines at a pharmacy with their HSA money. This provision is just about the polar opposite to what most folks think of when buying aspirin or other common medicines at their pharmacy.

Instead of simply walking in and paying with their HSA card for that medicine, they are turned down and told to set up an appointment with their doctor just to get a script for that medicine. It does not decrease costs for the patient or the government. It actually increases the burden people have to get those medications. Now they must make the appointment, wait for days or weeks for the visit, and take that doctor's time away from sick patients, all to get some allergy medicine.

H.R. 1270 will allow people to use their HSAs to buy over-the-counter medications at pharmacies because, when someone needs some allergy medicine during this time, they should be able to get that medicine whenever they need it.

With that, H.R. 1270 will allow people to put more into their HSA accounts and match the amount of their deductible and out-of-pocket costs. It will allow people to contribute $6,550 individually and $13,100 for a family, and those amounts will grow with inflation.

Another provision that makes it harder to use an HSA declares that taxpayers may use HSA funds only for qualified medical expenses incurred after the establishment of the HSA, which might be some time after the establishment of the associated high-deductible health plan, or HDHP. The provision would treat HSAs opened within 60 days after gaining coverage under an HDHP as having been opened on the same day as the HDHP.

Also, for eligible older, married Americans, this bill allows them to contribute catch-up contributions to one shared HSA, simplifying the saving process and ultimately enabling them to save more and gain more control over their own health care.

Finally, H.R. 1270 will better protect taxpayer dollars and modify existing limits on the amounts to be repaid by those whose advance payments exceed the ObamaCare subsidy to which they are entitled. This is a bipartisan offset. Twice, Congress has voted to increase the amount of improper ObamaCare subsidy overpayments that need to be repaid. Increasing the recovery of improper subsidy overpayments was first proposed by Senate Democrats in the 2010 Medicare doc fix and extenders legislation. Former HHS Secretary Sebelius described this offset as making it ''fairer'' for all taxpayers.

As currently structured, the Democrats' healthcare law fails to adequately protect taxpayers from overpayments of the Federal subsidies to purchase health insurance, even in the case of fraud. The current law limits the amount of money that can be recouped if recipients receive a greater subsidy than they are entitled to, even if that means keeping thousands of extra dollars in overpayments.

H.R. 1270 ensures full repayment for those making more than 300 percent of the Federal poverty level and doubles the current repayment cap for those between 250 and 300 percent of the Federal poverty level. This is not a tax increase or a way to punish those who receive a pay increase; rather, it is a measure to show our constituents that we are taking care of their tax dollars by requiring the return of overpayments.

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

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

The House was originally scheduled to take up this bill tomorrow—tomorrow. There was a hole, a hole created by Republicans' refusal to consider meaningful legislation to address gun violence in this country.

I was on the steps of the Capitol earlier today hearing the poignant stories—at times, virtually unbearable to hear—from victims of gun violence, the shattering impact on themselves or their children, and what it means in real terms for the lives of their families.

The bill now before us can be simply described: a tax cut mainly for the most wealthy, being paid for by the loss of health coverage for 130,000 Americans.

As the White House noted in its Statement of Administration Policy:

''The administration strongly opposes House passage of H.R. 1270, which would create new and unnecessary tax breaks that disproportionately benefit high-income people, increase taxes for low- and middle-income people, and do nothing to improve the quality of or address the underlying cost of health care.''

The Republicans have totally failed during the 6 years of healthcare reform to present an alternative. Instead, it is repeal or destroy the ACA. This is the 64th vote to repeal or undermine the ACA.

This bill is one of their scattered proposals on health care. According to the Joint Tax Committee, of the approximately 1.2 million returns in 2013 with an HSA deduction, more than 50 percent are from people with incomes ranging from $100,000 to $200,000 to over $1 million. This bill would double their tax benefit.

For Republicans, their banner is ''the more income inequality, the better.''

I strongly urge my colleagues to vote ''no.''

Mr. Speaker, I reserve the balance of my time, and I yield the balance of my time to the gentleman from Washington (Mr. MCDERMOTT), who is the ranking member on the Health Subcommittee, and ask unanimous consent that he may control that time.

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

There was no objection.

Ms. JENKINS of Kansas. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. BOUSTANY), our leader on the Ways and Means Committee and a subcommittee chairman.

Mr. BOUSTANY. Mr. Speaker, I rise in support of the Restoring Access to Medication and Improving Health Savings Act, bipartisan legislation to fix yet another provision within ObamaCare that defies all common sense.

I have to commend my colleagues on the House Ways and Means Committee, Congresswoman LYNN JENKINS and Congressman RON KIND, for coming together on this bipartisan legislation for the sake of getting good policy.

This legislation repeals an ObamaCare provision that prohibited Americans from using their pretax healthcare savings to purchase qualified over-the-counter medications. Over-the-counter treatments provide the first line of defense for minor ailments and illnesses. As a physician, I certainly know this well. Also, as a parent of two children, I know this quite well.

We all know, Mr. Speaker, concern over the rapidly escalating cost of health care is shared on a strongly bipartisan basis. On this point, I think we all can agree. In that same vein, ensuring Americans have access to the most appropriate care at the right time is a critical factor in curbing overutilization of healthcare services. In short, not every ailment or minor illness necessitates a trip to the doctor or emergency room.

My colleagues across the aisle, the architects of ObamaCare, have vastly underestimated the value in savings that over-the-counter treatment options provide each year to the U.S. healthcare system.

Access to over-the-counter treatments is estimated to save the U.S. healthcare system and consumers $102 billion, on average, each year in avoided clinical and prescription expenditures.

On average, physicians cite roughly 10 percent of office visits each year that could be avoided through appropriate use of over-the-counter treatment options.

In my home State of Louisiana, out-of-pocket expenditures for health care over the past 10 years has more than doubled, with the most recent annual statewide expenditure for medications, alone, totaling nearly $5 billion.

This is the right approach for protecting American families and seniors from some of the worst effects of ObamaCare.

I firmly believe allowing Americans to use their pretax dollars toward their out-of-pocket healthcare costs serves as a powerful tool to start really bending the healthcare cost curve in America. That is why I urge my colleagues to support this very sensible bipartisan legislation.

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

I include in the RECORD an editorial from The Washington Post called, ''The Myth of Paul Ryan.''

[From the Washington Post, July 5, 2016]

THE MYTH OF PAUL RYAN

(By Katrina vanden Heuvel)

It's also an apt descrtiption of the man Trump supplanted as de facto leader of the party—Romney's running mate in 2012, House Speaker Paul D. Ryan (R–Wis.).

Indeed, years before Trump sold Republican primary voters on the myth of his own great success, Ryan sold a credulous Washington establishment on the notion that he was a serious thinker overflowing with political courage—a policy wonk uniquely willing to tackle tough issues such as entitlement reform. In the past month, however, it has become more obvious than ever that Ryan's reputation is worth about as much as a degree from Trump University. Let's review.

After a fleeting flirtation with principle, Ryan kicked off June by endorsing Trump for president. Despite his previous indication that Trump would have to change course to earn his support, Ryan's endorsement came without any public concessions or reassurances from Trump It also came after The Post reported in late 2013 that Ryan was embarking on a personal crusade to steer Republicans ''away from the angry, nativist inclinations of the tea party'' and toward a ''more inclusive vision.''

A few weeks after bowing to Trump, Ryan did take a stand—against the historic sit-in on the House floor led by civil rights icon Rep. John Lewis (D–Ga.) to demand a vote on gun legislation. Ryan derided the show of solidarity with victims of gun violence as a ''publicity stunt'' and warned ominously that in the future, ''We will not take this. We will not tolerate this.'' (But Ryan has said the House will vote on a GOP-sponsored gun bill this week.)

Lastly, there is Ryan's supposed bread and butter: a policy agenda rolled out over the course of the month.

Ryan put forward a health-care proposal that was hyped as the long-awaited Republican alternative to the Affordable Care Act, but the ''plan'' consisted largely of well-worn talking points instead of actual legislation. In a withering editorial titled ''Paul Ryan's flimsy health plan,'' The Post's editorial board described it as ''less detailed in a variety of crucial ways than previous conservative health reform proposals,'' while adding, ''The outlines that the speaker did provide suggest that it would be hard on the poor, old and sick.''

He also released a tax reform proposal that, according to the Wall Street Journal, ''isn't detailed enough for a complete nonpartisan congressional analysis to verify the effect on the budget and on households.'' The limited details he did provide, however, do not paint a pretty picture. It's not just that Ryan proposes to slash rates for the rich and corporations. He also wants to create a new loophole for ''pass-through'' income, which is a feature of Trump's proposal and the disastrous plan implemented by Kansas Gov. Sam Brownback

(R) that has wrecked his state's finances. And perhaps most significantly, given his disavowal of his past ''makers and takers'' rhetoric, Ryan introduced an ''antipoverty'' plan that would severely weaken the safety net for those living in poverty. The plan, according to Politico, is mostly ''repackaged GOP proposals,'' including cuts to unemployment assistance, Head Start and federal Pell Grants. With Ryan's blue-collar home town of Janesville already suffering the consequences of corporate trade deals and other Ryan-backed economic policies that have eviscerated the city's manufacturing base, TalkPoverty editor Greg Kaufmann writes that Ryan's latest proposal demonstrates ''his enduring disconnect from the people struggling in his own district and across America.''

None of this is new. Ryan has been selling snake oil for years—promising to ''save'' Medicare by privatizing it, boasting that he could balance the budget with tax cuts for the rich and without any cuts to defense spending, pretending to be a pragmatist while embracing the extreme ideological dogmas of Ayn Rand and the religious right. But his unearned standing as a serious and

courageous leader in a sea of cynical hacks has persisted nonetheless. Even today, there are those who sympathize with Ryan, suggesting that he is somehow a victim of Trump and right-wing Republicans in Congress when, in fact, his leadership—and failures thereof—helped pave their path to power.

When he was nominated for vice president in 2012, I wrote that Ryan's vision for the country isn't courageous—it's cruel. While that remains true four years later, it's not only Ryan's policy goals that need to be exposed for what they are.

Mr. MCDERMOTT. Mr. Speaker, June 22 was a historic day in this House. You could look at it from two different positions. One was it was the day that the Speaker was going to roll out, finally, after 2,000 days, his plan for health care in this country.

□ 1500

Unfortunately for him, in the well of the House, the Democrats decided that, maybe, commonsense gun legislation was more important. This bill was supposed to come up that day, but, instead, it was put up for today, and then it was put up for tomorrow. It is important because this is the fundamental underpinning of the undoing of the ACA for this country.

There was a feeling on this floor that it was more important to talk about commonsense gun legislation. People were out there, worried about it, and we stood around here again and again, bowing our heads, and said: ''Gee, we are feeling awful about this,'' and then went on with business; so the Democrats sat down and said: ''We are going to do something about this.''

The Speaker is the Speaker, and he is not to be denied, so here comes his bill again. He couldn't get it on June 22. We are revisiting this bill with the added benefit of some time to have actually looked at what the Republican healthcare plan is. The reviews are now in. The article I included from The Washington Post calls it a ''flimsy health plan,'' ''PAUL RYAN's flimsy health plan.'' The American people don't understand what he is about to do to them.

Medicare would be replaced by a voucher system. Medicaid would be cut radically. Consumer protections would be rolled back. Women would be denied the care they are entitled to. These are the same tired, harmful ideas that the Republicans have proposed time and time again. At the heart of this proposal is a dramatic shift of costs onto the patients. That means the wealthy will win and that the poor and the middle class will lose.

H.R. 1270, which is knocking gun legislation off the agenda, is the first place they will begin the process of putting the Ryan plan into action. It is the first of a dozen bills that are required if they are serious about destroying the ACA and replacing it with their vision of health care for America. Like the rest of the Republican health debacle, H.R. 1270 is a harmful, poorly thought-out policy. This bill has three main parts, each of which will have damaging impacts on the Tax Code and on the healthcare system.

The first is to expand the HSAs, the health savings accounts. Health savings accounts are used by fewer than 1 percent of Americans—0.7 percent of Americans use HSAs. If you are above $1 million, 6 percent use them. These are mechanisms for the rich to save money around healthcare costs. Few middle and working class Americans have the incomes necessary to even contribute to HSAs.

The second thing it does is to repeal an important Affordable Care Act tax revenue provision and to put more money, tax free, in the hands of drug manufacturers—$20 billion for HSAs and $5 billion for the drug manufacturers in this country, as if they weren't making enough. We can't even have a meaningful hearing in the Ways and Means Committee on the costs of pharmaceuticals for Americans in the Medicare program.

Of course, now that we have given away $25 billion, we have got to have a pay-for. Where will we get that pay-for?

There is something in the ACA called the true-up process. Now, if you are somebody with an income of up to 200 percent of poverty and you are working and you get a subsidy from the government because you need it to afford to buy your healthcare plan, if something changes in your life during that year, there has to be a so-called true-up process. That is, you received too much in benefits, so you have to pay it back to the Federal Government.

Now, when $175,000 people like us write a bill of a grand here, a grand there, it is not really a big deal; but when you are making $40,000 or $30,000 for a family of four or $50,000 for a family of four, $1,000 is a big deal.

This was a provision in the Affordable Care Act that said, if you have to pay the government back, you have to pay some proportion, not all of it, because we know it would be a real hit at the end of the year to suddenly get a bill from the IRS for $1,000. It was a way to keep people able to buy health insurance. The CBO says 130,000 fewer Americans will have coverage because of this provision. That is how you pay for giving $20 billion to the top and $5 billion to the pharmaceutical manufacturers, and that is why some of us are going to oppose this bill.

My belief is that, if you are serious about dealing with health care, you are going to have to write it down. Mr. RYAN put a beautiful talking point list out with not a single word of legislation. He will not write down what he really intends to do. You have to kind of intuit it and have to have spent your life thinking about this stuff to understand all of the intricacies of what he is up to.

The really upsetting thing is that we ought to be dealing with gun legislation here. The American people are entitled to have us vote on gun legislation.

I reserve the balance of my time.

Ms. JENKINS of Kansas. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. PAULSEN), a member of the Ways and Means Committee and an author of one portion of this bill.

Mr. PAULSEN. I thank the gentlewoman for yielding.

Mr. Speaker, I thank Representative JENKINS for her leadership and advocacy on behalf of consumers' choice in health care, and that is exactly what this bipartisan bill does and is all about. It is giving everyone the flexibility and the ability to make healthcare choices that are best for them and for their families, because no matter what your views are about the President's new healthcare law, you have to acknowledge that healthcare costs continue to go up for families, for small businesses, and for individuals alike. It is a pocketbook issue. Families want to have more tools and more flexibility to lower their costs and to set aside money to help pay for health care.

Today, more and more people—nearly 20 million Americans—are using these health savings accounts to help save for health care. These are accounts that are used by regular, middle-income folks. In fact, the Joint Committee on Taxation just released brand new information, while we were gone on the Fourth of July recess, that points out that almost 80 percent of people who are using these HSA accounts are middle-income and low-income. Half of the folks had incomes between $75,000 and $200,000, and 27 percent of the folks had incomes below $75,000. This is because the HSA is a very important tool that gives families certainty to help lower their healthcare bills. It allows them to shop around for the best quality care at the lowest price just like anything else they want to buy.

Mr. Speaker, HSAs are growing in popularity. We know that. It is time to improve these accounts now to make them easier for all consumers to use. In Minnesota, 800,000 consumers and Minnesotans are eligible and are part of these HSA healthcare plans.

This bill contains more commonsense reforms to help patients. It does include restoring the ability of patients to use their own healthcare dollars in health savings accounts and in flexible spending accounts to purchase over-the-counter medications without their having to get doctors' prescriptions first. There is no reason for patients to have to make unnecessary doctors' visits just so they can use their own money to buy allergy medication or cold medicine like Advil or Claritin.

In addition, this bill does include provisions, which I authored, to make it easier for spouses to contribute and to consolidate their accounts as they near retirement. It also allows for them to pay for their health care as they open their HSA accounts, and it allows them to set aside enough money to cover all

of their deductible and out-of-pocket costs.

Mr. Speaker, this bill is good policy. It is bipartisan, and it is fiscally responsible. Most importantly, it helps families save and pay for their health care.

Mr. MCDERMOTT. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I would much rather be discussing a bill that would get automatic and semiautomatic weapons out of our lives. Nevertheless, I strongly oppose H.R. 1270. This bill gives advantage to the most secure in our country at the expense of the vulnerable. If you really look at it, it is kind of Robin Hood health care in reverse.

According to the Joint Committee on Taxation, health savings accounts vastly benefit high-income earners. Fewer than 0.5 percent of taxpayers with incomes under $50,000 contribute to HSAs, yet 6.3 percent of taxpayers who earn over $500,000 contribute to these accounts. This is not surprising because it is high-income earners who can set aside thousands of dollars in HSAs. The median income in my congressional district is $51,311. The vast majority of my constituents will not benefit from this bill, but they will be harmed by it.

To pay for the $24 million boon to the upper income, this bill hikes up the healthcare costs of low- and middle-income Americans. When low- and middle-income families receive financial help to make their ACA health insurance more affordable, the ACA wisely protects them from excessive penalties if they incorrectly predict their annual incomes. Shockingly, H.R. 1270 removes these important consumer protections from thousands of low- and middle-income families in order to pay for the tax breaks for the wealthy.

In addition to increasing costs for struggling families, the bill would result in approximately 130,000 fewer individuals who are covered by health insurance. HSA expansion is not a substitute for comprehensive healthcare reform. HSA expansion does not lower healthcare costs nor improves the quality of healthcare services.

Rather than raising the minimum wage, creating jobs, or growing the economy, the Republican leadership simply advances HSA expansion to bolster the wealth of the most privileged at the expense of the vulnerable. I urge my colleagues to reject this bill and vote ''no.''

Ms. JENKINS of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY), the esteemed chairman of our House Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, I rise in support of H.R. 1270, the Restoring Access to Medication Act of 2016, led and authored by Congresswoman LYNN JENKINS.

House Republicans recognize the Affordable Care Act is really making life harder for so many families and job creators. That is why we have released a detailed plan to repeal this controversial law and have put in place healthcare solutions that are focused on what the American people need, not what Washington needs. This bill by Congresswoman JENKINS helps build upon and advance that important effort. The legislation is a testament to regular legislative order. It contains three policies that have been approved in advance by the Ways and Means Committee.

First, H.R. 1270 eliminates a nonsensical ObamaCare regulation that puts Washington between patients and the medications they need.

Under ObamaCare, Americans are limited. They can only use their personal medical savings accounts to buy prescription drugs only. It doesn't matter if there is an over-the-counter alternative that works just as well and costs half as much. No. ObamaCare says you cannot use your own health savings to pay for it without an expensive prescription. This bill cuts this Federal red tape so Americans, in a commonsense way, have the freedom to use their own health savings or flexible spending accounts to buy the medication that best suits them regardless of what side of the counter it comes from.

Second, the bill makes commonsense improvements to how you contribute to and spend from your health savings accounts.

These improvements, first introduced by Representative PAULSEN and Dr. BURGESS, allow Americans to save more, to coordinate their savings with their spouses, and to have better access to their savings.

Finally, the measure acts to protect taxpayer dollars by making sure that those who aren't eligible to get subsidies pay them back. It makes common sense. If you are not eligible, you should pay them back. Some patients do under the current law.

Twice, Republicans and Democrats have come together to make the ObamaCare subsidy repayment fairer. I am hopeful that we can continue that sense of bipartisan cooperation today. I congratulate Congresswoman JENKINS. Her bill will help people in America save. I urge its support.

□ 1515

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

Ms. JENKINS of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. HOLDING), a member of the Ways and Means Committee.

Mr. HOLDING. Mr. Speaker, thank you for the opportunity to speak on this important bill. I would also like to thank my colleagues on the Ways and Means Committee, particularly Ms. JENKINS, for collaborating to put this package together.

The bill before us is built on two important principles: patient-centered health care and good governance.

This bill will expand consumer-driven healthcare accounts. For families and individuals, this means expanding their ability to set aside hard-earned money tax free and giving them the ability to spend their money on the benefits most useful to them.

This bill will allow Americans to use the money they have set aside for health care on over-the-counter medication regardless if they go to their doctor beforehand.

Just as important, Mr. Speaker, this bill will put a stop to the Federal Government continuing to overpay for ObamaCare subsidies, thereby protecting taxpayer dollars.

I support these principles, and I urge my colleagues to support the bill.

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

Ms. JENKINS of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 1270, because Americans should have every opportunity to use how they see fit their health savings accounts or health flexible spending arrangements.

When ObamaCare was passed into law, one of the many things it limited was what health savings accounts could be used for. Under ObamaCare, health savings accounts or flexible spending accounts can only be used for prescription medications and insulin. In other words, if you have a headache, you cannot use the money you have saved for medication services. You would need to either get a prescription for your headache or pay for an over-the-counter drug out of pocket.

I believe one aspect to any successful marketplace is allowing consumers to use their income and resources as they see fit to manage their health. Limitations and control by the government on how Americans can interact with retail businesses is never good, especially in health care. That is why H.R. 1270 is so important.

H.R. 1270 removes the ObamaCare limitation on medication payments for health savings accounts and health flexible spending arrangements so Americans can use their accounts for both over-the-counter medications as well as prescription medications.

We must continue to remove the governmental barriers that limit consumer action and choice. We must work to ensure that every American has choices to make so the U.S. healthcare system remains consumer driven.

I encourage my colleagues to support this legislation.

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

I include into the RECORD a letter from the Executive Office of the President, a Statement of Administration Policy dated 21 June of 2016 on this bill where the President says, in the last line:

''If the President were presented with H.R. 1270, he would veto the bill.''

STATEMENT OF ADMINISTRATION POLICY

H.R. 1270—THE RESTORING ACCESS TO MEDICATION ACT OF 2015—REP. JENKINS, R–KS, AND 39 COSPONSORS

The Administration strongly opposes House passage of H.R. 1270, which would create new and unnecessary tax breaks that disproportionately benefit high-income people, increase taxes for low- and middle-income people, and do nothing to improve the quality of or address the underlying cost of health care.

The Affordable Care Act is working and is fully integrated into an improved American health care system. Discrimination based on pre-existing conditions is a thing of the past. Thanks to the Affordable Care Act, 20 million more Americans have health insurance. And under the Affordable Care Act, we have seen the slowest growth in health care prices in 50 years, benefiting all Americans.

H.R. 1270 would repeal the Affordable Care Act's provisions that limit the use of flexible savings accounts for over-the-counter drugs—provisions that help fund the law's coverage improvements and expansions. The bill also would provide additional tax breaks that disproportionately benefit those with higher income by expanding tax-preferred health savings accounts. These changes would do little to reduce health care costs or improve quality. To fund these new high-income tax breaks, H.R. 1270 would increase taxes paid by low- and middle-income families by removing the law's limit on repayment of premium tax credits available through the Health Insurance Marketplaces.

Rather than refighting old political battles by once again voting to repeal parts of the Affordable Care Act, Members of Congress should be working together to grow the economy, strengthen middle-class families, and create new jobs.

If the President were presented with H.R. 1270, he would veto the bill.

Mr. MCDERMOTT. Mr. Speaker, it is very clear that this is, as Mr. LEVIN said, the 64th or 65th—I have lost count—effort to undermine the Affordable Care Act and to begin the process of sliding Americans away from Medicare and Medicaid and privatize the whole business and leave the American people in the loving hands of the insurance industry. We understand.

Newt Gingrich said, when he became Speaker, that his number one goal was to get rid of Medicare; and the Republican Party has been doing that since 1994. I have been here the whole time and watched it over and over and over again. We have beaten it back, we have beaten it back, and we have beaten it back.

The fact is that the American people are entitled to security in their health care. In every other industrialized country in the world, people do not worry about being bankrupted by their illness or an injury or whatever might happen to them.

Health care is not something that you have very much control over. In fact, this idea that you can shop your health care; that somehow, as you are driving down the road and suddenly your heart has problems, you can stop and say, ''Well, let me get a phone book here and find the cheapest cardiologist to go to or the cheapest cardiac surgeon,'' that kind of shopping doesn't go on. We are not buying iceboxes here. We are designing a system where we are trying to help everybody.

The Republican plan is simply pulling people away from that and forcing them into their own individual box. You take care of yourself. I have no responsibility for you whatsoever.

That is the end of a civilized society when we stop caring about people in the society who have the most trouble dealing with the problems they face, not because they are weak or stupid.

These people who are getting these benefits, buying their healthcare plan, are using that money because they don't have enough to do it on their own. Something changes in their life. One of their kids gets married. Suddenly they are no longer a deduction. So they have suddenly got to be in the true-up process, and we are going to take their money away from them because their kid got married.

Now, my view is that everything about this bill is not in the best interest of the American people. Not only are they entitled to health security, they ought to have some security, and that means that we ought to have a process where everybody who wants to buy a gun ought to have to go through a background check.

I was going home on the plane last week after what went on here, and a guy came down the aisle about the size of the man in the chair and said to me: ''I am a gun collector, and I got 25 guns and they are all registered, and they should be. And I am a Republican.''

This country understands the commonsense nature of the legislation that we should be considering today here. Instead, we get the beginnings of eroding the healthcare system. The Speaker is inexorably working toward it, and we will just have to keep fighting.

I yield back the balance of my time.

Ms. JENKINS OF Kansas. Mr. Speaker, as I said in my opening statement, this bill deserves bipartisan support.

It seems that the main objection from my Democratic colleagues relates to the ObamaCare subsidy overpayments, and our desire to get back some of the money that our constituents have received either fraudulently or not under this law is just a commonsense approach.

This is not a tax on poor Americans nor is it a Robin Hood-style break for rich Americans. Rather, it is a bipartisan offset that many of my friends on the other side of the aisle have voted for not once, but twice. It is a chance to fulfill our obligation to be good stewards of the dollars that hard-working Americans have paid in taxes.

We must pass H.R. 1270 to protect taxpayers, reduce the deficit by more than $2 billion, and show that we can agree to change some bad provisions in ObamaCare that drive up costs, decrease access, and unwisely spend taxpayer dollars.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 793, the previous question is ordered on the bill, as amended.

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.

Ms. JENKINS of Kansas. 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, this 15-minute vote on the passage of the bill will be followed by 5-minute votes on:

Ordering the previous question on House Resolution 803;

Adoption of House Resolution 803, if ordered;

The motion to suspend the rules and pass S. 1252; and

The motion to suspend the rules and pass H.R. 2646.

The vote was taken by electronic device, and there were—yeas 243, nays 164, not voting 26, as follows:

[Roll No. 351]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Burgess
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Crawford
Crenshaw
Cuellar
Curbelo (FL)
Davidson
Davis, Rodney
Dent
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
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)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
Lamborn
Lance
Latta
Lipinski
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
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
Salmon
Sanford
Scalise
Schweikert
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
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—164

Adams
Aguilar
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
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)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Yarmuth

NOT VOTING—26

Bass
Bost
Buchanan
Cramer
Culberson
Delaney
Denham
DeSantis
Ellmers (NC)
Farr
Grijalva
Harris
Hastings
Katko
LaMalfa
Lewis
Meeks
Nadler
Nugent
Rice (NY)
Scott, Austin
Speier
Takai
Welch
Westmoreland
Wilson (FL)

□ 1543

Mses. EDWARDS and CLARK of Massachusetts changed their vote from ''yea'' to ''nay.''

Mr. ASHFORD changed his 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 for:

Mr. DENHAM. Mr. Speaker, I was inadvertently detained on rollcall vote 351 regarding H.R. 1270, the Restoring Access to Medication Act of 2015. Had I been present to vote, I would have voted "yes."

Stated against:

Mr. WELCH. Mr. Speaker, I was unable to vote on rollcall 351. I would have voted "nay" on rollcall 351 had I been there.

PROVIDING FOR CONSIDERATION OF H.R. 4361, FEDERAL INFORMATION SYSTEMS SAFEGUARDS ACT OF 2016, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 803) providing for consideration of the bill (H.R. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 180, not voting 10, as follows:

[Roll No. 352]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallego
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
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
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
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
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—180

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
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)

Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
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—10

Bost
Buchanan
Delaney
Hastings
Katko
Nadler
Nugent
Schrader
Takai
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1551

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 182, not voting 11, as follows:

[Roll No. 353]

AYES—240

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
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
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
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
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
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
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—182

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
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
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
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—11

Bishop (UT)
Bost
Buchanan
Davis, Rodney
Delaney
Hastings
Katko
Nadler
Nugent
Takai
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1558

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on rollcall No. 353, I was unavoidably detained. Had I been present, I would have voted "aye."

GLOBAL FOOD SECURITY ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1252) to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, 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 California (Mr. ROYCE) 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 369, nays 53, not voting 11, as follows:

[Roll No. 354]

YEAS—369

Adams
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty

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

NAYS—53

Abraham
Aderholt
Allen
Amash
Babin
Barton
Black
Blackburn
Boustany
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Byrne
Carter (GA)
Chaffetz
Collins (GA)
Culberson
Davidson
DeSantis
DesJarlais
Duncan (TN)
Farenthold
Fleming
Gibbs
Gohmert
Gosar
Graves (GA)
Graves (LA)
Griffith
Grothman
Harris
Hice, Jody B.
Jones
Labrador
Lamborn
Loudermilk
Lummis
Marchant
Massie
McClintock
Palazzo
Palmer
Price, Tom
Ratcliffe
Rice (SC)
Rouzer
Sanford
Sensenbrenner
Sessions
Stutzman
Williams

NOT VOTING—11

Bost
Buchanan
Delaney
Garrett
Hastings
Katko
Meadows
Nadler
Nugent
Takai
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1605

Mr. POE of Texas and Ms. BROWN of Florida changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. ROBY. Mr. Speaker, on rollcall No. 354, I mistakenly voted "yea" when I intended to vote "no."

HELPING FAMILIES IN MENTAL HEALTH CRISIS 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. 2646) to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes, as amended, 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 Pennsylvania (Mr. MURPHY) 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 422, nays 2, not voting 9, as follows:

[Roll No. 355]

YEAS—422

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
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)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff

Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Amash
Massie

NOT VOTING—9

Bost
Buchanan
Delaney
Hastings
Katko
Nadler
Nugent
Takai
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1615

Messrs. TAKANO and GROTHMAN changed their 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.

□ 1615

REPORT ON H.R. 5634, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2017

Mr. CARTER of Texas from the Committee on Appropriations, submitted a privileged report (Rept. No. 114–668) on the bill (H.R. 5634) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

VENEZUELA DEFENSE OF HUMAN RIGHTS AND CIVIL SOCIETY EXTENSION ACT OF 2016

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs and the Committee on the Judiciary be discharged from further consideration of the bill (S. 2845) to extend the termination of sanctions with respect to Venezuela under the Venezuela Defense of Human Rights and Civil Society Act of 2014, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 2845

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 ''Venezuela Defense of Human Rights and Civil Society Extension Act of 2016''.

SEC. 2. EXTENSION OF TERMINATION OF SANCTIONS WITH RESPECT TO VENEZUELA.

Section 5(e) of the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113–278; 50 U.S.C. 1701 note) is amended by striking ''December 31, 2016'' and inserting ''December 31, 2019''.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPRESSING CONDOLENCES FOR THE KILLING OF THE BRITISH MEMBER OF PARLIAMENT (MP) JO COX

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of House Resolution 806, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 806

Whereas, on June 16, 2016, British Member of Parliament Helen Joanne ''Jo'' Cox while traveling to meet with constituents in Birstall was attacked and sustained fatal injuries in an abhorrent act of terrorism;

Whereas as a result of these injuries Cox passed away at the age of 41;

Whereas Cox was a faithful servant who dedicated her life to helping those in need through a lifetime of advocacy and work for humanitarian causes;

Whereas Cox was a faithful public servant who dedicated her life to serving the British people and expanded protections for some of the world's most vulnerable populations, especially refugees;

Whereas she was the first in her family to graduate from a university, Pembroke College at Cambridge, where she received a degree in social and political studies;

Whereas Cox had just been elected in May 2015 for her first term as a Member of the Parliament for Bateley & Spen;

Whereas when Cox was elected to Parliament she said that she had achieved her ''dream'';

Whereas at the time of her death, Cox was about to meet with her constituents;

Whereas President Barack Obama described Cox as ''an effective public servant for her beloved Yorkshire'' and made clear that ''countless women, children and refugees around the world live with more dignity and home because they knew Jo Cox and were touched by her work on their behalf'';

Whereas British Prime Minister David Cameron described Cox as ''a voice of compassion, whose irrepressible spirit and boundless energy lit up the lives of all who knew her and saved the lives of many she never, ever met'';

Whereas Cox was nominated as a Young Global Leader by the Davos World Economic Forum in 2009;

Whereas Cox described herself as a ''mum, proud Yorkshire lass, boat dweller, mountain climber and former aid worker'';

Whereas Cox truly sought to improve her community through public service;

Whereas the British Parliament was recalled to pay tribute to Cox and flags were flown at half-staff over the Prime Minister's residence, Number 10 Downing Street;

Whereas the loss of innocent lives due to political violence in the United Kingdom is a threat to the United States and democratic governments across the world; and

Whereas Cox leaves behind her husband, Brendan, and two children, Cuillin and Leijla: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns in the strongest terms the killing of Member of Parliament Jo Cox on June 16, 2016;

(2) condemns in the strongest terms acts of terrorism;

(3) expresses its deepest sympathies to the Cox family for their loss; and

(4) stands with the British Parliament and the British people during this profound moment of sadness.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FEDERAL INFORMATION SYSTEMS SAFEGUARDS ACT OF 2016

GENERAL LEAVE

Mr. CHAFFETZ. 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. 4361.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 803 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. 4361.

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

□ 1621

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. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, with Mr. HULTGREN 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 Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

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

Mr. Chairman, we are here to consider H.R. 4361, the Government Reform and Improvement Act of 2016.

As amended, the bill combines seven good-government bills, each of which have been reported by the Committee on Oversight and Government Reform, and I look forward to hearing from some of the bill's sponsors as we move this package today.

Broadly speaking, these bills address three key issues: enhancing Federal information technology security, modernizing the Federal workforce, and addressing Federal regulatory burdens.

The first topic, enhancing IT security, is addressed through the first title of the bill and is a cause championed by Representative GARY PALMER, also the sponsor of the underlying bill that is under consideration now.

Specifically, title I of the bill addresses a Federal Labor Relations Authority determination that was based on an incorrect interpretation of the Federal Information Security Management Act, or what is widely referred to as FISMA.

The ruling permits Federal employee unions to delay agencies from implementing timely and necessary cybersecurity protections, like blocking access to potentially dangerous Web sites, until the agencies first negotiate with the unions over the changes.

The second topic, Federal workforce modernization, is covered by titles II, III, IV, and V of the legislation.

Title II includes the text of H.R. 901, a bill introduced by Representative MARK MEADOWS of North Carolina, and requires the Office of Management and Budget to issue guidelines to prohibit access to explicit Web sites from Federal Government computers, unless such access is necessary for investigative purposes.

It is kind of ridiculous that we have to legislate this, but it is such a pervasive problem in our work on the Oversight and Government Reform Committee, this is a vital bill that is in that package. We have heard numerous examples of this problem. One individual, for instance, Mr. Chairman, was at the EPA, the Environmental Protection Agency, and was identified by the inspector general there. This person was watching 2 to 6 hours per day of explicit material—otherwise known as pornography—on the clock and paid for by the American taxpayer.

Title III includes the text of H.R. 3032, a bill introduced by Representative KEN BUCK to lengthen the probationary period for Federal employees to 2 years after training is completed. Currently, Federal employees have a probationary period of just 1 year, which often does not give managers sufficient time to evaluate on-the-job performance.

Title IV includes the text of H.R. 4358, a bill introduced by Representative TIM WALBERG. It will modernize the Senior Executive Service, also known as the SES, the elite administrators within the Federal Government.

Specifically, the bill will increase the probationary period for SES members to 2 years and make SES members subject to the same suspension authorities for misconduct that are already applied to other civil service employees.

Additionally, agencies will be able to remove SES employees for ''such cause as would promote the efficiency of the service.'' So what we are trying to do is provide more efficiency, and this is an appropriate bill.

Title V includes the text of H.R. 3023, a bill introduced by Representative DENNIS ROSS of Florida to require the Office of Personnel Management to release an annual report on the use of official time by agencies. Official time is when Federal employees perform representational work for a union in lieu of normally assigned work. I think it is appropriate that we have some more specificity for Congress to understand what is happening here.

The third topic, addressing regulatory burdens is covered by the final two titles of the bill, title VI and title VII. Title VI includes the text of H.R. 4612, a bill introduced by Representative TIM WALBERG of Michigan to prohibit agencies from proposing or finalizing rules in the period between the day of a Presidential election and the inauguration day of a new President.

This provision will address a recurring problem where sitting Presidents of both parties will rush through the regulations at the end of the term which have been come to be known as midnight regulations. To counter the problem of midnight regulations, every President since Ronald Reagan who has taken over from the opposite party has issued an immediate regulatory moratorium to pause the regulatory process until it can be reviewed. Rather than forcing incoming Presidents to handle a torrent of new regulations advanced by an outgoing President, the bill would allow new Presidents to move forward on regulations they deem appropriate.

Mr. Chairman, title VII includes the text of H.R. 4921, a bill introduced by Representative MARK WALKER, also of North Carolina, to require the Internal Revenue Service to mirror what the agency requires of taxpayers in its own recordkeeping requirements.

Imagine that—the IRS has to live under the same standards that they make the American people live under.

Specifically, the IRS requires taxpayers to keep their tax year information for 3 years after filing. This bill does the same.

A lot of good bills are wrapped into this package. I urge our Members to support it.

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

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

I rise in strong opposition to this legislation, which is yet another Republican assault on Federal employees and the Obama administration.

Some Members claim this is a good-government bill. That is simply not true. This legislation is a mishmash of several bills that would damage employee rights, weaken public health and safety, and do little, if anything, to advance government reform.

Although there are many troublesome provisions, I will focus on the more harmful parts of the legislation.

First, this bill would allow agency heads to fire senior executives with little notice. A senior executive would be allowed to appeal an agency decision only after removal. The agency decision would be deemed final if an administrative law judge failed to issue a decision within 21 days. This could bind an executive to an agency's decision by default rather than by judgment on the merits of his or her case. That is simply unfair.

Almost identical provisions were included in a law enacted in 2014 affecting the Department of Veterans Affairs. Not surprisingly, they are being challenged on constitutional grounds in the Federal circuit court of appeals. The Department of Justice has acknowledged some of the constitutional infirmities by choosing not to defend some of these provisions.

This bill also would lengthen the probationary period for new employees from 1 year to 2 years. By this extended probationary period, these workers essentially would be at-will employees. They would have minimal due process rights if they are unfairly fired, and they would have minimal appeal rights if unwarranted disciplinary action is taken against them.

□ 1630

I understand that this legislation is intended to provide agencies with more authority to root out so-called bad apples from the Federal workforce. However, I do not believe the solution to getting rid of a few bad apples is to attack the due process rights of millions of hardworking, dedicated Federal employees who serve the American people honorably every single day.

These provisions would also endanger whistleblowers and make employees more vulnerable to retaliation for reporting waste, fraud, and abuse. History has shown why these due process protections are so necessary.

I would like to read from a report issued by the Merit Systems Protection Board in 2015:

''Due process is there for the whistleblower, the employee who belongs to the 'wrong' political party, the reservist whose periods of military service are inconvenient to the boss, the scapegoat, and the person who has been misjudged based on faulty information. Due process is a constitutional requirement and a small price to pay to ensure the American people receive a merit-based civil service rather than a corrupt spoils system.''

We must remember that Congress put in place these due process protections to eliminate this spoils system. Now by trying to move Federal employees back to being at-will employees, our Republican colleagues would be returning us to that broken and dangerous system.

Another misguided provision in this bill would block the President from finalizing significant regulations during the last months of his term, even if those regulations have been in the works for an extended period of time. Blocking agencies from finalizing rules they had been working on for years just because it is the end of a President's term is not good policy and it is certainly not good governing.

I include in the RECORD a letter from the American Association for Justice, dated February 29, 2016, and a letter from the Coalition for Sensible Safeguards, dated March 1, 2016.

AMERICAN ASSOCIATION FOR JUSTICE,
February 29, 2016.

Re The Midnight Rule Relief Act of 2016 (H.R. 4612).

Hon. ELIJAH CUMMINGS,
Committee on Oversight and Government Reform,
House of Representatives, Washington, DC.

DEAR RANKING MEMBER CUMMINGS: AAJ urges members of the committee to oppose the Midnight Rule Relief Act of 2016 (H.R. 4612) which would impose a moratorium on any new proposed or final major regulations during the final months of this and future presidential administrations.

This misguided bill would jeopardize crucial public protections by blocking regulations based on timing alone. It presumes the regulations which are proposed or finalized during the so-called ''midnight'' rulemaking period are rushed and inadequately vetted. Yet many of the regulations which this moratorium would apply to have been in the regulatory process for years. These regulations were delegated by Congress to agencies in order to protect children from toxic toys, families from tainted food, and consumers from financial exploitation.

Furthermore, the need to ban such regulations has not been demonstrated. The Administrative Conference of the United States (ACUS) conducted an extensive study of regulations finalized near the end of previous presidential terms and found that found that the majority of the rules are either routine matters or tasks that were initiated before the Presidential transition period or the result of deadlines outside the agency's control (such as year-end statutory or court-ordered deadlines).

It is also important to consider the varied regulations which could be impacted by this moratorium. One example is the pending Centers for Medicare and Medicaid (CMS) regulation on long term care that contains important protections for nursing home residents. This regulation could also offer nursing home residents protection from forced arbitration clauses. This rulemaking is scheduled to be finalized in the fall and has been on the CMS' regulatory agenda for three years. There is no reasonable basis to prevent CMS from implementing important protections for nursing home residents.

This moratorium could impact a number of meaningful regulations aimed at improving the health, safety and welfare of the American people. Yet the need for such a drastic action is not supported. Under the guise of attacking the regulatory actions of the Obama Administration, this bill guts effective public health and safety measures and should not be tolerated.

AAJ urges members of the committee to vote no on H.R. 4612, the Midnight Rule Relief Act of 2016.

Sincerely,

LINDA A. LIPSEN,
Chief Executive Officer,
American Association for Justice.

COALITION FOR
SENSIBLE SAFEGUARDS,
March 1, 2016.

Re Midnight Rule Relief Act of 2016 (H.R. 4612).

Hon. JASON CHAFFETZ,
Chairman, House of Representatives, Oversight & Government Reform Committee, Washington, DC.

Hon. ELIJAH CUMMINGS,
Ranking Member, House of Representatives, Oversight & Government Reform Committee, Washington, DC.

The Coalition for Sensible Safeguards (CSS), which includes more than 150 diverse labor, consumer, public health, food safety, financial reform, faith, environmental and scientific integrity groups representing millions of Americans, urges members of the committee to oppose the Midnight Rule Relief Act of 2016 (H.R. 4612) which would impose a blanket moratorium on any new proposed or final major regulations during the final months of this and future presidential administrations.

This bill would jeopardize public protections affecting public health and safety and the environment that often are years, if not decades, in the making. Worse, it would exempt attempts in the final days of an administration, through rulemaking, to ''undo'' or weaken existing regulations.

The proposed legislation is based on a fatally flawed premise: that regulations proposed or finalized during the so-called ''midnight'' rulemaking period—the period following the election and before the inauguration of the new president—are rushed and inadequately vetted.

In fact, the very opposite is true. There are currently dozens of public health and safety regulations that have been in the regulatory process for years or decades, including many that date from the Obama Administration's first term or implement laws passed in the first term. Indeed many regulations predate this Administration entirely. Many of these regulations were mandated by Congress and have missed rulemaking deadlines prescribed by Congress. Referring to regulations that have been under consideration by federal agencies for years, and in some instances decades, as ''rushed'' simply is not true.

A small sampling of long-delayed regulations that could be blocked by this moratorium illustrates the harmful impact of the bill.

The pending Occupational Safety and Health Administration regulation protecting workers from exposure to the toxic carcinogen silica has been in the regulatory process for nearly twenty years and the current silica standard dates from 1971.

Critical pipeline safety regulations have yet to be completed under the 2011 Pipeline Safety Act, an issue of urgent bipartisan concern given recent pipeline ruptures and leaks.

The Food and Drug Administration has yet to implement regulations under the 2009 Tobacco Control Act to safeguard the public and particularly young people, from new and potentially dangerous tobacco products such as electronic cigarettes.

Approximately a quarter of required rulemakings under the Dodd-Frank Wall Street Reform Act have yet to be implemented over five and a half years after the law was enacted and nearly eight years since the financial crash. Among those rules are important measures to bring transparency to bank executive compensation and limits on excessive speculation that drive up energy prices for consumers.

The Interior Department has yet to finalize the ''blowout preventer'' rule that was a primary factor in leading to the massive British Petroleum oil spill in the Gulf almost six years ago.

Prominent administrative law experts have concluded that the concerns regarding these regulations are not borne out by the evidence. For example, in 2012 the Administrative Conference of the United States (ACUS) conducted an extensive study of regulations finalized near the end of previous presidential terms and found that many ''midnight regulations'' either were ''relatively routine matters not implicating new policy initiatives by incumbent administrations,'' or ''the result of finishing tasks that were initiated before the Presidential transition period or the result of deadlines outside the agency's control (such as year-end statutory or court-ordered deadlines).'' In the end, ACUS concluded, ''the perception of midnight rulemaking as an unseemly practice is worse than the reality.''

As the ACUS study points out, there is little to no empirical evidence supporting claims that regulations finalized near the end of presidential terms were rushed or did not involve diligent compliance with mandated rulemaking procedures. In fact, it is likely that compliance with the current and too lengthy regulatory process prevents agencies from finalizing new regulations efficiently, and thus earlier in presidential terms.

This is because many of the regulations that Congress intended to provide the greatest benefits to the public's health, safety, financial security, and the environment currently take several years, decades in some instances, for agencies to implement due to the extensive and, in many cases, redundant procedural and analytical requirements that comprise the rulemaking process. Indeed, CSS maintains that the inherent inefficiency of the current regulatory process, leading to a broken system of regulatory delays and paralysis across agencies, is the primary area in most of need of urgent attention and reform by this Committee.

Making matters worse, H.R. 4612 establishes a flagrant and unjustifiable double-standard in the regulatory process by exempting deregulatory rules from the moratorium, thereby prioritizing deregulation over pro-protection measures. The practical effect of this exemption is to ensure that the legislation will only apply to administrations that favor pro-regulatory measures and thus creating a permanent loophole for administrations that favor deregulatory measures. This one-sided application betrays foundational administrative law principles that require regulatory procedural mandates to apply to both deregulatory and pro-regulatory actions in a neutral and fair fashion.

Taking the claims of ''midnight regulation'' critics at face value, there is simply no principled basis for allowing deregulatory measures to be ''rushed'' through the process without ''adequate vetting'' while at the same time preventing agencies finalizing and implementing public protections by falsely claiming that they did not receive adequate consideration.

This Administration ends on January 20, 2017. It is incumbent on them to do their constitutional duty to implement the laws of Congress until that date.

CSS urges members of the committee to reject both the Midnight Rule Relief Act of 2016 (H.R. 4612) and false and misleading rhetoric that bears no reality to the real

problems of excessive and systemic delay in the regulatory process.

Sincerely,

ROBERT WEISSMAN,
President, Public Citizen, Chair, Coalition for Sensible Safeguards.

Mr. CUMMINGS. The letter from the American Association from Justice states:

''This misguided bill would jeopardize crucial public protections by blocking regulations based on timing alone. It presumes the regulations which are proposed or finalized during the so-called 'midnight' rulemaking period are rushed and inadequately vetted. Yet many of the regulations which this moratorium would apply to have been in the regulatory process for years.''

Contrary to what our Republican colleagues may believe, the President is a President until January 20, 2017, according to the Constitution. Just as the Republicans are wrong for blocking the President's Supreme Court nominee in his last year of his term, this provision is also wrong, it is awfully wrong, for attempting to curtail the authority of a President of the United States to protect the interests of the American people.

I urge my colleagues to join me in opposing H.R. 4361.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama (Mr. PALMER), the sponsor of the bill under consideration today.

Mr. PALMER. Mr. Chairman, the Federal Government's most important responsibility is to protect this Nation and our citizens, particularly when it comes to defending against cyber attacks.

In June and July of last year, 2015, the Office of Personnel Management announced the largest government data breach in history. The personally identifiable information of over 22 million Americans was compromised, including background investigation and fingerprint data.

The national security impact of the OPM data breach will resonate for decades.

Under the Federal Information Security Management Act, or FISMA, the head of each agency is responsible for securing its information systems from unauthorized access and other threats posed to our Nation's security and economic vitality.

But under a mistaken interpretation of FISMA, the Federal Labor Relations Authority determined Federal employee unions can block agencies from taking action to implement cybersecurity protections against direct risks until the agencies first negotiate on them.

Mr. Chairman, the security of Americans' data is nonnegotiable and should not be eligible for bargaining. Securing hundreds of millions of Americans' data and millions of Federal employees' data is more important than the convenience of a few Federal employees in using government computer systems for personal use.

This bill ensures that the head of a Federal agency does not just have the responsibility to swiftly secure the agency's networks, but also has the authority to do so, and without having to go through collective bargaining.

The next time a Federal agency acts in the interest of securing Americans' data, the head of the agency should be confident the action will not be challenged because the agency did not engage in bargaining over cybersecurity.

I believe this is an important step that we can take to empower Federal agencies to act quickly to secure agency networks and protect Americans from cyber attacks.

I urge my colleagues to support this bill.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Chairman, I thank the ranking member from Maryland.

Mr. Chairman, I rise today in opposition to another attempt by Republicans to undermine due process protections, prevent the President from finalizing rules during his last months in office, and override collective bargaining rights for Federal employees.

In fact, this bill, H.R. 4361, eliminates the ability of agencies to issue rules toward the end of a President's term, assuming some kind of shoddy rulemaking to finalize a rule before a President's term is up. This kind of assumption is wrong. There is nothing shoddy going on. The Administrative Conference of the United States found most end-of-term rules related to routine matters or were issued in response to deadlines outside of the agency's control.

This is nothing more than another effort to reverse the will of the American people when they reelected President Obama in 2012 by impairing the ability of our government to function in the last months of his term.

Additionally, H.R. 4361 is like Christmas in July for those opposed to the labor rights of our fellow Americans, including anti-family provisions and provisions of dubious constitutionality.

Specifically, this bill exempts from collective bargaining requirements any action taken by an agency head to limit, restrict, or prohibit access to a Web site that the agency head determines presents a security risk to the agency's IT systems.

In practice, this would erode collective bargaining rights by excluding ''any impact or implementation'' of such an action from collective bargaining requirements, such as reasonable accommodations to allow an employee to communicate with family members or schools.

H.R. 4361 also subjects the members of our Senior Executive Service to the political whims of Presidents by stripping them of their ability to appeal their termination after a decision by an administrative law judge.

The Department of Justice has declined to defend the constitutionality of similar provisions before the court of appeals for the Federal circuit.

H.R. 4361 should have no place in our American laws. I strongly urge my colleagues to keep it that way.

Mr. CHAFFETZ. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG), who has been integral in making this bill a reality. I thank him for his hard work in championing these efforts.

Mr. WALBERG. Mr. Chairman, I thank the chairman.

Mr. Chairman, I am not sure what bill my friends on the other side are talking about, but I am glad to be talking about a great bill that my friend, the gentleman from Alabama (Mr. PALMER), has introduced. I appreciate his work on the Oversight and Government Reform Committee to craft H.R. 4361, the Government Reform and Improvement Act of 2016. It includes a series of good government reforms that will provide more accountability and transparency to Federal bureaucracy that is sorely lacking each.

I am proud the legislation includes two of my bills: the Senior Executive Service Accountability Act and the Midnight Rule Relief Act. The Senior Executive Service Accountability Act brings much-needed reform and gives agencies commonsense tools to hold senior leaders more accountable for their taxpayer-funded work.

Specifically, the bill ensures employee performance is measured, eliminates loopholes that allow reprimanded officials from keeping perks like executive pay, and expedites the removal process for individuals who have been found to have engaged in misconduct.

To be clear, there are many in the Federal workforce, including senior executives, who are hardworking public servants. We thank them for their hard work. However, as we have seen repeatedly in hearings before our committee, there are also bad actors who have grossly abused their position, and the Senior Executive Service Accountability Act is an important step towards holding these bad actors accountable and restoring public trust.

The underlying bill also contains the Midnight Rule Relief Act. It establishes a moratorium period between the Presidential election and the inauguration on regulations that result in major costs or price increases for consumers and small businesses.

Pushing costly regulations at the last minute has been an issue with previous administrations of both political parties. The Midnight Rule Relief Act will hold the current and future outgoing administrations in check to ensure small businesses in Michigan and across the country aren't faced with a surprise onslaught of excessive regulations that stifle wages, job creation, and economic growth.

I want to, again, commend the work of Mr. PALMER and the Oversight and Government Reform Committee for

their great work to ensure a more accountable and transparent Federal Government.

I urge my colleagues to support H.R. 4361.

Mr. CUMMINGS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Chairman, I thank Ranking Member CUMMINGS.

Mr. Chairman, I rise today in strong opposition to H.R. 4361.

Clearly, my colleagues on the other side have good intentions, but they need to be informed and corrected and understanding. I served 30 years as a Federal employee. During that time, I served as an EEO investigator. I looked at actions that were made against Federal employees that were not in compliance. I understand the undue burden that this legislation will put on Federal workers and labor organizations. H.R. 4361 combines proposals attacking Federal employees with regulatory measures, many of which hinder the performance of one of our Nation's largest workforces.

When we considered this legislation in committee, I offered an amendment to strike the provisions in title III of H.R. 3023, and require each employing agency to make an affirmative decision in writing near the end of an employee's probationary period stating that the individual's performance is acceptable, which the Office of Personnel Management considers a best practice in managing the performance of employees.

Mr. Chairman, instead of debating legislation that would undermine due process provisions, we should be looking at how we can protect our citizens through commonsense gun control legislation and maintain access to affordable health care for all Americans.

Mr. CHAFFETZ. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. WALKER), who has poured his heart and soul into this. I am glad that he is participating and joining us here today.

□ 1645

Mr. WALKER. I thank the chairman, and I thank my distinguished colleague from Alabama for working so diligently on this piece of legislation.

Mr. Chair, I rise in support of my bill, H.R. 4921, the Ditto Act. The Ditto Act is not just about ensuring that the Internal Revenue Service properly maintains its records; it is also about holding the government and the powerful to the same standards to which they hold American citizens.

This bill states that, if the IRS requires American citizens to maintain their tax records, then the IRS also has to maintain any record for at least 3 years.

Currently, the IRS requests or recommends American citizens maintain certain records or tax information for the ''just in case.'' Essentially, the IRS says that American citizens have to hold on to their information for years at a time in the event that the IRS may request information to audit us, to investigate us, or to take some similar action. However, current investigations and congressional hearings show that the IRS does not hold itself to the same standards, and it does not properly maintain its own records.

This unequal enforcement of the law is part of a bigger problem. Continued and recent events, as we have seen recently, point to the fact that government agencies, such as the IRS, attempt to play by different rules than the rest of us.

The Ditto Act is another step in ensuring that government bureaucrats are held to the same standards as all Americans. If the IRS insists that we maintain our records, then the IRS should have to play by the same rules and be held similarly accountable for the same information.

That is why I have introduced this simple piece of legislation. This bill provides a level playing field. It tells American citizens that their government is operating under the same set of rules that it requires all of us to operate under. I hope my colleagues will join me in supporting this effort.

Mr. CUMMINGS. Mr. Chair, I yield 3 minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Chair, I rise in opposition to H.R. 4361, which is yet another Republican attack on the Federal workforce and labor organizations.

This bill is, essentially, an attempt to micromanage the government. The bill is a collection of measures that undermine due process protections, that prevent the Obama administration from finalizing rules during its last 2 months in office, and that override collective bargaining rights for Federal employees.

The bill would bar most regulations from being finalized by, virtually, every Federal department or agency during the last 2 months of the Obama administration, regardless of when they were proposed or how long they have been in the rulemaking process. Additionally, H.R. 4361 exempts from civil service collective bargaining requirements any agency action limiting access to any Web site the agency determines presents a current or a possible future security weakness to its information systems.

The bill's language is unnecessary because current law already authorizes Federal agencies to ''ensure that all personnel are held accountable for complying with the agency-wide information security program.''

In practice, this provision could allow agencies to cut off Federal employees' ability to communicate with childcare providers or to get information on a weather emergency in the event of their children's schools closing early, with there being no opportunity to negotiate alternative arrangements. The provision could also be selectively invoked to block access to the official Web sites of Federal unions.

Under current law, there is no right to bargain over the substance of agency information systems decisions, only over appropriate arrangements in the event that those decisions create an adverse impact on employees. In addition, agencies can take any action without bargaining in advance if there is an emergency. Agencies currently have broad authority in this area, making any additional limitation on employees' ability to have a voice in their working environments unnecessary.

Further burdening Federal workers, H.R. 4361 would extend the probationary period for newly hired General Schedule employees from 1 year to 2 years. For positions requiring formal training, the 2-year time period would only commence after the required formal training. This is unnecessary as the current 1-year probationary period allows sufficient time for agency management to assess and determine whether an employee is suitable for most positions and is capable of performing his duties.

In the Statement of Administration Policy, the President's senior advisers stated that they would recommend he veto this bill.

As I said before, this bill is, essentially, an attempt to micromanage the government, which is not this body's purpose, and we should get on with the business of what Congress is supposed to do.

Mr. CHAFFETZ. Mr. Chair, I yield 3 minutes to the gentleman from Colorado (Mr. BUCK).

Mr. BUCK. I thank the gentleman for the opportunity to speak on this important legislation.

Mr. Chair, our Federal Government relies on the contributions of civil servants to run Federal agencies and to faithfully execute our laws. We place significant responsibility into the hands of these executive branch employees. Others still are placed in senior management roles where the impacts of their performance and competency are felt throughout the agencies and by those citizens who interact with them. We expect Federal employees to run the government efficiently and fairly; so we should treat them the same way. That is what this bill does.

When a typical employee is hired for the civil service, he begins in a probationary period, during which time the employee can be relieved of his duties if he fails to perform well. After the probationary period, the employee receives greater protection from being fired, even if he is underperforming. This bill extends the probationary period of employees in both the competitive civil service and the Senior Executive Service from 1 year to 2 years. If the employee requires training or licensing, the probationary period begins when training and licensing are complete.

This extended probationary period gives us time to assess the skills of government employees. If an employee

isn't up to the task he or she has been assigned, it is unfair to everyone else who is working hard or competently in that agency to retain the underperforming individual. Moreover, the morale of Federal agencies depends on their having strong teams with strong employees. Anyone who has run an office knows that one bad apple can drag the whole team down.

That is why this bill is so important. We need strong teams working in the Federal Government, and our current Federal employees deserve competent team members. Only then will our bureaucracy be more efficient and better able to serve the American taxpayer, because, ultimately, taxpayers pay the salaries of our Federal employees. For the sake of the taxpayer, we must create a culture of accountability and fairness in our Federal hiring practices.

I urge my colleagues to support this commonsense legislation.

Mr. CUMMINGS. Mr. Chair, I reserve the balance of my time.

Mr. PALMER. Mr. Chair, I yield 3 minutes to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. I commend my colleague from Alabama for introducing this legislation, which contains a number of bills from the Oversight and Government Reform Committee.

Mr. Chair, H.R. 4361 contains several excellent provisions to increase transparency, to enhance oversight, and to restore good governance.

One of the areas of particular importance to me is the language that requires the Office of Personnel Management to submit to Congress reports on the use of ''official time'' by Federal employees.

For those who are unfamiliar with official time, it is the practice by which Federal employees are paid by taxpayers to conduct union business, while on the clock, instead of performing the normal activities and duties of the agencies for which they work. Official time allows Federal employees who are with the unions to collectively bargain with their agencies, to arbitrate grievances, and to even organize or carry out internal union activities, all while being paid by the taxpayer.

It is staggering to me how much official time is used. Over 3 million man-hours each year are spent on activities that have nothing to do with government business. From 1998 to 2012, which is the last period of time that we have of reliable data, the use of official time has grown by over a million man-hours per year while the number of Federal employees who are represented by unions has actually decreased during that period of time.

In fact, there are several Federal agencies that have many employees who do nothing but union activity business in spite of the fact that they were hired for something else. For example, the VA and the IRS have over 200 employees each who operate exclusively on official time. Many of these employees are extremely well paid. The Department of Transportation, for example, has 35 employees with an average salary of $138,000 who give 100 percent of their time to union activity rather than to that for which they were hired.

For a point of reference, Mr. Chair, the mean household income in my district is, approximately, $62,000 a year. Official time, essentially, means that American taxpayers are being forced to subsidize the union activities of Federal employees. Federal employee union members pay union dues, and the taxpayers should not be required to foot the bill.

There is an unfortunate lack of reporting on this issue, and it is, ultimately, unclear exactly how much official time is being used by Federal employees. Here in Congress, we are sometimes forced to rely upon year-old GAO reports and existing FOIA requests.

That is why the OPM reporting that is required under this legislation is critical. Personally, I am opposed to official time altogether, but at least we can agree that reporting is necessary for all of us.

I urge the support of H.R. 4361.

Mr. CUMMINGS. Mr. Chair, I reserve the balance of my time.

Mr. PALMER. Mr. Chair, I yield 2 minutes to the gentleman from Florida (Mr. ROSS).

Mr. ROSS. I thank my colleague from Alabama for this legislation and for this opportunity.

Mr. Chair, I rise in support of H.R. 4361, the Government Reform and Improvement Act of 2016, and in support of my legislation that is included in this package, which requires the Office of Personnel Management to submit an annual report to Congress that details the use of official time by Federal employees.

''Official time'' is defined as any period of time that is used by a Federal employee to perform representational or consultative functions and during which the employee would otherwise be in a duty status. Essentially, this allows Federal employees to perform union activities during their official workdays.

As the former chair of the Oversight and Government Reform Subcommittee on the Federal Workforce, U.S. Postal Service and Labor Policy, I learned firsthand that OPM has very little accountability for the use of official time. In fact, the OPM last reported about the use of official time in the year 2012, which was 4 years ago.

My bill would require the OPM to submit a detailed report annually to Congress on the use of official time by Federal employees, outlining specific types of activities or purposes for which this time was granted. For example, in 2012, Federal employees spent, roughly, 3.4 million hours conducting union business while on duty. This came at a cost of $157 million to the taxpayer. The taxpayers have a vested right to know.

At a time when our country is more than $19 trillion in debt, we need to ensure that we are better accounting for the use of taxpayer dollars. This legislation will bring greater transparency to the activities union officials are conducting while being paid by the American taxpayer.

I thank Chairman CHAFFETZ and my colleague from Georgia (Mr. JODY B. HICE) for their support on the Oversight and Government Reform Committee.

Mr. CUMMINGS. Mr. Chair, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the chairman so very much.

To the manager of the bill on the floor, my good friend who is representing the majority, I think not one of us can cite an example in which a Federal employee is not engaged in serving this Nation.

Mr. Chair, over the last couple of months, our focus has been on the Transportation Security Officers. As I traveled back to Washington and as I interacted with my constituents, many were concerned about airport travel and the enhancement of security. I saw TSO officers—government workers—on the front lines. We see them all the time as they serve this Nation—from homeland security to, certainly, those who are working in the health areas now as we face the epidemic of Zika.

In many places, Federal employees stand in the gap by serving us. We look forward to bright young people who are graduating from college and who are seeking service in the Federal army, if you will, of civilian workers who serve their Nation.

I can only say that this legislation, H.R. 4361, disappoints me, because, first of all, title III would double the probationary period for Federal employees, unlike in the private sector, from 1 to 2 years. Federal employees would be at will. They wouldn't have benefits, and they wouldn't be protected. That is not, certainly, an enticing recruitment for young, bright college graduates.

Another form of the lack of due process is in title IV, which would allow senior agency executives to be removed, almost immediately, with their having only minimal appeal rights. Executives would have only 7 days to file appeals.

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Mr. Chairman, what are we saying to those who we call upon for the front lines of serving in America—our EPA employees, our Forest Rangers, they are all over—we are saying that that kind of experience is to be discarded. It sadly disturbs me.

Lastly, I have never heard of this. I sit on the Judiciary Committee, and I wonder how title VI would reduce, in the end of a President's term, his or her right to be able to argue for regulations that would enhance the American people.

Let me say to you that we are facing another uphill battle because right now we are trying to pass no fly, no buy and to close the loophole to save lives. It is interesting how we are dealing with a bill that takes away due process rights, but yet we cannot find a compromise, whose opposition is based upon we are denying an individual due process.

Well, I tell you I am looking forward to us being able to vote on the gun legislation of no fly, no buy. I know it very well because I had a no fly for foreign terrorists. We work on these issues in Homeland Security.

So if I look at an employment bill that is taking away due process rights, I am asking for us to come back, give them their rights by not supporting this legislation and, as well, giving our rights to the minority to vote on legitimate bills that will save lives; no fly, no buy, and closing the gun show loophole. I have seen the blood, the death that has come about from gun violence. It is time to vote to save lives.

Mr. PALMER. Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield 2 minutes to the distinguished lady from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, it is a mystery to me why we would want to move forward with this bill. I will have amendments to strike portions of this bill later. I just want to speak to a couple of the reasons.

The extension of the probationary period, for example, may not raise constitutional issues. A GAO report was done and indicated that the problem was not with length of the probationary period, but with the use of the probationary period; that supervisors simply weren't using it, and that many of them didn't even know when the probationary period ends.

So why would we want to lengthen the probationary period?

I am not sure who that helps. Does it help the employee or does it help the agency?

In any case, depending, as I do, on an objective source, this section is unnecessary.

To cite another section, the termination of an employee in the SES is an absolutely bad way to deal with somebody who is not making it as a manager, but was good enough to be promoted to the SES. We have invested millions of dollars in an employee by the time that employee gets to be a top SES employee and gets promoted to manager. It won't be the first time that somebody has been an excellent employee, but when he got to managing whole divisions, he was not good.

Why get rid of that employee instead of demoting that employee, as is now done?

Finally, this bill is replete with due process problems. For example, it expedites the removal and appeals process and takes it away entirely in some instances. This bill reeks of constitutional infirmities. It should not be passed.

You will find Members on our side who want to sit down and improve the process and are ready to do so.

Mr. PALMER. Mr. Chairman, I would like to make the gentleman from Maryland (Mr. CUMMINGS) aware that I have no further speakers and I am prepared to close.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from Maryland has 11½ minutes remaining.

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

In closing, I cannot emphasize strongly enough how unnecessary, damaging, and constitutionally defective this legislation is.

You know, as Ms. JACKSON LEE was speaking, Mr. Chairman, I could not help but think about a young lady that I met at NIH a few years ago when the government was shut down. I was talking to her, and I was asking her about her job. And one of the things she said was that she was very, very upset.

And I said: ''Well, are you upset that you are going to possibly lose money? Or are you upset that you are going to have problems?''

She said: ''No, I am not so upset about losing my job because I can always find a job.'' She said: ''The thing I am upset about is that if the government shuts down, that means that there are all kinds of research that is going to be stopped and we won't be able to see the breakthroughs that I thought we would be able to see.''

My point is that there are so many Federal employees, just like the ones who work for us, who come to work every day and they have dedicated their lives to giving to the public. In other words, it is about the business of feeding their souls.

So often what happens, I have noticed, is we have a way of not treating them right all the time. And I have been a fierce defender of the public employee and the Federal employee because I realize that they are the backbone of this Nation.

Yet, when we look at the negative consequences of this legislation, they are truly terrible. The bill would reduce due process protections for new Federal employees and senior executives, enable whistleblower retaliation. And whistleblower retaliation is something that our committee has fought and tried to make clear that we would not tolerate under any circumstances, and I am pleased to say that that has always been something that both sides of the aisle has been adamant about, and we should be.

This legislation would bar the President from issuing rules to protect health and safety during his last months in office. Whether it was President Obama or any other President, I want our President to serve out every second of his term and I want him or her to be able to accomplish the things that the American people elected them to do right down to the very last second.

Another thing that it does, it erodes collective bargaining rights. It requires duplicative and burdensome reporting by the Office of Personnel Management and agencies. It imposes unnecessary guidelines regarding computer usage. And it requires the IRS to establish an arbitrary recordkeeping system.

I would like to remind our colleagues that the Federal circuit court of appeals is reviewing the constitutionality of nearly identical provisions in the Veterans Access, Choice, and Accountability Act enacted in 2014. And the Department of Justice has decided not to defend the constitutionality of some of these provisions before the Federal circuit court.

Before I conclude, I want to underscore my disapproval of this bill's unjustified interference with President Obama's authority to issue regulations that are critical to ensuring the safety of the American people.

I would like to quote from a March 1, 2016, letter sent to the Oversight and Government Reform Committee in opposition to title 6, and it says:

''Taking the claims of 'midnight regulation' critics at face value, there is simply no principled basis for allowing deregulatory measures to be rushed through the process without 'adequate vetting' while at the same time preventing agencies finalizing and implementing public protections by falsely claiming that they did not receive adequate consideration. This Administration ends on January 20, 2017. It is incumbent upon them to do their constitutional duty to implement the laws of the Congress until that date.''

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

Mr. PALMER. Mr. Chairman, I yield myself the balance of my time. First of all, I thank my colleagues who have spoken in support of this legislation and say that this is sensible and responsible legislation to increase Federal agencies' ability to protect their data systems and, thus, increase the protections offered every Federal employee.

This bill also increases accountability for Federal employees, and it requires the IRS to adhere to the same recordkeeping requirements that it imposes on every taxpayer.

Finally, Mr. Chairman, this bill would end the practice of subjecting Americans to a barrage of regulations imposed by an outgoing administration that can no longer be held accountable.

I urge adoption of the bill.

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 Oversight and Government Reform, 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 114–59. 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. 4361

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

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Government Reform and Improvement Act of 2016''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FEDERAL INFORMATION SYSTEMS SAFEGUARDS

Sec. 101. Agency discretion to secure information technology and information systems.

TITLE II—ELIMINATING PORNOGRAPHY FROM AGENCIES

Sec. 201. Prohibition on accessing pornographic web sites from federal computers.

TITLE III—EXTENSION OF PROBATIONARY PERIOD FOR CAREER EMPLOYEES

Sec. 301. Extension of probationary period for positions within the competitive service.

Sec. 302. Appeals from adverse actions.

TITLE IV—SENIOR EXECUTIVE SERVICE ACCOUNTABILITY

Sec. 401. Biennial justification of Senior Executive Service positions.

Sec. 402. Extension of probationary period for career appointees.

Sec. 403. Modification of pay retention for career appointees removed for under performance.

Sec. 404. Advanced establishment of performance requirements under Senior Executive Service performance appraisal systems.

Sec. 405. Amendments with respect to adverse actions against career appointees.

Sec. 406. Mandatory leave for career appointees subject to removal.

Sec. 407. Expedited removal of career appointees for performance or misconduct.

Sec. 408. Mandatory reassignment of career appointees.

TITLE V—OPM REPORT ON OFFICIAL TIME

Sec. 501. Reporting requirement.

TITLE VI—MIDNIGHT RULE RELIEF

Sec. 601. Moratorium on midnight rules.

Sec. 602. Special rule on statutory, regulatory, and judicial deadlines.

Sec. 603. Exception.

Sec. 604. Judicial review.

Sec. 605. Definitions.

TITLE VII—REQUIREMENT TO MAINTAIN RECORDS

Sec. 701. Requirement to maintain records.

TITLE I—FEDERAL INFORMATION SYSTEMS SAFEGUARDS

SEC. 101. AGENCY DISCRETION TO SECURE INFORMATION TECHNOLOGY AND INFORMATION SYSTEMS.

(a) IN GENERAL.—In carrying out section 3554 of title 44, United States Code, any action taken by the head of an agency that is necessary to limit, restrict, or prohibit access to any website the head of the agency determines to present a current or future security weakness or risk to the information technology or information system under the control of the agency, and any impact or implementation of such action, shall not be subject to chapter 71 of title 5, United States Code.

(b) DEFINITIONS.—In this section—

(1) the terms ''agency'' and ''information system'' have the meanings given the terms in section 3502 of title 44, United States Code; and

(2) the term ''information technology'' has the meaning given the term in section 3552 of title 44, United States Code.

TITLE II—ELIMINATING PORNOGRAPHY FROM AGENCIES

SEC. 201. PROHIBITION ON ACCESSING PORNOGRAPHIC WEB SITES FROM FEDERAL COMPUTERS.

(a) PROHIBITION.—Except as provided in subsection (b), not later than 90 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue guidelines that prohibit the access of a pornographic or other explicit web site from a Federal computer.

(b) EXCEPTION.—The prohibition described in subsection (a) shall not apply to any Federal computer that is used for an investigative purpose that requires accessing a pornographic web site.

TITLE III—EXTENSION OF PROBATIONARY PERIOD FOR CAREER EMPLOYEES

SEC. 301. EXTENSION OF PROBATIONARY PERIOD FOR POSITIONS WITHIN THE COMPETITIVE SERVICE.

(a) IN GENERAL.—Section 3321 of title 5, United States Code, is amended—

(1) in subsection (a), by striking ''The President'' and inserting ''Subject to subsections (c) and (d), the President'';

(2) by redesignating subsection (c) as subsection (e); and

(3) by inserting after subsection (b) the following:

''(c)(1) Except as provided in paragraph (2), the length of a probationary period established under paragraph (1) or (2) of subsection (a) shall be—

''(A) with respect to any position that requires formal training, a period of 2 years beginning on the date that such formal training is completed;

''(B) with respect to any position that requires a license, a period of 2 years beginning on the date that such license is granted; and

''(C) with respect to any position not covered by subparagraph (A) or (B), not less than 2 years.

''(2) The length of a probationary period established under paragraph (1) or (2) of subsection (a) in the case of a preference eligible shall be not longer than—

''(A) if the appointment (as referred to in subsection (a)(1)) or the initial appointment (as referred to in subsection (a)(2)) is to a position that exists on the effective date of this subsection, the length of the probationary period which applies to such position as of such effective date; or

''(B) if the appointment (as referred to in subsection (a)(1)) or the initial appointment (as referred to in subsection (a)(2)) is to a position that does not exist on the effective date of this subsection, such length of time as the President may establish, consistent with the purposes of this subparagraph.

''(3) In paragraph (1)—

''(A) the term 'formal training' means, with respect to any position, a training program required by law, rule, or regulation, or otherwise required by the employing agency, to be completed by the employee before the employee is able to successfully execute the duties of the applicable position; and

''(B) the term 'license' means a license, certification, or other grant of permission to engage in a particular activity.

''(d) The head of each agency shall, in the administration of this section, take appropriate measures to ensure that—

''(1) any announcement of a vacant position within such agency and any offer of appointment made to any individual with respect to any such position shall clearly state the terms and conditions of the probationary period applicable to such position;

''(2) any individual who is required to complete a probationary period under this section shall receive timely notice of the performance and other requirements which must be met in order to successfully complete the probationary period; and

''(3) upon successful completion of a probationary period under this section, certification to that effect shall be made, supported by a brief statement of the basis for that certification, in such form and manner as the President may by regulation prescribe.''.

(b) TECHNICAL AMENDMENT.—Section 3321(e) of title 5, United States Code (as so redesignated by subsection (a)(2)) is amended by striking ''Subsections (a) and (b)'' and inserting ''Subsections (a) through (d)''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section—

(1) shall take effect 180 days after the date of enactment of this Act; and

(2) shall apply in the case of any appointment (as referred to in section 3321(a)(1) of title 5, United States Code) and any initial appointment (as referred to in section 3321(a)(2) of such title) taking effect on or after the date on which this section takes effect.

SEC. 302. APPEALS FROM ADVERSE ACTIONS.

(a) SUBCHAPTER I OF CHAPTER 75 OF TITLE 5.—Section 7501(1) of title 5, United States Code, is amended—

(1) by striking ''1 year'' the first place it appears and inserting ''not less than 2 years''; and

(2) by striking ''1 year'' the second place it appears and inserting ''2 years''.

(b) SUBCHAPTER II OF CHAPTER 75 OF TITLE 5.—Section 7511(a)(1) of title 5, United States Code, is amended—

(1) in subparagraph (A)(ii), by striking ''1 year'' the first place it appears and inserting ''not less than 2 years''; and

(2) in subparagraph (C)(ii), by striking ''2 years'' the first place it appears and inserting ''not less than 2 years''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b)—

(1) shall take effect 180 days after the date of enactment of this Act; and

(2) shall apply in the case of any individual whose period of continuous service (as referred to in the provision of law amended by paragraph (1) or (2) of subsection (b), as the case may be) commences on or after the date on which this section takes effect.

TITLE IV—SENIOR EXECUTIVE SERVICE ACCOUNTABILITY

SEC. 401. BIENNIAL JUSTIFICATION OF SENIOR EXECUTIVE SERVICE POSITIONS.

Section 3133(a)(2) of title 5, United States Code, is amended by inserting after ''positions'' the following: '', with a justification for each position (by title and organizational location) and the specific result expected from each position, including the impact of such result on the agency mission,''.

SEC. 402. EXTENSION OF PROBATIONARY PERIOD FOR CAREER APPOINTEES.

(a) IN GENERAL.—Section 3393(d) of title 5, United States Code, is amended by striking ''1-year'' and inserting ''2-year''.

(b) CONFORMING AMENDMENT.—Section 3592(a)(1) of such title is amended by striking ''1-year'' and inserting ''2-year''.

SEC. 403. MODIFICATION OF PAY RETENTION FOR CAREER APPOINTEES REMOVED FOR UNDER PERFORMANCE.

Section 3594(c)(1)(B) of title 5, United States Code, is amended to read as follows:

''(B)(i) any career appointee placed under subsection (a) or (b)(2) of this section shall be entitled to receive basic pay at the highest of—

''(I) the rate of basic pay in effect for the position in which placed;

''(II) the rate of basic pay in effect at the time of the placement for the position the career appointee held in the civil service immediately before being appointed to the Senior Executive Service; or

''(III) the rate of basic pay in effect for the career appointee immediately before being placed under subsection (a) or (b) of this section; and

''(ii) any career appointee placed under subsection (b)(1) of this section shall be entitled to receive basic pay at the rate of basic pay in effect for the position in which placed; and''.

SEC. 404. ADVANCED ESTABLISHMENT OF PERFORMANCE REQUIREMENTS UNDER SENIOR EXECUTIVE SERVICE PERFORMANCE APPRAISAL SYSTEMS.

Section 4312(b)(1) of title 5, United States Code, is amended—

(1) by striking ''on or'' and inserting ''not later than 30 calendar days''; and

(2) by inserting ''in writing'' after ''communicated''.

SEC. 405. AMENDMENTS WITH RESPECT TO ADVERSE ACTIONS AGAINST CAREER APPOINTEES.

(a) SUSPENSION FOR 14 DAYS OR LESS FOR SENIOR EXECUTIVE SERVICE EMPLOYEE.—Paragraph (1) of Section 7501 of title 5, United States Code, is amended to read as follows:

''(1) 'employee' means—

''(A) an individual in the competitive service who is not serving a probationary period or trial period under an initial appointment or who has completed 1 year of current continuous employment in the same or similar positions under other than a temporary appointment limited to 1 year or less; or

''(B) a career appointee in the Senior Executive Service who—

''(i) has completed the probationary period prescribed under section 3393(d); or

''(ii) was covered by the provisions of subchapter II of this chapter immediately before appointment to the Senior Executive Service; and''.

(b) MODIFICATION OF CAUSE AND PROCEDURE FOR SUSPENSION AND TERMINATION.—

(1) IN GENERAL.—Section 7543 of title 5, United States Code, is amended—

(A) in subsection (a), by striking ''misconduct,'' and inserting ''such cause as would promote the efficiency of the service, misconduct,''; and

(B) in subsection (b)(1), by striking ''30'' and inserting ''15''.

(2) CONFORMING AMENDMENTS.—Subchapter V of chapter 35 of title 5, United States Code, is amended—

(A) in section 3593—

(i) in subsection (a)(2), by striking ''misconduct,'' and inserting ''such cause as would promote the efficiency of the service, misconduct,''; and

(ii) in subsection (b), by striking ''misconduct,'' and inserting ''such cause as would promote the efficiency of the service, misconduct,''; and

(B) in section 3594(a), by striking ''misconduct,'' and inserting ''such cause as would promote the efficiency of the service, misconduct,''.

SEC. 406. MANDATORY LEAVE FOR CAREER APPOINTEES SUBJECT TO REMOVAL.

(a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6330. Mandatory leave for Senior Executive Service career appointees subject to removal

''(a) In this section—

''(1) the term 'employee' means an employee (as that term is defined in section 7541(1)) who has received written notice of removal from the civil service under subchapter V of chapter 75; and

''(2) the term 'mandatory leave' means, with respect to an employee, an absence with pay but without duty during which such employee—

''(A) shall be charged accrued annual leave for the period of such absence; and

''(B) may not accrue any annual leave under section 6303 for the period of such absence.

''(b) Under regulations prescribed by the Office of Personnel Management, an agency may place an employee on mandatory leave for misconduct, neglect of duty, malfeasance, or such cause as would promote the efficiency of the service.

''(c) If an agency determines that an employee should be placed on mandatory leave under subsection (b), such leave shall begin no earlier than the date on which the employee received written notice of a removal under subchapter V of chapter 75.

''(d) If a final order or decision is issued in favor of such employee with respect to removal under subchapter V of chapter 75 by the agency, the Merit Systems Protection Board, or the United States Court of Appeals for the Federal Circuit, any annual leave that is charged to an employee by operation of this section shall be restored to the applicable leave account of such employee.''.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 63 of title 5, United States Code, is amended by adding after the item relating to section 6328 the following new item:

''6330. Mandatory leave for Senior Executive Service career appointees subject to removal.''.

(c) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Personnel Management shall prescribe regulations with respect to the leave provided by the amendment in subsection (a).

SEC. 407. EXPEDITED REMOVAL OF CAREER APPOINTEES FOR PERFORMANCE OR MISCONDUCT.

(a) IN GENERAL.—Chapter 75 of title 5, United States Code, is amended by adding at the end the following:

''SUBCHAPTER VI—SENIOR EXECUTIVE SERVICE: EXPEDITED REMOVAL

''§ 7551. Definitions

''In this subchapter—

''(1) the term 'employee' has the meaning given such term in section 7541(1), but does not include any career appointee in the Senior Executive Service within the Department of Veterans Affairs; and

''(2) the term 'misconduct' includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

''§ 7552. Actions covered

''This subchapter applies to a removal from the civil service or a transfer from the Senior Executive Service, but does not apply to an action initiated under section 1215, to a removal under section 3592 or 3595, to a suspension under section 7503, to a suspension or removal under section 7532, to a suspension or removal under section 7542, or to a suspension or removal under section 713 of title 38.

''§ 7553. Cause and procedure

''(a)(1) Under regulations prescribed by the Office of Personnel Management, the head of an agency may remove an employee of the agency from the Senior Executive Service if the head determines that the performance or misconduct of the individual warrants such removal. If the head so removes such an individual, the head may—

''(A) remove the individual from the civil service; or

''(B) in the case of an employee described in paragraph (2), transfer the employee from the Senior Executive Service to a General Schedule position at any grade of the General Schedule for which the employee is qualified and that the head determines is appropriate.

''(2) An employee described in this paragraph is an individual who—

''(A) previously occupied a permanent position within the competitive service;

''(B) previously occupied a permanent position within the excepted service; or

''(C) prior to employment as a career appointee at the agency, did not occupy any position within the Federal Government.

''(3) An employee against whom an action is proposed under paragraph (1) is entitled to 5 days' advance written notice.

''(b)(1) Notwithstanding any other provision of law, including section 3594, any employee transferred to a General Schedule position under subsection (a)(1)(B) shall, beginning on the date of such transfer, receive the annual rate of pay applicable to such position.

''(2) An employee so transferred may not be placed on administrative leave or any other category of paid leave during the period during which an appeal (if any) under this section is ongoing, and may only receive pay if the individual reports for duty. If an employee so transferred does not report for duty, such employee shall not receive pay or other benefits pursuant to section 7554(e).

''(c) Not later than 30 days after removing or transferring an employee under subsection (a), the applicable head of the agency shall submit to Congress notice in writing of such removal or transfer and the reason for such removal or transfer.

''(d) Section 3592(b)(1) does not apply to an action to remove or transfer an employee under this section.

''(e) Subject to the requirements of section 7554, an employee may appeal a removal or transfer under subsection (a) to the Merit Systems Protection Board under section 7701, but only if such appeal is made not later than seven days after the date of such removal or transfer.

''§ 7554. Expedited review of appeal

''(a) Upon receipt of an appeal under section 7553(d), the Merit Systems Protection Board shall refer such appeal to an administrative judge pursuant to section 7701(b)(1). The administrative judge shall—

''(1) expedite any such appeal under such section; and

''(2) in any such case, issue a decision not later than 21 days after the date of the appeal.

''(b) Notwithstanding any other provision of law, including section 7703, the decision of an administrative judge under subsection (a) shall be final and shall not be subject to any further appeal.

''(c) In any case in which the administrative judge cannot issue a decision in accordance with the 21-day requirement under subsection (a)(2), the removal or transfer is final. In such a case, the Merit Systems Protection Board shall, within 14 days after the date that such removal or transfer is final, submit to Congress a report that explains the reasons why a decision was not issued in accordance with such requirement.

''(d) The Merit Systems Protection Board or administrative judge may not stay any removal or transfer under this section.

''(e) During the period beginning on the date on which an employee appeals a removal from the civil service under section 7553(d) and ending on the date that the administrative judge issues a final decision on such appeal, such employee may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits.''.

(b) APPLICATION.—

(1) IN GENERAL.—Subchapter VI of chapter 75 of title 5, United States Code, as added by subsection (a), shall not apply to any personnel action against a career appointee (as that term is defined in section 3132(a)(4) of title 5, United

States Code) that was commenced before the date of enactment of this Act.

(2) RELATION TO OTHER AUTHORITIES.—The authority provided by such subchapter is in addition to the authority provided under section 3592 or subchapter V of chapter 75 of title 5, United States Code.

(c) TECHNICAL AMENDMENTS.—

(1) TITLE 5.—Title 5, United States Code, is amended—

(A) in section 3592(b)(2)—

(i) by striking ''or'' at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

(iii) by adding at the end the following:

''(C) any removal under subchapter VI of this title or section 713 of title 38.'';

(B) in section 3393(g), by striking ''1215,, 3592, 3595, 7532, or 7543 of this title'' and inserting ''1215, 3592, 3595, 7532, 7543, or 7553 of this title or section 713 of title 38''; and

(C) in section 7542, by striking ''or to a removal under section 3592 or 3595 of this title'' and inserting ''to a removal under section 3592 or 3595 of this title, to a suspension under section 7503, to a removal or transfer under section 7553, or a removal or transfer under section 713 of title 38''.

(2) TITLE 38.—Section 713(f)(1) of title 38, United States Code, is amended by striking ''or subchapter V'' and inserting '', chapter 43, or subchapters V and VI''.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 75 of title 5, United States Code, is amended by adding after the item relating to section 7543 the following:

''SUBCHAPTER VI—SENIOR EXECUTIVE SERVICE: EXPEDITED REMOVAL

''7551. Definitions.

''7552. Actions covered.

''7553. Cause and procedure.

''7554. Expedited review of appeal.''.

SEC. 408. MANDATORY REASSIGNMENT OF CAREER APPOINTEES.

(a) IN GENERAL.—Section 3395(a) of title 5, United States Code, is amended by adding at the end the following:

''(3)(A) Consistent with the requirements of paragraphs (1) and (2), at least once every five years beginning on the date that a career appointee is initially appointed to the Senior Executive Service, each career appointee at an agency shall be reassigned to another Senior Executive Service position at the agency at a different geographic location that does not include the supervision of the same agency personnel or programs.

''(B) The head of an agency may waive the requirement under subparagraph (A) for any career appointee if the head submits notice of the waiver and an explanation of the reasons for the waiver to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.''.

(b) CONFORMING AMENDMENT.—Section 3395(a)(1)(A) of title 5, United States Code, is amended by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

TITLE V—OPM REPORT ON OFFICIAL TIME

SEC. 501. REPORTING REQUIREMENT.

(a) IN GENERAL.—Section 7131 of title 5, United States Code, is amended by adding at the end the following:

''(e)(1)(A) Not later than March 31 of each calendar year, the Office of Personnel Management, in consultation with the Office of Management and Budget, shall submit to each House of Congress a report on the operation of this section during the fiscal year last ending before the start of such calendar year.

''(B) Not later than December 31 of each calendar year, each agency (as defined by section 7103(a)(3)) shall furnish to the Office of Personnel Management the information which such Office requires, with respect to such agency, for purposes of the report which is next due under subparagraph (A).

''(2) Each report by the Office of Personnel Management under this subsection shall include, with respect to the fiscal year described in paragraph (1)(A), at least the following information:

''(A) The total amount of official time granted to employees.

''(B) The average amount of official time expended per bargaining unit employee.

''(C) The specific types of activities or purposes for which official time was granted, and the impact which the granting of such official time for such activities or purposes had on agency operations.

''(D) The total number of employees to whom official time was granted, and, of that total, the number who were not engaged in any activities or purposes except activities or purposes involving the use of official time.

''(E) The total amount of compensation (including fringe benefits) afforded to employees in connection with activities or purposes for which they were granted official time.

''(F) A description of any room or space designated at the agency (or its subcomponent) where official time activities will be conducted, including the square footage of any such room or space.

''(3) All information included in a report by the Office of Personnel Management under this subsection with respect to a fiscal year—

''(A) shall be shown both agency-by-agency and for all agencies; and

''(B) shall be accompanied by the corresponding information (submitted by the Office in its report under this subsection) for the fiscal year before the fiscal year to which such report pertains, together with appropriate comparisons and analyses.

''(4) For purposes of this subsection, the term 'official time' means any period of time, regardless of agency nomenclature—

''(A) which may be granted to an employee under this chapter (including a collective bargaining agreement entered into under this chapter) to perform representational or consultative functions; and

''(B) during which the employee would otherwise be in a duty status.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall be effective beginning with the report which, under the provisions of such amendment, is first required to be submitted by the Office of Personnel Management to each House of Congress by a date which occurs at least 6 months after the date of the enactment of this Act.

TITLE VI—MIDNIGHT RULE RELIEF

SEC. 601. MORATORIUM ON MIDNIGHT RULES.

Except as provided under sections 603 and 604, during the moratorium period, an agency may not propose or adopt any midnight rule unless the Administrator finds the midnight rule will not result in any of the following:

(1) An annual effect on the economy of $100,000,000 or more.

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(3) Significant adverse effects on competition, employment, wages, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

(4) A significant economic impact on a substantial number of small entities.

SEC. 602. SPECIAL RULE ON STATUTORY, REGULATORY, AND JUDICIAL DEADLINES.

(a) IN GENERAL.—Section 602 shall not apply with respect to any midnight rule required by statute, other regulation, or judicial order to be proposed or adopted by a deadline that—

(1) was established before the beginning of the moratorium period; and

(2) occurs during the moratorium period.

(b) PUBLICATION OF DEADLINES.—Not later than 30 days after the beginning of a moratorium period, the Administrator shall identify and publish in the Federal Register a list of midnight rules covered by subsection (a).

SEC. 603. EXCEPTION.

(a) EMERGENCY EXCEPTION.—Section 602 shall not apply to a midnight rule if the President determines by Executive order that the midnight rule is—

(1) necessary because of an emergency;

(2) necessary for the enforcement of criminal laws;

(3) necessary for the national security of the United States; or

(4) issued pursuant to any statute implementing an international trade agreement.

(b) DEREGULATORY EXCEPTION.—Section 602 shall not apply to a midnight rule that the Administrator finds is limited to repealing an existing rule and certifies such finding in writing. The certification shall be published in the Federal Register.

SEC. 604. JUDICIAL REVIEW.

Any person or entity subject to the any midnight rule promulgated in violation of this title is entitled to judicial review.

SEC. 605. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget.

(2) AGENCY.—The term ''agency'' has the meaning given that term under section 551 of title 5, United States Code, except such term does not include—

(A) the Federal Election Commission;

(B) the Board of Governors of the Federal Reserve System;

(C) the Federal Deposit Insurance Corporation; or

(D) the United States Postal Service.

(3) DEADLINE.—The term ''deadline'' means any date certain for fulfilling any obligation or exercising any authority established by or under any Federal statute or rule, or by or under any court order implementing any Federal statute, regulation, or rule.

(4) EMERGENCY.—The term ''emergency'' means a declaration by the President of a state of emergency.

(5) MIDNIGHT RULE.—The term ''midnight rule'' means a rule proposed or adopted during the moratorium period.

(6) MORATORIUM PERIOD.—The term ''moratorium period'' means the day after the day referred to in section 1 of title 3, United States Code, through January 20 of the following year, in which a President is not serving a consecutive term.

(7) RULE.—The term ''rule'' has the meaning given that term under section 551 of title 5, United States Code.

(8) SMALL ENTITY.—The term ''small entity'' has the meaning given the term ''small business'' under section 601 of title 5, United States Code.

TITLE VII—REQUIREMENT TO MAINTAIN RECORDS

SEC. 701. REQUIREMENT TO MAINTAIN RECORDS.

(a) AMENDMENT.—Chapter 31 of title 44, United States Code, is amended by adding at the end the following new section:

''§3108. Requirement to maintain records

''(a) IN GENERAL.—If the Internal Revenue Service obtains a preserved record, the Internal Revenue Service shall preserve for not less than 3 years from the date on which the record was obtained—

''(1) the preserved record or a copy of the preserved record; and

''(2) all records related to the preserved record.

''(b) PRESERVED RECORD DEFINED.—In this section, the term 'preserved record' means any record that is maintained by a person other than the Federal Government pursuant to a rule, guidance, or other directive from the Internal Revenue Service that requires or recommends the person maintain records for a particular period of time on a particular matter.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as—

''(1) limiting the preservation of a preserved record for a longer period of time than is required by this section; or

''(2) shortening the period of time a preserved record is otherwise required to be maintained.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 31 of title 44, United States Code, is amended by adding at the end the following new item:

''3108. Requirement to maintain records.''.

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall take effect as of the date of the enactment of this Act and shall apply with respect to any preserved record (as such term is defined in section 3108(b) of title 44, United States Code, as added by subsection (a)) obtained on or after the effective date.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the House Report 114–666. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. PALMER

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–666.

Mr. PALMER. 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 25, line 4, strike ''sections 603 and 604'' and insert ''sections 602 and 603''.

Page 25, line 22, strike ''Section 602'' and insert ''Section 601''.

Page 26, line 9, strike ''Section 602'' and insert ''Section 601''.

Page 26, line 19, strike ''Section 602'' and insert ''Section 601''.

The CHAIR. Pursuant to House Resolution 803, the gentleman from Alabama (Mr. PALMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. PALMER. Mr. Chairman, this amendment makes technical changes to the bill to reflect the text of H.R. 4612, the Midnight Rule Relief Act of 2016, as it was reported out of committee.

Mr. Chairman, my manager's amendment simply makes a few technical and conforming changes to this important legislation. The amendment corrects a technical error in the language of title VI, and it also fixes references to several other sections within the bill, to reflect the obvious intent of the bill text.

Mr. Chairman, I support this amendment and I urge my colleagues to vote in favor of it.

I reserve the balance of my time.

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

The CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Chairman, we have reviewed the Palmer amendment and find that it only makes technical changes to the bill, so I will not oppose it. However, it does nothing to improve the bill, which I will continue to oppose.

I yield back the balance of my time.

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

The CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. PALMER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. POSEY

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–666.

Mr. POSEY. 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 2, after line 13, insert the following new subsection:

(b) INFORMATION SECURITY PROTOCOL.—An agency employee acting in the official capacity of the employee (other than the head of the agency) may not establish, operate, maintain, or otherwise permit the use of information technology that is not certified by the appropriate Federal entity responsible for information security within the agency (either the Director of the Office of Management and Budget, the head of the agency, the Secretary of Homeland Security, or the Chief Information Officer of the agency, as applicable) as in compliance with the established information security policies, procedures, and programs.

Page 2, line 14, strike ''(b)'' and insert ''(c)''.

The CHAIR. Pursuant to House Resolution 803, the gentleman from Florida (Mr. POSEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

MODIFICATION TO AMENDMENT OFFERED BY MR. POSEY

Mr. POSEY. Mr. Chairman, I ask unanimous consent that amendment No. 2 in House Report 114–666 be modified by the form I have placed at the desk.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. POSEY:

Page 1, line 3, strike ''(other than the head of the agency)''.

Page 1, beginning on line 6, strike ''within the agency''.

The CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIR. The amendment is modified.

Mr. POSEY. Mr. Chairman, I rise in support of a genuine opportunity for us to learn from the failures of former executive officials.

This amendment will codify a practice of security, accountability, and good government, which is already a policy at many of our Federal agencies today.

Quite simply, it will prohibit Federal employees from using private, unsecure email servers to conduct official government business in the future. This would ensure that the time and taxpayer money invested in the security of sensitive information will not be undermined by carelessness or misunderstandings.

By passing this amendment, we will significantly improve the security of our government IT.

It only takes one individual, one click of the mouse, on an insecure or unsecure system, to open the door to bad actors who seek to harm our Nation. By restricting the use of unsecure IT systems, we will empower Federal employees to hold each other accountable and take special care to conduct official business responsibly.

I urge support of the amendment.

I reserve the balance of my time.

□ 1715

Mr. CUMMINGS. Mr. Chairman, I claim the time in opposition to the amendment but do not oppose it, as modified by Representative POSEY.

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

There was no objection.

Mr. CUMMINGS. Mr. Chair, it is not clear what this amendment does or what it is intended to do. I agree that there should be accountability for IT security, but we have had no hearings or other discussion on this issue. The Federal Information Security Management Act already ensures that senior agency personnel take responsibility for ensuring the agency systems are secure.

Unfortunately, the amendment does nothing to address the larger underlying problem with the bill, which would simply trample on Federal employees' due process protections and block the President from issuing critical regulatory protections at the end of his term.

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

Mr. POSEY. Mr. Chairman, it is vital that the former Secretary of State's use of an unsecure email server does not send a message to other Federal employees that this is acceptable, that this manner of handling sensitive information and conducting government business is appropriate. We cannot let another top executive completely trample the trust of the American people and potentially endanger American lives by mishandling sensitive intelligence.

This amendment is really simple. It is a responsible step towards protecting

Federal IT systems and ensuring Americans of the transparency and security that they want and that they deserve.

Mr. Chairman, I urge passage of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment, as modified, offered by the gentleman from Florida (Mr. POSEY).

The amendment, as modified, was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. NORTON

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–666.

Ms. NORTON. 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:

Strike sections 402, 405(b), 406, 407, and 408.

The CHAIR. Pursuant to House Resolution 803, the gentlewoman from the District of Columbia (Ms. NORTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

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

My amendment would strike sections 402, 405(b), 406, 407, and 408. While some reforms to the Senior Executive Service may well be necessary, these sections go too far because they roll back significant due process rights for Federal employees and raise potential constitutional issues.

Section 402, which lengthens the probationary period for SES employees from 1 year to 2 years, is unnecessary. There is no evidence to indicate that such a provision will help agencies deal with poor performers in the workplace. In fact, a Federal 2015 GAO report found that agencies are already using probationary periods but could be using them more effectively. Of the 3,500 Federal employees who were dismissed in 2013, the majority were dismissed during the probationary period. Instead of extending this period, we should be looking at ways to improve its use by agencies and increasing congressional oversight to ensure that the Federal workforce is operating at its best.

Section 405(b) is similarly problematic. This section would allow an agency to remove an SES employee from civil service entirely for poor performance. Under current law, poor-performing employees, instead, are initially downgraded to a GS position, a level at which they could perform very well. Even if they were poor performers at the SES level, they would not have been promoted in the first place if they had not achieved good records, but may not be good managers. This section also shortens the notice period from 30 days to 15, making it extremely difficult for affected employees to exercise their due process rights.

Section 406 represents a serious constitutional issue by giving agencies the authority to place an SES employee on mandatory leave, forcing these employees to use their own accrued leave. This violates basic constitutional principles, as it is likely a taking of a vested property right or it is a suspension that triggers due process rights. This mandatory leave provision has little chance of withstanding constitutional scrutiny and should be struck.

Section 407 further represents an attack on Federal employees' due process rights. This provision expedites the removal and appeals process and adopts provisions of other Federal law that is currently being challenged in the Federal circuit.

In a Statement of Administration Policy in opposition to this bill, the White House has said that the President will veto it if it comes across his desk, at least in part because this section ''would raise significant constitutional concerns under the Appointments Clause and the Due Process Clause.'' It is unlikely that this section could withstand constitutional scrutiny and also should be struck now.

Section 408 requires reassignment of SES employees to different geographical locations, which is arbitrary, inflexible, and ignores the needs of individual agencies. This provision is unnecessary, given that the President signed an executive order in November 2015 that would strengthen the Senior Executive Service by requiring agency heads to develop a 2-year plan for increasing the mobility of SES employees.

We may need reform legislation to deal with poor performers, Mr. Chairman, but we cannot do so by rolling back due process rights and protections for Federal employees who, unlike private employees, are protected by the Constitution of the United States. I urge my colleagues to vote in favor of my amendment.

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

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

The CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. PALMER. Mr. Chairman, I rise in opposition to the proposed amendment of the gentlewoman from the District of Columbia.

Her amendment would eliminate provisions in the Government Reform and Improvement Act that deal with holding members of the Senior Executive Service, or SES, accountable.

For example, the amendment would strike section 402 of the bill, which extends the probationary period for individuals appointed to the SES from 1 to 2 years. Extending the probationary period allows Federal agencies to ensure that senior executives they hire are suitable for the job they hold. After the probationary period ends, it becomes much harder to remove an SES employee not suited for the position. It is in the best interests of the American people that the members of the SES be fully vetted before their appointments become final.

I should also note that section 1105 of the FY 2016 National Defense Authorization Act established a 2-year probationary period for new civilian hires at the Department of Defense. This good government reform is already in place at one of the largest Federal agencies, and we should extend it to the rest of the Federal Government as well.

The amendment in question would also strip provisions that allow SES appointees to be removed for such cause as would promote the efficiency of the service and to be suspended without pay for less than 2 weeks for misconduct. These rules already apply to the vast majority of the Federal civil service, and they should apply to SES appointees as well.

In addition, the gentlewoman's amendment would eliminate a portion of the bill that gives agency heads authority to place on mandatory annual leave SES appointees facing removal for misconduct and prohibits the accumulation of additional leave during this period. It would also eliminate a provision that gives agency heads the authority to seek removal or transfer of senior executives based on poor performance or misconduct, and that would provide an expedited appeal process for the aggrieved employee.

The American people deserve an accountable Senior Executive Service that plays by the same rules as other Federal civil service workers. They also deserve an SES staffed with highly qualified employees who can be efficient and effective in their jobs.

Mr. Chairman, I urge my colleagues to reject the gentlewoman's amendment.

I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, I remind the gentleman that SES employees already have fewer rights than other employees because they are management and that we have invested millions of dollars in them. We have gotten them into the SES, a very competitive service, in the first place, so this off-with-your-head approach punishes the American people who may have perfectly fine employees at the SES level. But, for example, to indicate one of my amendments might downgrade them rather than getting rid of them, there are other provisions here that would doubtlessly not survive constitutional scrutiny.

Mr. Chairman, I urge the adoption of my amendment.

I yield back the balance of my time.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentlewoman from the District of Columbia will be postponed.

The Chair understands that amendment No. 4 will not be offered.

AMENDMENT NO. 5 OFFERED BY MRS. WATSON COLEMAN

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–666.

Mrs. WATSON COLEMAN. 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 26, after line 23, insert the following new subsection:

(c) REGULATORY FLEXIBILITY AGENDA EXCEPTION.—Section 601 shall not apply to a midnight rule that is published in the regulatory flexibility agenda pursuant to section 602 of title 5, United States Code, and that has been included in the Unified Regulatory Agenda submitted pursuant to Executive Order 12886 (5 U.S.C. 601 note; relating to regulatory planning and review) for at least one year.

The CHAIR. Pursuant to House Resolution 803, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Jersey.

Mrs. WATSON COLEMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise to offer an amendment that would exempt from the bill's moratorium any rule that an agency has included in its regulatory plan for at least a year.

Some proponents have said that the moratorium on rulemaking is intended to address rules that have been rushed through the process. My amendment would address that concern by keeping in place the proposed moratorium on the rules that have truly been rushed. However, it would allow rules that have been under consideration for at least a year to move forward.

During the time between election day and Inauguration Day, the executive branch cannot take a break from fulfilling its constitutional and statutory responsibilities. Just as this Congress will meet to pass legislation in November and December of this year, the executive branch must be allowed to continue doing its job of implementing crucial regulations to protect the environment and our constituents' health and safety.

For example, the Pipeline and Hazardous Materials Safety Administration has been working to implement crucial pipeline safety regulations since 2011, with extensive input from numerous groups. Just last month, this Congress passed the PIPES Act, which included provisions reflecting our bipartisan concern that these pipeline safety rules need to be implemented soon to protect our constituents from the dangers of pipeline leaks.

Without my amendment, certain pipeline safety rules could have to be delayed until a new administration, even though these rules have been under consideration for years, leaving the public safety at risk. In order to ensure important rules like these can be finalized, I urge my colleagues to adopt my amendment.

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

Mr. PALMER. Mr. Chairman, I claim the time in opposition to the gentlewoman's amendment.

The CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. PALMER. Mr. Chairman, the amendment fundamentally misunderstands the purpose of this bill. It creates a loophole in the moratorium period for midnight regulations. The bill establishes a regulation moratorium period between election day and the start of a new President's term to allow a new administration to start with a clean slate.

This amendment would undermine that principle by allowing outgoing Presidents to simply put a marker down a year before the end of the term to circumvent the moratorium entirely. Further, pushing regulations out the door at the last minute reduces the effectiveness of regulatory review at the Office of Information and Regulatory Affairs regardless of whether the public is aware that an agency is working on the regulation.

The unified regulatory agenda, while very important for notice and transparency, does not provide details on the regulation or the expected impact on the economy and small businesses. Simply notifying the public that an agency is considering regulating in a particular area is insufficient to ensure that regulatory analysis at the agency and at OIRA has been thoroughly evaluated. Agencies can simply wait until the start of the next President's term to issue regulations, giving everyone more time to make sure they have gotten it right.

Mr. Chairman, I oppose this amendment, and I urge my colleagues to vote against it.

I reserve the balance of my time.

□ 1730

Mrs. WATSON COLEMAN. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chair, may I inquire how much time is remaining?

The CHAIR. The gentlewoman from New Jersey has 3 minutes remaining.

Mr. CUMMINGS. Mr. Chairman, I support this amendment offered by one of the freshman stars of the Oversight and Government Reform Committee, Representative BONNIE WATSON COLEMAN.

This amendment would exempt from the bill rulemakings that agencies have included in their regulatory plans for a year or more. Agencies are required to submit to OMB twice a year a plan for rulemakings they plan to pursue. OMB publishes those plans twice a year as part of what is called the Unified Agenda.

This amendment would still block any rule an agency tries to rush through the process. This amendment would not, however, block rules that have been through the proper procedures just because they happen to be finalized during the last months of the administration.

This amendment allows the focus to be on true so-called midnight regulations. If those rules are truly the target of this bill, then the House should adopt this amendment.

Mr. PALMER. Mr. Chairman, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Chairman, how much time is remaining?

The CHAIR. The gentlewoman from New Jersey has 2 minutes remaining.

Mrs. WATSON COLEMAN. Mr. Chairman, it is unfortunate that, yet again, some in this Congress refuse to accept that a President's term is a full 4 years long.

Passing this legislation would unnecessarily impose new restrictions on the ability of Presidents to finish the work of their administration.

Adopting my amendment would help ensure that well-vetted, necessary regulations to protect health and safety are not blocked, while not undermining the stated purpose of this bill.

Accordingly, I urge my colleagues to adopt it.

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

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

The CHAIR. The question is on the amendment offered by the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. WATSON COLEMAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New Jersey will be postponed.

Mr. PALMER. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. LUMMIS) having assumed the chair, Mr. HULTGREN, 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. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, had come to no resolution thereon.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to

revise and extend their remarks and include extraneous material on H.R. 5485, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 794 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. 5485.

The Chair appoints the gentlewoman from Wyoming (Mrs. LUMMIS) to preside over the Committee of the Whole.

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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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, with Mrs. LUMMIS 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 Florida (Mr. CRENSHAW) and the gentleman from New York (Mr. SERRANO) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CRENSHAW. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I am pleased to present to the House the fiscal year 2017 Financial Services and General Government Appropriations bill.

As you know, this bill funds a diverse group of agencies and activities, including financial regulators, tax collection, the White House, the Federal courts, the District of Columbia, the General Services Administration, and the Small Business Administration. This bill is the product of eight hearings that we have had and the result of nearly 2,000 requests by Members from both sides of the aisle.

The bill provides $21.7 billion for fiscal year 2017. That is $1.5 billion less than last year, or a 6½ percent reduction, and it is $2.7 billion, or 11 percent below the request.

The subcommittee's allocation is a significant reduction compared to 2016. Nonetheless, the allocation is sufficient to fund vital Federal programs as well as the one-time set-asides for the expenses of the Presidential transition.

Among the priorities of this bill are law enforcement and the administration of justice. Funding for the High Intensity Drug Trafficking Areas and the Drug-Free Communities programs are at record-high levels. The funding for the Treasury's Office of Terrorism and Financial Intelligence, the agency that enforces our sanction programs, received a substantial increase. In addition, there is a healthy amount of funding for both the Federal and the D.C. judicial branches of government and for the supervision of offenders and defendants that live in our communities.

Another priority for the bill is supporting small businesses. As you know, small businesses are the backbone of our economy. They create jobs and grow the economy. This bill provides $157 million for the SBA's business loan programs. That supports $28.5 billion of 7(a) lending and $7.5 billion of so-called 504 lending.

The bill also provides record high amounts of funding for the SBA grant programs for veterans and women. It funds the Alcohol and Tobacco Tax and Trade Bureau, the Treasury's Community Development Financial Institutions Fund program. For the first time this year, we include funds to make sure that individuals with disabilities have access to the capital, financial services.

In order to fund these programs at these high levels, we had to reduce funding in other areas. We cut funding for nearly two dozen agencies and programs that can operate with a little bit less, like the Office of Management and Budget and the Federal Communications Commission.

The brunt of these reductions is borne by the Internal Revenue Service and the General Services Administration. After all, those are the two agencies that receive most of the money under this appropriations bill, and they both have resent histories of inappropriate behavior.

While the bill reduces GSA funding for new construction by $1.1 billion, we provide a sizable amount for repairs and alterations for the existing Federal inventory. In addition, we continue to push GSA to develop an accurate inventory of Federal property and designate funding for the GSA to use their existing space a little more efficiently.

It has been 3 years and three Commissioners since we first discovered that the IRS had betrayed the trust of the American people by singling out individuals and groups of individuals, subjecting them to additional scrutiny based on their political philosophy, sometimes bullying them and intimidating them. You would think that maybe they would turn over a new leaf. But no, after these 3 years, they still have made a series of embarrassing management decisions, basically, at the expense of the consumer.

To remedy this, the bill includes numerous provisions to reform the IRS. It reduces their funding by $236 million below the current level. But within their overall funding, we set aside $290 million to make sure that they improve customer service so that they put the taxpayer first and that they also work on cybersecurity and fraud prevention.

To increase transparency and oversight of agencies, the bill makes the Consumer Financial Protection Bureau and the Office of Financial Research subject to the appropriations process. We change the CFPB's leadership from a single director to a 5-member commission. We also require the Federal Communications Commission to make public any proposed rules they have 21 days before they actually vote on the rules.

To prevent agency overreach, the bill gives businesses the opportunity to change their business model, to change their operations prior to being designated as too big to fail or the so-called systemically important financial institution, or SIFI. We require further study of CFPB rules on pre-dispute arbitration.

In payday lending, we require court challenges to be resolved before the FCC implements its so-called net neutrality order. We prohibit the FCC from regulating broadband rates and keep financing for manufactured housing affordable.

In addition, the committee still has strong concerns that the FCC seems to be prolonging their pattern of regulatory overreach with its recent set-top box proposal. So we also include language that requires the FCC to stop and study this controversial rule before they can proceed any further.

The telecommunications industry is more competitive than ever, more innovative than ever; yet the Commission has been more active than ever in trying to exert regulatory control over market innovation. To return the FCC's focus toward mission critical work and away from politically charged rulemakings, this bill requires the FCC to do less with less.

To give low-income families the option of selecting a school that best meets their educational needs, the bill includes the text of the Scholarships for Opportunity and Results Act, the so-called SOARS Act, which passed the House last month. We also include two other bills that passed the House. One extends the bankruptcy code to large financial institutions and the other one establishes a small business advocate within the Securities and Exchange Commission.

I want to thank Chairman ROGERS and Ranking Member LOWEY for their leadership and support in advancing this bill. I want to thank the members of the committee for their hard work. I certainly want to thank our hard-working staff for all the work that they have done.

I especially want to say a word about the ranking member, Mr. SERRANO. As many of you know, I have decided to retire at the end of this term and leave this esteemed body. The last 4 years as chair of this subcommittee has been very interesting. It has been made even more pleasurable by my association with the ranking member, Mr. SERRANO. He has the unique perspective of having chaired this subcommittee as well as serving as ranking member. I have a feeling he enjoyed being the chairman more than he enjoys being the ranking member, but

nevertheless, he has been a great partner to work with. I am not sure that everything in this bill is to his liking, but I can tell you that his input has made this a better bill.

Madam Chair, I reserve the balance of my time.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPIATIONS BILL, 2017 (H.R. 5485)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and Expenses	222,500	334,376	250,000	+27,500	-84,376
Office of Terrorism and Financial Intelligence	---	(117,000)	---	---	(-117,000)
Office of Terrorism and Financial Intelligence	117,000	---	120,000	+3,000	+120,000
Cybersecurity Enhancement Account	---	109,827	---	---	-109,827
Department-wide Systems and Capital Investments Programs	5,000	5,000	---	-5,000	-5,000
Office of Inspector General	35,416	37,044	37,044	+1,628	---
Treasury Inspector General for Tax Administration	167,275	169,634	169,634	+2,359	---
Special Inspector General for TARP	40,671	41,160	41,160	+489	---
Financial Crimes Enforcement Network	112,979	115,003	116,000	+3,021	+997
Subtotal, Departmental Offices	700,841	812,044	733,838	+32,997	-78,206
Treasury Forfeiture Fund (rescission)	-700,000	-657,000	-753,610	-53,610	-96,610
Total, Departmental Offices	841	155,044	-19,772	-20,613	-174,816
Bureau of the Fiscal Service	363,850	353,057	353,057	-10,793	---
Alcohol and Tobacco Tax and Trade Bureau	106,439	106,439	111,439	+5,000	+5,000
Franchise Fund	---	3,000	---	---	-3,000
Community Development Financial Institutions Fund Program Account	233,523	245,923	250,000	+16,477	+4,077
Payment of Government Losses in Shipment	2,000	2,000	2,000	---	---
Total, Department of the Treasury, non-IRS	706,653	865,463	696,724	-9,929	-168,739
Internal Revenue Service					
Taxpayer Services	2,156,554	2,406,318	2,156,554	---	-249,764
Enforcement	4,860,000	4,984,919	4,760,000	-100,000	-224,919
Program integrity initiatives	---	231,344	---	---	-231,344
Subtotal	4,860,000	5,216,263	4,760,000	-100,000	-456,263
Operations Support	3,638,446	4,030,695	3,502,446	-136,000	-528,249
Program integrity initiatives	---	283,404	---	---	-283,404
Subtotal	3,638,446	4,314,099	3,502,446	-136,000	-811,653
Business Systems Modernization	290,000	343,415	290,000	---	-53,415
General Provision (Sec. 115)	290,000	---	290,000	---	+290,000
Total, Internal Revenue Service	11,235,000	12,280,095	10,999,000	-236,000	-1,281,095
Total, title I, Department of the Treasury	11,941,653	13,145,558	11,695,724	-245,929	-1,449,834
Appropriations	(12,641,653)	(13,802,558)	(12,449,334)	(-192,319)	(-1,353,224)
Rescissions	(-700,000)	(-657,000)	(-753,610)	(-53,610)	(-96,610)
(Mandatory)	(2,000)	(2,000)	(2,000)	---	---
(Discretionary)	(11,939,653)	(13,143,558)	(11,693,724)	(-245,929)	(-1,449,834)

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPIATIONS BILL, 2017 (H.R. 5485)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and Expenses	55,000	55,214	55,000	---	-214
Executive Residence at the White House:					
Operating Expenses	12,723	12,723	12,723	---	---
White House Repair and Restoration	750	750	750	---	---
Subtotal	13,473	13,473	13,473	---	---
Council of Economic Advisers	4,195	4,201	4,200	+5	-1
National Security Council and Homeland Security Council	12,800	13,069	10,896	-1,904	-2,173
Office of Administration	96,116	96,116	96,116	---	---
Presidential Transition Administrative Support	---	7,582	7,582	+7,582	---
Total, The White House	181,584	189,655	187,267	+5,683	-2,388
Office of Management and Budget	95,000	100,725	91,000	-4,000	-9,725
Office of National Drug Control Policy					
Salaries and Expenses	20,047	19,274	19,274	-773	---
High Intensity Drug Trafficking Areas Program	250,000	196,410	253,000	+3,000	+56,590
Other Federal Drug Control Programs	109,810	98,480	111,871	+2,061	+13,391
Total, Office of National Drug Control Policy	379,857	314,164	384,145	+4,288	+69,981
Unanticipated Needs	800	1,000	---	-800	-1,000
Information Technology Oversight and Reform	30,000	35,200	25,000	-5,000	-10,200
Special Assistance to the President and Official Residence of the Vice President:					
Salaries and Expenses	4,228	4,228	4,228	---	---
Operating Expenses	299	299	299	---	---
Subtotal	4,527	4,527	4,527	---	---
Total, title II, Executive Office of the President and Funds Appropriated to the President	691,768	645,271	691,939	+171	+46,668
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and Expenses:					
Salaries of Justices	2,557	3,000	3,000	+443	---
Other salaries and expenses	75,838	76,668	76,668	+830	---
Subtotal	78,395	79,668	79,668	+1,273	---
Care of the Building and Grounds	9,964	14,868	14,868	+4,904	---
Total, Supreme Court of the United States	88,359	94,536	94,536	+6,177	---

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPIATIONS BILL, 2017 (H.R. 5485)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Court of Appeals for the Federal Circuit					
Salaries and Expenses:					
Salaries of judges	2,922	3,000	3,000	+78	---
Other salaries and expenses	30,872	30,108	30,108	-764	---
Total, United States Court of Appeals for the Federal Circuit	33,794	33,108	33,108	-686	---
United States Court of International Trade					
Salaries and Expenses:					
Salaries of judges	2,005	2,000	2,000	-5	---
Other salaries and expenses	18,160	18,462	18,462	+302	---
Total, U.S. Court of International Trade	20,165	20,462	20,462	+297	---
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and Expenses:					
Salaries of judges and bankruptcy judges	417,000	424,000	424,000	+7,000	---
Other salaries and expenses	4,918,969	5,045,785	5,010,000	+91,031	-35,785
Subtotal	5,335,969	5,469,785	5,434,000	+98,031	-35,785
Vaccine Injury Compensation Trust Fund	6,050	6,260	6,260	+210	---
Defender Services	1,004,949	1,056,326	1,056,326	+51,377	---
Fees of Jurors and Commissioners	44,199	43,723	43,723	-476	---
Court Security	538,196	565,388	565,388	+27,192	---
Total, Courts of Appeals, District Courts, and Other Judicial Services	6,929,363	7,141,482	7,105,697	+176,334	-35,785
Administrative Office of the United States Courts					
Salaries and Expenses	85,665	87,748	87,500	+1,835	-248
Federal Judicial Center					
Salaries and Expenses	27,719	28,335	28,200	+481	-135
United States Sentencing Commission					
Salaries and Expenses	17,570	18,150	18,000	+430	-150
Total, title III, the Judiciary	7,202,635	7,423,821	7,387,503	+184,868	-36,318
(Mandatory)	(424,484)	(432,000)	(432,000)	(+7,516)	---
(Discretionary)	(6,778,151)	(6,991,821)	(6,955,503)	(+177,352)	(-36,318)

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPIATIONS BILL, 2017 (H.R. 5485)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - DISTRICT OF COLUMBIA					
Federal Payment for Resident Tuition Support	40,000	40,000	20,000	-20,000	-20,000
Federal Payment for Emergency Planning and Security Costs in the District of Columbia	13,000	34,895	40,000	+27,000	+5,105
Federal Payment to the District of Columbia Courts	274,401	274,681	274,541	+140	-140
Federal Payment for Defender Services in District of Columbia Courts	49,890	49,890	49,890	---	---
Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia	244,763	248,008	246,386	+1,623	-1,622
Federal Payment to the District of Columbia Public Defender Service	40,889	41,829	41,359	+470	-470
Federal Payment to the District of Columbia Water and Sewer Authority	14,000	14,000	---	-14,000	-14,000
Federal Payment to the Criminal Justice Coordinating Council	1,900	2,000	2,000	+100	---
Federal Payment for Judicial Commissions	565	585	585	+20	---
Federal Payment for School Improvement	45,000	43,200	45,000	---	+1,800
Federal Payment for the D.C. National Guard	435	450	450	+15	---
Federal Payment for Testing and Treatment of HIV/AIDS	5,000	5,000	5,000	---	---
Federal Payment for the Federal City Shelter	---	9,000	---	---	-9,000
Total, Title IV, District of Columbia	729,843	763,538	725,211	-4,632	-38,327

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPIATIONS BILL, 2017 (H.R. 5485)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE V - OTHER INDEPENDENT AGENCIES					
Administrative Conference of the United States	3,100	3,200	3,100	---	-100
Consumer Product Safety Commission	125,000	130,500	121,300	-3,700	-9,200
Election Assistance Commission	9,600	9,800	4,900	-4,700	-4,900
Federal Communications Commission					
Salaries and Expenses	384,012	358,286	314,844	-69,168	-43,442
Offsetting fee collections	-384,012	-358,286	-314,844	+69,168	+43,442
Direct appropriation	---	---	---	---	---
Federal Deposit Insurance Corporation					
Office of Inspector General (by transfer)	(34,568)	(35,958)	(35,958)	(+1,390)	---
Deposit Insurance Fund (transfer)	(-34,568)	(-35,958)	(-35,958)	(-1,390)	---
Federal Election Commission	76,119	80,540	80,540	+4,421	---
Federal Labor Relations Authority	26,200	27,062	26,631	+431	-431
Federal Trade Commission					
Salaries and Expenses	306,900	342,000	317,000	+10,100	-25,000
Offsetting fee collections (mergers)	-124,000	-125,000	-125,000	-1,000	---
Offsetting fee collections (telephone)	-14,000	-15,000	-15,000	-1,000	---
Direct appropriation	168,900	202,000	177,000	+8,100	-25,000
General Services Administration					
Federal Buildings Fund					
Limitations on Availability of Revenue:					
Construction and acquisition of facilities	1,607,738	1,330,522	504,918	-1,102,820	-825,604
Repairs and alterations	735,331	841,617	758,790	+23,459	-82,827
Rental of space	5,579,055	5,655,581	5,645,000	+65,945	-10,581
Building operations	2,274,000	2,350,618	2,336,100	+62,100	-14,518
Subtotal, Limitations on Availability of Revenue	10,196,124	10,178,338	9,244,808	-951,316	-933,530
Rental income to fund	-9,807,722	-10,178,338	-10,178,338	-370,616	---
Total, Federal Buildings Fund	388,402	---	-933,530	-1,321,932	-933,530
Government-wide Policy	58,000	64,497	58,000	---	-6,497
Operating Expenses	49,376	50,174	47,966	-1,410	-2,208
Civilian Board of Contract Appeals	9,184	9,275	9,275	+91	---
Office of Inspector General	65,000	66,000	65,000	---	-1,000
Allowances and Office Staff for Former Presidents	3,277	3,865	1,932	-1,345	-1,933
Expenses, Presidential Transition	---	9,500	9,500	+9,500	---
Federal Citizen Services Fund	55,894	58,428	55,894	---	-2,534
Pre-Election Presidential Transition	13,278	---	---	-13,278	---
Information Technology Modernization Fund	---	100,000	---	---	-100,000
Total, General Services Administration	642,411	361,739	-685,963	-1,328,374	-1,047,702

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPIATIONS BILL, 2017 (H.R. 5485)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Harry S Truman Scholarship Foundation	1,000	---	---	-1,000	---
Merit Systems Protection Board					
Salaries and Expenses	44,490	45,083	44,786	+296	-297
Limitation on administrative expenses	2,345	2,345	2,345	---	---
Total, Merit Systems Protection Board	46,835	47,428	47,131	+296	-297
Morris K. Udall and Stewart L. Udall Foundation					
Morris K. Udall and Stewart L. Udall Trust Fund	1,995	1,895	---	-1,995	-1,895
Environmental Dispute Resolution Fund	3,400	3,249	---	-3,400	-3,249
Total, Morris K. Udall and Stewart L Udall Foundation	5,395	5,144	---	-5,395	-5,144
National Archives and Records Administration					
Operating Expenses	379,393	380,634	380,634	+1,241	---
Reduction of debt	-21,208	-23,000	-23,000	-1,792	---
Subtotal	358,185	357,634	357,634	-551	---
Office of Inspector General	4,180	4,801	4,801	+621	---
Repairs and Restoration	7,500	7,500	7,500	---	---
National Historical Publications and Records Commission Grants Program	5,000	5,000	6,000	+1,000	+1,000
Total, National Archives and Records Administration	374,865	374,935	375,935	+1,070	+1,000
NCUA Community Development Revolving Loan Fund	2,000	2,000	2,000	---	---
Office of Government Ethics	15,742	16,090	16,090	+348	---
Office of Personnel Management					
Salaries and Expenses	120,688	144,867	144,867	+24,179	---
Limitation on administrative expenses	124,550	144,653	141,611	+17,061	-3,042
Subtotal, Salaries and Expenses	245,238	289,520	286,478	+41,240	-3,042
Office of Inspector General	4,365	5,072	5,072	+707	---
Limitation on administrative expenses	22,479	26,662	26,662	+4,183	---
Subtotal, Office of Inspector General	26,844	31,734	31,734	+4,890	---
Total, Office of Personnel Management	272,082	321,254	318,212	+46,130	-3,042

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPIATIONS BILL, 2017 (H.R. 5485)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Special Counsel	24,119	26,535	25,735	+1,616	-800
Postal Regulatory Commission	15,200	17,726	16,200	+1,000	-1,526
Privacy and Civil Liberties Oversight Board	21,297	10,081	8,297	-13,000	-1,784
Securities and Exchange Commission	1,605,000	1,781,457	1,555,000	-50,000	-226,457
SEC fees	-1,605,000	-1,781,457	-1,555,000	+50,000	+226,457
SEC Reserve Fund (rescission)	-25,000	---	-75,000	-50,000	-75,000
Selective Service System	22,703	22,900	22,703	---	-197
Small Business Administration					
Salaries and expenses	268,000	275,033	268,000	---	-7,033
Entrepreneurial Development Programs	231,100	230,600	243,100	+12,000	+12,500
Office of Inspector General	19,900	19,900	19,900	---	---
Office of Advocacy	9,120	9,320	9,320	+200	---
Business Loans Program Account:					
Direct loans subsidy	3,338	4,338	4,338	+1,000	---
Administrative expenses	152,726	152,726	152,726	---	---
Total, Business loans program account	156,064	157,064	157,064	+1,000	---
Disaster Loans Program Account:					
Administrative expenses	186,858	27,148	185,977	-881	+158,829
Disaster relief category	---	158,829	---	---	-158,829
Total, Small Business Administration	871,042	877,894	883,361	+12,319	+5,467
Subtotal, Disaster Relief Category	---	158,829	---	---	-158,829
General Provision (Sec. 532)	---	-55,000	-55,000	-55,000	---
United States Postal Service					
Payment to the Postal Service Fund	55,075	63,658	41,151	-13,924	-22,507
Total, Payment to the Postal Service Fund	55,075	63,658	41,151	-13,924	-22,507
Office of Inspector General	248,600	258,800	258,000	+9,400	-800
Total, United States Postal Service	303,675	322,458	299,151	-4,524	-23,307
United States Tax Court	51,300	53,861	51,300	---	-2,561
Total, title V, Independent Agencies	3,053,585	2,858,147	1,663,623	-1,389,962	-1,194,524
Appropriations	(3,078,585)	(2,754,318)	(1,793,623)	(-1,284,962)	(-960,695)
Rescissions	(-25,000)	(-55,000)	(-130,000)	(-105,000)	(-75,000)
Disaster relief category	---	(158,829)	---	---	(-158,829)
(by transfer)	(34,568)	(35,958)	(35,958)	(+1,390)	---
(Discretionary)	(3,053,585)	(2,858,147)	(1,663,623)	(-1,389,962)	(-1,194,524)

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPIATIONS BILL, 2017 (H.R. 5485)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VI - GENERAL PROVISIONS					
Mandatory appropriations (Sec. 619)	20,961,450	21,376,450	21,376,450	+415,000	---
Total, title VI, General Provisions	20,961,450	21,376,450	21,376,450	+415,000	---
Grand total	44,580,934	46,212,785	43,540,450	-1,040,484	-2,672,335
Appropriations	(45,305,934)	(46,765,956)	(44,424,060)	(-881,874)	(-2,341,896)
Rescissions	(-725,000)	(-712,000)	(-883,610)	(-158,610)	(-171,610)
Disaster relief category	---	(158,829)	---	---	(-158,829)
(by transfer)	(34,568)	(35,958)	(35,958)	(+1,390)	---
Discretionary total	23,235,000	24,427,335	21,735,000	-1,500,000	-2,692,335

Mr. SERRANO. Madam Chair, I yield myself such time as I may consume.

First of all, let me also say that it has been a pleasure working with the gentleman from Florida. The big difference being chairman and being ranking member—I will tell you a little secret—is that you get to speak first. Other than that, we have the same headaches to deal with.

I want to tell you what a pleasure it has been. In the best sense of our democracy, whatever I say here today is about the bill, not about you. If it was about our relationship, we would probably have a different bill, anyway. But don't tell your leadership I said that.

□ 1745

Before I begin to address the substance of this bill, let me just say that this is not what we should be considering on the floor today. The American people have spoken loud and clear. It is long past time for this House to act to reduce gun violence.

How many more tragedies must we endure before we do something in this Congress?

How many more Columbines?

How many more Newtowns?

How many more Virginia Techs?

How many more Orlandos?

Enough is enough. It is time for this House to reject the NRA and enact strong gun laws, and as soon as possible.

Before the recess, Democrats stood in the well of the House and asked these questions. The Republicans ignored us. Upon their return this week, Republicans have tried to provide themselves with political cover. Suffice it to say that what they are proposing is not really enough.

Americans are asking us to take effective action and, instead, we are here debating another underfunded and hyperpartisan appropriations bill. This would be laughable if it were not so sad. The other side of the aisle can no longer look the American people in the face and tell them that effective action to reduce gun violence is not necessary. That is the first of many reasons why I rise in strong opposition to the bill before us today.

While I truly appreciate the efforts of Chairman CRENSHAW and Chairman ROGERS to listen to the concerns of our side, which includes our leader, Mrs. LOWEY, and to accommodate us when they could, their efforts have been overwhelmed by a deficient allocation and the large number of partisan riders that are part of this bill today.

This bill is not the largest bill in the appropriations lineup, but it touches upon many areas that are crucial to the American people. From consumer protection, to financial markets regulation, to economic opportunity, to taxpayer information, this bill touches the lives of almost every person living in our Nation, and, sadly, this bill does a great disservice to many of them.

There are some good portions of this bill that I will highlight briefly. The Community Development Financial Institutions Fund receives a substantial increase above last year, the Small Business Administration is also well funded, and our Federal judiciary will have the resources that it needs.

But in a bill with more than 30 agencies, both large and small, that is a pretty short list. The reason it is so short is the inadequate allocation that this subcommittee received. This bill is $1.5 billion less than last year's bill, a 6 percent cut. The result is that many agencies, large and small, have been severely cut.

The IRS is cut $236 million from last year's funding levels. From 2010 to 2015, the budget cuts have forced the IRS to cut its workforce by 18,000 employees. These cuts hurt more than the IRS, since it means our deficit will increase because more taxes won't get collected, more tax cheats won't face punishment, and more honest taxpayers won't be able to get their questions answered by the IRS.

The Securities and Exchange Commission is funded at $226 million below the President's request and $50 million below last year. The SEC is our cop on the beat for Wall Street, and chronically underfunding our primary enforcement arm for the financial markets invites more wrongdoing. It is also problematic that the majority has sought to rescind the use of the SEC's Reserve Fund, which is dedicated to IT upgrades.

However, funding levels are not the only problem with this bill. The majority has chosen to include dozens of highly partisan riders in this bill. The sheer number and variety of these riders injects partisanship into the appropriations process in a way that I have not seen during my 26 years in Congress.

Each rider caters to a different special interest group that supports the other party. From the Koch brothers, to anti-choice activists, to big corporations, to the Tea Party, each category has a rider geared to help them. Unfortunately, the rest of the American people are seemingly out of luck.

Let me highlight a few of the lowlights. Rather than helping preserve an open Internet, something that is crucially important to American consumers and businesses, this bill prevents the FCC from enforcing their net neutrality rule until the final disposition of three pending lawsuits on this issue.

The IRS is prevented from reforming the 501(c)(4) process that caused so much confusion and controversy. They are also prevented from enforcing the individual mandate of the Affordable Care Act, a move that the CBO says will result in a loss of revenue and which the rule provided a special waiver just to include.

The SEC is prevented from requiring public corporations to disclose their political contributions. There are multiple riders limiting women's health decisions by and in the District of Columbia and in the Federal healthcare exchanges set up by the Affordable Care Act.

There are also numerous riders to try to hamstring the President's efforts to conduct foreign policy with regard to Cuba, and there are riders attempting to roll back Dodd-Frank and the efforts of the Consumer Financial Protection Bureau to protect Americans.

This list just scratches the surface. We are opposed to all of these riders and many others that I don't have time to mention today.

These riders have no business in the appropriations process. They highlight how the primary goal of this process has changed from funding our government to scoring political points, and I think that this bill is a sad demonstration of that problem.

The real loser in all of this is not Republicans or Democrats, but the American people. This bill underfunds critical priorities for working families. This bill is loaded down with riders geared toward special interests, but which truly harm taxpayers, consumers, investors, and businesses.

Before I conclude, let me just mention that much of what has been added to the bill has little basis in reality. The majority knows that there is a veto threat by our President on the bill as currently constructed. Absent serious changes to the overall funding level and the removal of these excessive riders, this is not a bill that will ever be signed into law. I hope that one day the majority accepts that reality and comes to the table to negotiate in good faith. But as it currently stands, this simply is not a bill that I can support.

Madam Chair, I reserve the balance of my time.

Mr. CRENSHAW. Madam Chair, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full Appropriations Committee.

Mr. ROGERS of Kentucky. Madam Chair, I thank the gentleman for yielding.

This bill is a bill that we all can support. It provides $21.7 billion for financial services and Treasury programs, the Federal judiciary, and small businesses. This total is $1.5 billion below current levels and $2.7 billion below what was requested by the President.

Within this allocation, the bill prioritizes funding where it will be best used and makes policy reforms that improve efficiency and accountability.

To start with, the bill takes steps to address issues at the IRS, both cutting overall funding and including funding limitations to prevent the IRS from continuing their recent history of bad behavior. In total, the IRS is provided with $10.9 billion. That is $236 million below current levels. This holds the agency's budget below fiscal 2008 levels, forcing the agency to streamline and focus on its core duties.

Taxpayer services, however, are maintained at $2.1 billion and an additional $290 million is directed to improve customer service, fraud prevention, and cybersecurity.

The bill also includes policy items to correct recent transgressions, including prohibiting funding for a regulation related to the tax-exempt status of 501(c)(4) organizations, which could limit the First Amendment rights of citizens, and prohibiting funds for bonuses unless conduct and tax compliance is considered.

The bill also includes provisions throughout designed to make the government work better for the taxpayer. This includes increasing oversight by bringing the CFPB and the Office of Financial Research under the annual congressional appropriations process and changing the leadership of CFPB from one director to a five-member panel.

The bill also peels back red tape across the government. This includes prohibiting the FCC from implementing the net neutrality order until court cases are resolved; requiring the FCC to refrain from continued activity on the set-top box rule until a study is completed; and prohibiting the FCC from requiring the disclosure of political contributions on SEC filings.

The bill invests its funding in programs that will protect Main Street Americans, helping them grow small businesses and making their communities safer.

The bill increases funding for Federal courts, as well as for important and effective anti-drug programs like the Drug-Free Communities and High-Intensity Drug Trafficking Areas programs.

The bill also includes $883 billion for the Small Business Administration, including full funding for veterans programs, and increasing funding above the President's request for Women's Business Centers. The bill also includes the SEC Small Business Advocate Act, to help small businesses address the unique issues they face due to their size.

Madam Chair, I want to thank the Financial Services Subcommittee and the hardworking staff, the ranking member, Mr. SERRANO, and particularly the chairman, Mr. CRENSHAW. This will be his last bill at the helm of this subcommittee and one of his last appropriations bills in Congress.

Over his tenure on the committee, he has been a faithful shepherd of taxpayer dollars and a dedicated servant to his district and to the Nation. His presence will be deeply missed by the Appropriations Committee and the entire House, but this final bill of Chairman CRENSHAW is certainly a high note to go out on.

But we want to thank this Florida gentleman and great leader in this body for the great tenure he has had here and the great record he has built, especially this bill, which will be the last he will shepherd through.

This bill improves the way the government runs, makes responsible use of Federal funding, and invests in the right priorities. I urge my colleagues to support this bill.

Mr. SERRANO. Madam Chair, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), our ranking member.

Mrs. LOWEY. Madam Chair, before I begin, I would like to thank Chairman CRENSHAW, Ranking Member SERRANO, and Chairman ROGERS for their efforts. And I also want to send my sincerest best wishes to my friend, Chairman CRENSHAW.

ANDY, your willingness to work across the aisle, respect for this institution and the Appropriations Committee will be missed. I know we wish you continued success in whatever work you choose to pursue, but you will be missed here. Good luck to you.

Democrats remain eager to support appropriation bills that invest appropriately and are free of poison pill riders. We have seen time and again that bills making irresponsible cuts to critical priorities, or loaded with divisive and ideological riders, cannot be enacted because Democrats will not support them, and Republicans can enact them on their own. Unfortunately, the bill before us is an example of this dilemma.

□ 1800

It is already loaded with poison pill riders and surely will have more when we complete floor consideration.

At $21.735 billion, a cut of 6 percent from current levels and 11 percent below the President's request, it is no surprise which agencies would be subject to impractical and inadequate funding levels.

This bill would slash the IRS' resources by $236 million, allowing more tax cheats to go undetected and preventing law-abiding Americans from receiving assistance.

Similarly, funding the SEC at $226 million below the request would thwart its ability to protect investors. This is particularly egregious because the SEC is fee funded, and meeting the Commission's needs would not cost taxpayers a dime. I offered an amendment at the full committee markup that would have provided the SEC with the President's funding request. It was rejected, despite the fact that it would cost taxpayers nothing.

Instead of investing in infrastructure, the bill would gut and cut GSA construction and acquisition projects by $1.3 billion. It only partially funds a new headquarters for the FBI and does not fund the next phase of the Department of Homeland Security's headquarters, further delaying the ability to consolidate our homeland security apparatus into one location.

Yet inadequate funding is only part of the story, and the long list of riders turns a bad bill into an example of the Republican majority's unnecessary culture war. Attacks on women's health, interference in implementation of the Affordable Care Act and net neutrality, restrictive provisions on Cuba, and a demeaning effort to dictate local governance to Washington, D.C., are particularly shameful.

Once again, these misguided provisions unnecessarily jeopardize the success of the overall appropriations process.

Despite these numerous shortcomings, the bill adequately supports the Small Business Administration and would help communities combat the growing heroin epidemic by increasing the Drug-Free Communities program and the High Intensity Drug Trafficking Areas program.

This bill provided the House with the opportunity to put investments ahead of politics. Unfortunately, the House Republican majority has no interest in these priorities.

I urge my colleagues to vote against the bill.

Mr. CRENSHAW. Madam Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I rise in support of H.R. 5485, the Financial Services and General Government Appropriations Act, 2017.

Not only does this bill provide necessary funding for many needed programs, it also helps stop the administration from pushing burdensome and harmful regulations on the American people.

For example, the CFPB recently announced its intent to severely limit the availability of short-term loans, vehicle title loans, and similar financial products. H.R. 5485 contains language that would prevent CFPB from implementing this proposed regulation.

While my colleagues on the other side of the aisle say that CFPB's new proposal is an important step for consumer protection, they are wrong to think that CFPB's actions will have a positive impact on the underserved. The CFPB's proposal would eliminate a vital source of emergency funding for those who are unable to obtain loans from traditional lending institutions.

While I will be the first to promote increased access to financial services for the underserved, eliminating short-term lending products is not the answer.

Madam Chairman, I urge all of my colleagues to support this bill.

Mr. SERRANO. Madam Chair, I yield 5 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Financial Services Committee.

Ms. MAXINE WATERS of California. Madam Chairman, here we go again. It is appropriations season in the House of Representatives, so we know what that means: once again, the American public can bear witness to our Republican colleagues' underfunding our Wall Street cops on the beat and attacking Wall Street reform with endless budget riders.

Indeed, by my count, there were 34 separate Republican amendments filed to the Rules Committee that would undermine, undercut, or underfund our financial regulators. These amendments span the gamut of special interest giveaways—from undoing critical consumer protections to exposing investors to financial predation, to undermining financial stability.

First, and perhaps most importantly, both the base bill and many of the amendments we are considering today stab at the heart of the Consumer Financial Protection Bureau, the sole regulator tasked with protecting students, servicemembers, seniors, and other borrowers in the consumer lending marketplace.

To name just a few of the provisions that would harm the CFPB, this bill would: end the Bureau's independent funding; bog the CFPB down in gridlock by replacing its efficient Director structure with a partisan, bureaucratic commission; halt the Bureau's efforts to end forced arbitration clauses in credit card contracts and give consumers their day in court; rescind the CFPB's guidance that helps to prevent racial and ethnic discrimination in automobile lending markets; defund the Bureau's efforts to stop predatory lending to borrowers looking to purchase a manufactured home; and make it harder for the CFPB to bring enforcement actions against bad actors.

What is more, the bill would halt the CFPB's efforts to stop the debt trap created by predatory payday lending. As a report released just last month by my office revealed, these lenders are adept at skirting State laws. That is why we need strong Federal rules of the road. Unfortunately, this bill would ensure that payday lenders can continue to rip off our constituents and push them deeper into the cycle of debt.

Democrats will offer amendments today to remove these harmful provisions in the bill, and I urge all of my colleagues to support our efforts.

This bill also would cut funding for the Securities and Exchange Commission—that is, the SEC—which oversees our growing, complex capital markets and needs sufficient resources to police them effectively.

Republicans have shown us time and time again that they don't want the SEC to be able to do its job. That is why they are proposing nearly 15 percent less than the SEC has said it needs to properly oversee the 26,000 market participants under its purview. It is also 3 percent less than the agency received last year, which already was a shoestring budget for a regulator tasked with implementing and enforcing significant aspects of Dodd-Frank, the JOBS Act, and other important legislation.

To make matters worse, the bill, along with Republican amendments, would limit critical information for investors in companies by rescinding current or future disclosure requirements on CEO pay, climate change, conflict minerals, and political spending by big corporations, as well as limiting shareholders' ability to elect directors to corporate boards.

Finally, the bill also undercuts the Financial Stability Oversight Council—that is, FSOC—which keeps our financial system safe by looking out for systemic risk throughout the system and closing the gaps in our once-fractured regulatory framework.

Standing with other Democrats, I will offer amendments to strike some of the most harmful provisions of this bill. But make no mistake, even if these amendments were adopted, Democrats cannot support this legislation, which so gravely underfunds and undermines Wall Street reform that it is fair to say it would expose us to another financial crisis.

I strongly urge my colleagues to oppose this very harmful legislation.

Mr. CRENSHAW. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. GRAVES), one of the valued members of our subcommittee.

Mr. GRAVES of Georgia. Mr. Chairman, I rise today in support of the Financial Services and General Government Appropriations bill.

As a member of the subcommittee, I am proud of the product that Chairman CRENSHAW and each of the subcommittee members have produced this year. This bill provides critical resources that truly respect taxpayers. In fact, this legislation is $1.5 billion below last year's spending level, and it is 2.7—almost $3 billion below what the President requested.

In this year's bill, we focused on peeling away excessive government regulations which have made it harder for all hardworking Americans to access the financial markets and the regulations that have depressed economic growth that we have all seen and experienced in our districts.

Our bill brings the Consumer Financial Protection Bureau under the appropriations process, ensuring that the money it spends has proper oversight and is accountable to all the people's representatives.

We also eliminate a slush fund at the Securities and Exchange Commission which was created by Dodd-Frank.

Additionally, this bill includes provisions that ensure the failure of any financial institution is dealt with through the time-tested process of bankruptcy and not through a bailout process. We included language that limits the disastrous too big to fail concept from expanding beyond the banking sector to nonbank institutions. These changes help curb some of the worst parts of the administration's financial overreach over the past few years.

In the bill, we also focus on improving accountability at the government agencies, in particular, the IRS. Our commonsense reforms include prohibiting the IRS from rehiring fired employees, banning all their bonuses, outlawing their ability to target groups based on political or religious beliefs, and cutting the agency by another $236 million. This in itself should be plenty of reason for all Members to support this bill and get excited about it. Now, while we have slashed the IRS by more than $1 billion and cracked down on its leadership over the last 5 years, we must continue keeping it on a short leash.

Finally, this bill supports our Nation's small businesses by prioritizing funding for the Small Business Administration.

Mr. Chairman, I ask all Members to support this good bill put together by Chairman CRENSHAW.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE), one of our great progressive voices who is a member of both the Appropriations and the Budget Committees. Sometimes they don't get along, but that is her issue.

Ms. LEE. Mr. Chairman, I want to thank our ranking member for his stellar leadership as our ranking member on this subcommittee and for his kind remarks. Also, I want to thank our chairman, Mr. CRENSHAW, for working with our side of the aisle despite our differences.

Mr. Chairman, I rise, though, in strong opposition to the fiscal 2017 Financial Services and General Government Appropriations bill. This is yet another spending bill filled with ideologically driven riders from House Republicans.

Sadly, the bad provisions in this bill greatly outweigh the few good provisions, like increased funding for community development financial institutions and the Small Business Administration's Women's Business Centers. Both have good provisions. Unfortunately, however, once again, my colleagues across the aisle have chosen to score political points instead of doing the serious work of governing.

Just to name a few, this bill includes numerous—numerous—dangerous and offensive riders, one to undermine the rule of law in the District of Columbia and deny low-income D.C. women their basic right to safe and affordable comprehensive healthcare choices, including abortion.

Now, the women of the District of Columbia should be allowed to make their own reproductive health choices, whatever health choices they deem they need, want, and desire. Republican Members of Congress should not be interfering in the District of Columbia women's health decisions. That is offensive, it is wrong, and they need to stop that.

□ 1815

Another rider prevents the Consumer Financial Protection Bureau from protecting the hard-earned paychecks of American families. Another rider undermines our efforts to normalize relations with Cuba after a 50-year failed policy by the United States of America. This bill also blocks the Federal

Communications Commission from ensuring a free and open Internet for all.

The Acting CHAIR (Mr. CARTER of Georgia). The time of the gentlewoman has expired.

Mr. SERRANO. I yield the gentlewoman an additional 1 minute.

Ms. LEE. These are just a few amendments that are unacceptable.

Now, let me say, when I joined the Appropriations Committee, I was told legislating on appropriations bill was not allowed. Once again, the majority continues to violate the rules of the House, so I guess they just kind of make up these new rules as they write these bills, which is really irresponsible and totally unfair.

The majority should consider the disservice that they are doing to the American people by continuing to push through these woefully underfunded appropriations bills packed with these dangerous and partisan riders—these policy decisions that have been made on an appropriations bill.

These bills hurt our economy, they stifle opportunities, they erode women's rights in the District of Columbia. Year after year, the most vulnerable Americans are pushed further into poverty because congressional Republicans keep underfunding many of these vital programs that are in this bill.

I hope my colleagues will join me in opposition to this bill until Republican appropriators stop the political gamesmanship and get serious about funding our government to meet our Nation's vital needs.

Mr. CRENSHAW. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. AMODEI), one of the hardest-working members of our subcommittee.

Mr. AMODEI. Mr. Chairman, I thank the chairman and ranking member.

As I sit here listening, I hear the words appropriately appropriate, poison pill riders, real losers American people, veto threats from the President, accept reality, and I ask myself: Who do I work for? I don't want to speak for any of my 434 other colleagues. I don't work for the President. I work for the 700,000 people that sent me here, just like other people work for people from different States. So the fact that I may disagree with the administration on something isn't news to anybody in a congressional context.

But I sit here and look at this and I am thinking: My God, we are interfering with women's health directives. And I hear about the Affordable Care Act and the IRS cuts, and it is like I didn't get a great grade in civics, but I got a good enough one.

Part of this role is oversight. That is the key of appropriations. So we are conducting that because there are differences of opinion. While one side advocates what they think is the right policy, the other side does the exact same thing.

So to feign offense when somebody is doing what they think is right, I am not impugning the motives of anybody, but I have got to tell you, when I hear about interfering with women's health decisions and I think about the ACA and they are mentioned in the same sentence, I am like: Wow, I missed something there. Dodd-Frank, CFPB, it is like oversight. Not that we don't need it. We need some watchdogs on Wall Street, we need some watchdogs on those financial things.

Quite frankly, when I hear about poison pill riders, how about poison injection regulations? With all due respect, ideologically driven riders, how about ideologically driven regulations? We need to say what we think is appropriate for the people who sent us here.

No disrespect to this administration, although I wonder what foot the shoe would have been on 8 years ago, but I wasn't here then because I am too young to remember that. I must say, it is like: Listen, we are going to disagree on policy.

But to suggest somehow that because the Congress thought of something in the majority of this House that it is a poison pill rider and pretend like everything that comes out of regulations, whether it is in financial services, health care, running the IRS, 501(c)(3)s, all those problems, it is like: You are darn right we better be doing our oversight thing.

And by the way, in the C I got in civics, the power of the purse is the biggest stick in oversight, and it should be used.

Mr. SERRANO. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished Democratic whip, for the purpose of entering into a colloquy.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding.

The chairman and the ranking member know I have been working on the new consolidated Federal Bureau of Investigation headquarters project since 2007. This project remains a top priority for the Maryland delegation. Bids, as the chairman knows, on the three sites under consideration were due in on June 22. Two of the sites under consideration for this new facility, Greenbelt and Landover, are located in Maryland.

We have been working at the Federal, State, and local levels to assemble competitive bids for our sites. We believe that, in a fair and open competition, Maryland has put forward sites and proposals that will ultimately be deemed a better fit for the FBI.

However, as I have discussed with the chairman and the ranking member, I remain concerned about the General Services Administration's recent reduction in the estimated cost of relocating existing Federal facilities at the Springfield, Virginia, site. Since the cost of relocation of these facilities will be factored into the price for the Springfield site, we need to ensure that the GSA produces an accurate number that fully reflects the relocation costs that taxpayers will be asked to cover.

My question for the chairman and the ranking member is: Will you agree to work with me to ensure that the GSA accurately reports the cost of any Federal facility relocation associated with these sites?

In addition to that, I would ask: Do the gentlemen agree, the chairman and ranking member, that such transparency on the part of GSA is needed to ensure that the process for the siting of this facility is fair and provides accurate information to municipalities and developers competing to construct and house this critically important FBI project?

Mr. CRENSHAW. Well, let me thank the gentleman for bringing this to our attention. You have my assurance, as we have previously discussed, that I will work with you to make sure that this is an open and fair process all the way down the line.

Mr. HOYER. I thank the gentleman. I certainly rely on that representation and I appreciate it.

Mr. SERRANO. Mr. Chairman, reclaiming my time, I thank my friend, the distinguished whip from Maryland, for his continued involvement in this effort and his steadfast advocacy for making sure that the process sees that the new FBI headquarters is located on the best site possible. He also has my commitment that we will work together to ensure that this is a fair process and that GSA provides all relevant information to prospective bidders accurately.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. POLIQUIN) for the purpose of a colloquy.

Mr. POLIQUIN. Mr. Chairman, the amendment that I was planning to offer tonight is related to the Securities and Exchange Commission's proposed rule 30e–3.

If this rule, Mr. Chairman, is finalized in its current form, Wall Street mutual fund companies could take away the paper statements that are received from their Main Street investors by simply sending them a notice that their paper reports have been canceled. Investors would only regain those reports, Mr. Chairman, if they return a form opting back into paper.

Now, this is particularly hurtful to the elderly, the poor, and those living in rural areas—all people who disproportionately lack broadband Internet access. Mr. Chairman, it is so easy to see how problems could occur with this current rule in its current form. Seniors could misunderstand the letter announcing their loss of paper reports and discard the letter, or an investor who sends in a request to continue to receive those paper statements, which could be lost in the mail.

Mr. Chairman, my own parents, who are 86 and 88, struggle to even use a cell phone. How can we expect millions of our seniors across the country who live in rural areas with no Internet access to be able to log on to the Internet in order to receive critical mutual fund information?

Mr. Chairman, if this rule 30e–3 is implemented in its current form, I believe and fear that millions of our fellow Americans will be left out in an information desert. Americans need to know how much money they have saved, whether it be for a new home or for college or for their retirement.

Congress should encourage savings and market confidence among our families. At a time, Mr. Chairman, where 50 percent of the mutual fund assets are owned by our seniors, this rule in its current form does just the opposite.

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

Mr. CRENSHAW. I yield the gentleman an additional 30 seconds.

Mr. POLIQUIN. Mr. Chairman, over 90 percent of the comments submitted to the SEC on this issue conclude that investors do, in fact, want to retain their paper financial reports.

Mr. Chairman, I ask Chairman CRENSHAW today, please, for his support to ensure that a final rule on this issue from the SEC is fair to all investors, especially our small senior investors living in rural areas.

Mr. CRENSHAW. Mr. Chairman, let me thank the gentleman for bringing this issue forward and thank him for the hard work that he has spent trying to let everyone know how important this is.

As he pointed out, the proposed rule before the SEC would allow mutual funds and firms to post shareholder reports and quarterly portfolio holdings on their Web sites instead of having to print them and mail them.

I understand his concerns of this adequate access to the Internet, especially, as he points out, to the elderly or folks living in rural areas. I think the SEC rule should strike the right balance.

As he knows, this rule is currently under review by the Commission. I think an amendment might have been premature, but I know this is important to him.

I thank him again for bringing it forward. I am very happy to work with him and to work with the SEC to make sure this is a balanced rule.

I reserve the balance of my time.

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

We heard some comments on the House floor before about what people are offended at that my side speaks about, and the word ''oversight'' was used. I want to make it clear that I am the biggest supporter of oversight, but oversight does not mean destroying agencies, oversight does not mean cutting budgets down to a bare bone where they can't function, oversight does not mean going after the IRS simply because it is in some rule book that you always go after the IRS, oversight is not telling women what to do, and oversight is not telling the District of Columbia that it can't have any kind of self-government because, given a choice, we would not allow the District of Columbia to do anything, including what is allowed to be done by the Constitution.

I just want to clarify that point. I believe—we believe—in oversight. But when you start oversight with the feeling that a zero budget would be the best way to go, when you start with a feeling of disrespect for the leader of our country, our President, when you start with a feeling that you got elected to Congress to oppose everything that happens in Congress and that only you can clean up and fix Congress, as if it needed fixing, sometimes I may be the only one who says it, but there is gridlock and there is democracy.

Sometimes people don't agree, and when they don't agree, that is healthy. Now, if they don't agree all the time, just for foolish reasons, then it is gridlock. But when we don't agree because we don't agree on philosophy, that is democracy at its best. In other places, the budget is always on time, but there is only one person making the decision.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY) for the purpose of a colloquy.

Mr. DUFFY. Mr. Chairman, first, I want to thank Chairman CRENSHAW for yielding and engaging in this colloquy and for all his hard work on the Appropriations Committee, and specifically on Financial Services, as he navigates this last, final bill through the House floor. We are all grateful for his hard work.

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Mr. Chair, the amendment I was planning on offering tonight is related to my concerns with the potential market abuse surrounding the shorting of the stocks of small pharmaceutical companies. I am concerned about a new tactic by some market participants.

There has been recent reporting in The Wall Street Journal and in the Financial Times that reveals a deceptive and manipulative practice by some hedge funds to challenge the legitimacy of a drug patent while simultaneously shorting the drug manufacturer's stock. These particular hedge funds game the system. What they do is short the stock. Then they publicize numerous patent challenges and provoke fear in the marketplace, drive down prices, and make a lot of money.

I think this warrants further examination by the SEC's Division of Enforcement for potential violations of security law. I also believe the SEC should consider enhancing the disclosure regime for short positions. Increased transparency, Mr. Chair, could help combat these types of attacks.

This is not just an issue of investigating the legality of the practice; it is also about the impact this practice has on the market and, more importantly, on the millions of Americans who need these treatments. This affects Members of Congress, their staffs, their families, and people back home in their districts. We are talking about lifesaving drugs.

The pharmaceutical industry, due to its unique relationship with its Federal regulator and the extraordinary time and upfront investment it takes to bring a drug to market, is particularly vulnerable to this kind of attack. Biotech companies rely heavily on their patents. An attack that is designed to undercut a company's patents and drive down its stock will, ultimately, discourage long-term investment in innovation and slow drug development. Worse, it could derail the development of the next lifesaving cure for the people whom Members know in their families or in their districts.

I appreciate Chairman CRENSHAW's engaging in this colloquy. Hopefully, the gentleman will give great consideration to this issue.

Mr. CRENSHAW. Mr. Chair, I thank the gentleman for bringing this issue up, and I thank him for his work in other areas of the financial services industry. I know he is one of the hard-working Members who cares about what happens and about making sure that we keep our financial system orderly and fair.

I know a critical part of the SEC's mission is to make sure that our markets are fair and to make sure that they are orderly. I am happy to commit to working with the gentleman and to working with the SEC on this very important issue. Again, I thank the gentleman for bringing it to our attention.

Mr. Chair, I yield 2 minutes to the gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. I thank Chairman CRENSHAW for his great work on this bill.

Mr. Chair, I rise in support of the underlying bill, which provides $21.7 billion in funding and targets resources to programs across multiple agencies that will boost economic growth and opportunity. It will protect consumers, protect investors, promote an efficient Federal court system, and stop financial crime.

My colleagues will be pleased to know that the bill includes language that prohibits the IRS from targeting specific individuals who are exercising their First Amendment right. I support that language as well.

The legislation also includes provisions that increase the oversight of the Consumer Financial Protection Bureau, or the CFPB. It puts the agency in the normal, annual appropriations process, like we are doing here today; and it replaces the single Director at the head of the agency with a five-person commission that is similar to those of other agencies that are charged with regulating our financial markets.

I also want to take a moment to speak in support of bipartisan language in the bill that would pause the CFPB's proposed rule on short-term lending.

The Independent Community Bankers of America and the Credit Union National Association recently wrote the CFPB to voice their strong opposition to this rule. They fear that this

rule will force them out of the short-term credit market and stop them from serving millions of consumers across our country. In fact, the CFPB's own analysis says that 84 percent of current loan volumes will disappear as a result of this rule. The CFPB claims that community banks will make up for this shortfall, but the community banks, themselves, refute this.

That is why, I think, we must keep the bipartisan language in the bill that pauses this short-term rule that could force millions of Americans to have nowhere to turn for their financial needs.

Mr. Chair, the CFPB's proposed rule would put lenders out of business and leave these constituents with nowhere to turn. Millions of hardworking Americans would not be able to deal with unexpected emergencies. That is why I urge Members to support the underlying bill.

Mr. CRENSHAW. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to House Resolution 794, the bill shall be considered for amendment under the 5-minute rule and shall be considered read through page 265, line 9.

The text of the bill through page 265, line 9, is as follows:

H.R. 5485

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman's Bank Building; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to Puerto Rico; and Treasury-wide management policies and programs activities, $250,000,000: *Provided*, That of the amount appropriated under this heading—

(1) not to exceed $350,000 is for official reception and representation expenses;

(2) not to exceed $258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary's certificate; and

(3) not to exceed $57,000,000 shall remain available until September 30, 2018, for—

(A) the Treasury-wide Financial Statement Audit and Internal Control Program;

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund;

(D) the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements; and

(E) cybersecurity.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, money launderers, drug kingpins, and other national security threats, $120,000,000: *Provided*, That of the amount appropriated under this heading: (1) not to exceed $27,500,000 is available for administrative expenses; and (2) $5,000,000, to remain available until September 30, 2018.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $37,044,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to $2,800,000 to remain available until September 30, 2018, shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note); and of which not to exceed $1,000 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $169,634,000, of which $5,000,000 shall remain available until September 30, 2018; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $41,160,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed $10,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $116,000,000, of which not to exceed $34,335,000 shall remain available until September 30, 2019.

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $753,610,000 are rescinded.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, $353,057,000; of which not to exceed $4,210,000, to remain available until September 30, 2019, is for information systems modernization initiatives; and of which $5,000 shall be available for official reception and representation expenses.

In addition, $165,000, to be derived from the Oil Spill Liability Trust Fund, to reimburse administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $111,439,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided*, That of the amount appropriated under this heading, $5,000,000 shall be for the costs of accelerating the processing of formula and label applications: *Provided further*, That of the amount appropriated under this heading, $5,000,000 shall be for the costs of programs to enforce trade practice violations of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: *Provided*, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2017 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $30,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvement Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $250,000,000. Of the amount appropriated under this heading—

(1) not less than $184,000,000, is available until September 30, 2018, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to $2,882,500 may be used for the cost of direct loans: *Provided*, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000;

(2) not less than $6,000,000, notwithstanding subsections (d) and (e) of section 108 of Public Law 103–325 (12 U.S.C. 4707(d) and (e)), is

available until September 30, 2018, to provide financial assistance, technical assistance, training, and outreach to community development financial institutions to expand investments that benefit individuals with disabilities;

(3) not less than $16,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2018, for financial assistance, technical assistance, training and outreach programs designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(4) not less than $19,000,000 is available until September 30, 2018, for the Bank Enterprise Award Program;

(5) up to $25,000,000 is for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which not less than $2,000,000 is available for capacity building to CDFIs to expand investments that benefit individuals with disabilities, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(6) during fiscal year 2017, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): *Provided*, That commitments to guarantee bonds and notes under such section 114A shall not exceed $250,000,000: *Provided further*, That such section 114A shall remain in effect until September 30, 2017;

Provided, that of the funds awarded under this heading, not less than 10 percent shall be used for awards that support investments that serve populations living in persistent poverty counties: *Provided further*, That for the purposes of the preceding proviso, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,156,554,000, of which not less than $6,500,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $12,000,000 shall be available for low-income taxpayer clinic grants, and of which not less than $15,000,000 to remain available until September 30, 2018, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, and of which not less than $206,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: *Provided*, That of the amounts made available for the Taxpayer Advocate Service, not less than $5,000,000 shall be for identity theft casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,760,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2018, and of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,502,446,000, of which not to exceed $50,000,000 shall remain available until September 30, 2018; of which not to exceed $6,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2019, for research; of which not to exceed $20,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further*, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2018, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $290,000,000, to remain available until September 30, 2019, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for CADE 2 and Modernized e-File information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers' rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make improvements to the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to enhance the response time to taxpayer communications, particularly with regard to victims of tax-related crimes.

SEC. 105. None of the funds made available to the Internal Revenue Service by this or any other Act may be used to make a video unless the Service-Wide Video Editorial Board determines in advance that making the video is appropriate, taking into account the cost, topic, tone, and purpose of the video.

SEC. 106. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer's former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 107. None of the funds made available under this or any other Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

SEC. 108. None of the funds made available in this or any other Act may be used by the Internal Revenue Service to target groups for regulatory scrutiny based on their ideological beliefs.

SEC. 109. None of funds made available by this or any other Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the procedures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled ''Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California'' (Reference Number 2013–10–037).

SEC. 110. None of the funds made available by this or any other Act may be used to pay the salaries or expenses of any individual to carry out any transfer of funds to the Internal Revenue Service under the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education

Reconciliation Act of 2010 (Public Law 111–152).

SEC. 111. None of the funds made available by this or any other Act may be used by the Internal Revenue Service to implement or enforce section 5000A of the Internal Revenue Code of 1986, section 6055 of such Code, section 1502(c) of the Patient Protection and Affordable Care Act (Public Law 111–148), or any amendments made by section 1502(b) of such Act.

SEC. 112. None of the funds made available in this or any other Act to the Internal Revenue Service may be obligated or expended—

(1) to make a payment to any employee under a bonus, award, or recognition program; or

(2) under any hiring or personnel selection process with respect to re-hiring a former employee,

unless such program or process takes into account the conduct and Federal tax compliance of such employee or former employee.

SEC. 113. None of the funds made available by this or any other Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

SEC. 114. Except to the extent provided in section 6014, 6020, or 6201(d) of the Internal Revenue Code of 1986, none of the funds in this or any other Act shall be available to the Secretary of the Treasury to provide to any person a proposed final return or statement for use by such person to satisfy a filing or reporting requirement under such Code.

SEC. 115. In addition to the amounts otherwise made available in this Act for the Internal Revenue Service, $290,000,000, to be available until September 30, 2018, shall be transferred by the Commissioner to the ''Taxpayer Services'', ''Enforcement'', or ''Operations Support'' accounts of the Internal Revenue Service for an additional amount to be used solely for measurable improvements in the customer service representative level of service rate, to improve the identification and prevention of refund fraud and identity theft, and to enhance cybersecurity to safeguard taxpayer data: *Provided*, That such funds shall supplement, not supplant any other amounts made available by the Internal Revenue Service for such purpose: *Provided further*, That such funds shall not be available until the Commissioner submits to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds: *Provided further*, That such funds shall not be used to support any provision of Public Law 111–148, Public Law 111–152, or any amendment made by either such Public Law.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 116. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 117. Not to exceed 2 percent of any appropriations in this title made available under the headings ''Departmental Offices—Salaries and Expenses'', ''Office of Inspector General'', ''Special Inspector General for the Troubled Asset Relief Program'', ''Financial Crimes Enforcement Network'', ''Bureau of the Fiscal Service'', ''Community Development Financial Institutions Fund Program Account'', and ''Alcohol and Tobacco Tax and Trade Bureau'' may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 118. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 119. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 120. The Secretary of the Treasury may transfer funds from the ''Bureau of the Fiscal Service—Salaries and Expenses'' to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 121. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 122. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 123. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2017 until the enactment of the Intelligence Authorization Act for Fiscal Year 2017.

SEC. 124. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 125. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: *Provided*, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: *Provided further*, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 126. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 127. During fiscal year 2017—

(1) none of the funds made available in this or any other Act may be used by the Department of the Treasury, including the Internal Revenue Service, to issue, revise, or finalize any regulation, revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard which is used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)); and

(2) the standard and definitions as in effect on January 1, 2010, which are used to make such determinations shall apply after the date of the enactment of this Act for purposes of determining status under section 501(c)(4) of such Code of organizations created on, before, or after such date.

SEC. 128. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

(b) The reports required under subsection (a) shall include—

(1) the obligations made during the previous quarter by object class, office, and activity;

(2) the estimated obligations for the remainder of the fiscal year by object class, office, and activity;

(3) the number of full-time equivalents within each office during the previous quarter;

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

(c) At the request of any such Committees specified in subsection (a), the Office of Financial Stability and the Office of Financial Research shall make officials available to testify on the contents of the reports required under subsection (a).

SEC. 129. During fiscal year 2017, the Office of Financial Research shall provide for a public notice period of not less than 90 days before issuing any proposed report, rule, or regulation.

SEC. 130. (a) Section 155 of Public Law 111–203 is amended as follows:

(1) In subsection (b)—

(A) in paragraph (1)—

(i) by striking ''immediately''; and

(ii) by inserting ''as provided for in appropriation Acts'' after ''to the Office'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2).

(2) In subsection (d), by striking the heading and inserting ''ASSESSMENT SCHEDULE.—''.

(b) The amendments made by subsection (a) shall take effect on October 1, 2017.

SEC. 131. None of the funds appropriated or otherwise made available in this Act may be obligated or expended to provide for the enforcement of any rule, regulation, policy, or guideline implemented pursuant to the Department of the Treasury Guidance for United States Positions on MDBs Engaging with Developing Countries on Coal-Fired Power Generation dated October 29, 2013, when enforcement of such rule, regulation, policy, or guideline would prohibit, or have the effect of prohibiting, the carrying out of any coal-fired or other power-generation project the purpose of which is to increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

SEC. 132. None of the funds made available in this Act may be used to approve, license, facilitate, authorize, or otherwise allow, whether by general or specific license, travel-related or other transactions incident to non-academic educational exchanges described in section 515.565(b)(2) of title 31, Code of Federal Regulations.

SEC. 133. (a) None of the funds made available by this Act may be used to approve, license, facilitate, authorize, or otherwise allow the use, purchase, trafficking, or import of property confiscated by the Cuban Government.

(b) In this section, the terms ''confiscated'', ''Cuban Government'', ''property'', and ''traffic'' have the meanings given such terms in paragraphs (4), (5), (12)(A), and (13), respectively, of section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023).

SEC. 134. (a) None of the funds made available by this Act may be used to approve, license, facilitate, authorize, or otherwise allow any financial transaction with an entity owned or controlled, in whole or in part, by the Cuban military or intelligence service or with any officer of the Cuban military or intelligence service, or an immediate family member thereof.

(b) The limitation on the use of funds under this section does not apply to financial transactions with respect to exports of goods permitted under the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.) or to payments in furtherance of the lease agreement or other financial transactions necessary for maintenance and improvements of the United States Naval Station, Guantanamo Bay, Cuba, including any adjacent areas under the control or possession of the United States.

(c) In this section—

(1) the term ''Cuban military'' includes the Ministry of the Revolutionary Armed Forces and the Ministry of the Interior, and their subsidiaries; and

(2) the term ''immediate family member'' means a spouse, sibling, child (adopted or otherwise), parent, grandparent, grandchild, aunt, uncle, niece, or nephew.

SEC. 135. (a) None of the funds made available in this Act may be used to authorize a general license or approve a specific license under section 501.801 or 515.527 of title 31, Code of Federal Regulations, with respect to a mark, trade name, or commercial name that is the same as or substantially similar to a mark, trade name, or commercial name that was used in connection with a business or assets that were confiscated unless the original owner of the mark, trade name, or commercial name, or the bona-fide successor-in-interest has expressly consented.

(b) In this section, the term ''confiscated'' has a meaning given such term in section 4(4) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023(4)).

SEC. 136. None of the funds made available by this Act may be used by the Internal Revenue Service to make a determination that a church, an integrated auxiliary of a church, or a convention or association of churches is not exempt from taxation for participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for public office unless—

(1) the Commissioner of Internal Revenue consents to such determination;

(2) not later than 30 days after such determination, the Commissioner notifies the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate of such determination; and

(3) such determination is effective with respect to the church, integrated auxiliary of a church, or convention or association of churches not earlier than 90 days after the date of the notification under paragraph (2).

Consent under paragraph (1) may not be delegated.

This title may be cited as the ''Department of the Treasury Appropriations Act, 2017''.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $55,000,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, $12,723,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3 U.S.C. 105(d), $750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,200,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $10,896,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $96,116,000, of which not to exceed $12,760,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President.

PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Administration to carry out the Presidential Transition Act of 1963 and similar expenses, in addition to amounts otherwise appropriated by law, $7,582,000: *Provided*, That such funds may be transferred to other accounts that provide

funding for offices within the Executive Office of the President and the Office of the Vice President in this Act or any other Act, to carry out such purposes.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $91,000,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That of the funds made available for the Office of Management and Budget by this Act, no less than three full-time equivalent senior staff positions shall be dedicated solely to the Office of the Intellectual Property Enforcement Coordinator: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $19,274,000: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $253,000,000, to remain available until September 30, 2018, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas (''HIDTAs''), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: *Provided further*, That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2015 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: *Provided further*, That each HIDTA designated as of September 30, 2016, shall be funded at not less than the fiscal year 2016 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2017 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $111,871,000, to remain available until expended, which shall be available as follows: $97,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $2,000,000 for drug court training and technical assistance; $9,500,000 for anti-doping activities; $2,121,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469: *Provided*, That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $25,000,000, to remain available until expended: *Provided*, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,228,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 pursuant to 3 U.S.C. 106(b)(2), $299,000: *Provided*, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings ''The White House'', ''Executive Residence at the White House'', ''White House Repair and Restoration'', ''Council of Economic Advisers'', ''National Security Council and Homeland Security Council'', ''Office of Administration'', ''Special Assistance to the President'', and ''Official Residence of the Vice President'', the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from ''Special Assistance to the President'' or ''Official Residence of the Vice President'' without the approval of the Vice President.

SEC. 202. Within 90 days after the date of enactment of this section, the Director of the Office of Management and Budget shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the costs of implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203). Such report shall include—

(1) the estimated mandatory and discretionary obligations of funds through fiscal year 2019, by Federal agency and by fiscal year, including—

(A) the estimated obligations by cost inputs such as rent, information technology, contracts, and personnel;

(B) the methodology and data sources used to calculate such estimated obligations; and

(C) the specific section of such Act that requires the obligation of funds; and

(2) the estimated receipts through fiscal year 2019 from assessments, user fees, and other fees by the Federal agency making the collections, by fiscal year, including—

(A) the methodology and data sources used to calculate such estimated collections; and

(B) the specific section of such Act that authorizes the collection of funds.

SEC. 203. (a) During fiscal year 2017, any Executive order or Presidential memorandum issued or revoked by the President shall be accompanied by a written statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of such order or memorandum.

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays as the result of such order or memorandum, listed by Federal agency, for each year in the 5-fiscal-year period beginning in fiscal year 2017; and

(3) the impact on revenues of the Federal Government as the result of such order or memorandum over the 5-fiscal-year period beginning in fiscal year 2017.

(c) If an Executive order or Presidential memorandum is issued during fiscal year 2017 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

SEC. 204. None of the funds made available in this Act may be used to pay the salaries and expenses of any officer or employee of the Executive Office of the President to prepare, sign, or approve statements abrogating legislation passed by the House of Representatives and the Senate and signed by the President.

SEC. 205. None of the funds made available by this Act may be used to pay the salaries and expenses of any officer or employee of the Executive Office of the President to prepare or implement an Executive order or Presidential memorandum that contravenes existing law.

This title may be cited as the ''Executive Office of the President Appropriations Act, 2017''.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $76,668,000, of which $1,500,000 shall remain available until expended.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, $14,868,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, $30,108,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $18,462,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, $5,010,000,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $6,260,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,056,326,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $43,723,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $565,388,000, of which not to exceed $20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $87,500,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $28,200,000; of which $1,800,000 shall remain available through September 30, 2018, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $18,000,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'', shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for ''Courts of Appeals, District Courts, and Other Judicial Services'' shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3314(a) of title 40, United States Code, shall be applied by substituting ''Federal'' for ''executive'' each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the second sentence (relating to the District of Kansas) following paragraph (12), by striking ''25 years and 6 months'' and inserting ''26 years and 6 months''.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking ''23 years and 6 months'' and inserting ''24 years and 6 months''.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note), is amended—

(1) in the first sentence by striking ''14 years'' and inserting ''15 years'';

(2) in the second sentence (relating to the central District of California), by striking ''13 years and 6 months'' and inserting ''14 years and 6 months''; and

(3) in the third sentence (relating to the western district of North Carolina), by striking ''12 years'' and inserting ''13 years''.

SEC. 307. (a) Section 1871(b) of title 28, United States Code, is amended in paragraph (1) by striking ''$40'' and inserting ''$50''.

(b) EFFECTIVE DATE.— The amendment made in subsection (a) shall take effect 45 days after the date of enactment of this Act.

SEC. 308. (a) Section 2(a)(2)(A) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended by striking ''subparagraphs (B), (C), (D), and (E)'' and inserting ''subparagraphs (B), (C), (D), (E), (F), (G), and (H)''.

(b) Section 2(a)(2) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended by adding at the end the following:

''(F) EASTERN DISTRICT OF MICHIGAN.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Michigan—

''(i) occurring 6 years or more after the date of the enactment of this Act, and

''(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

''(G) DISTRICT OF PUERTO RICO.—The 1st vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

''(i) occurring 6 years or more after the date of the enactment of this Act, and

''(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

''(H) EASTERN DISTRICT OF VIRGINIA.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Virginia—

''(i) occurring 6 years or more after the date of the enactment of this Act, and

''(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.''.

(c) Section 2(a)(2)(C) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended—

(1) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively;

(2) by inserting before clause (ii), as so redesignated, the following:

''(i) in the case of the 1st and 2d vacancies, occurring more than 6 years after the date of the enactment of this Act,''; and

(3) in clause (ii), as so redesignated, by inserting ''in the case of the 3d and 4th vacancies,'' before ''occurring more than 5 years''.

(d) Section 2(a)(2)(D)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended (with regard to the 1st and 2d vacancies in the southern district of Florida) by striking ''5 years'' and inserting ''6 years''.

This title may be cited as the ''Judiciary Appropriations Act, 2017''.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $20,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $40,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $274,541,000 to be allocated as follows: for the District of Columbia Court of Appeals, $14,303,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $124,800,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $74,783,000, of which not to exceed $2,500 is for official reception and representation expenses; and $60,655,000, to remain available until September 30, 2018, for capital improvements for District of Columbia courthouse facilities: *Provided*, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $6,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further*, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN THE DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $49,890,000, to remain available until expended: *Provided*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the

Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $246,386,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $182,564,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; and of which $63,822,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That amounts under this heading may be used for programmatic incentives for defendants to successfully complete their terms of supervision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $41,359,000: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,000,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2018, to the Commission on Judicial Disabilities and Tenure, $310,000, and for the Judicial Nomination Commission, $275,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $45,000,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112–10): *Provided*, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112–10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: *Provided further*, That within funds provided for opportunity scholarships $3,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) and 3009 of the Act.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $450,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $5,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia (''General Fund'') for programs and activities set forth under the heading ''Part A--Summary of Expenses'' and at the rate set forth under such heading, as included in D.C. Bill 21-668, as amended as of the date of the enactment of this Act: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1–204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2017 under this heading shall not exceed the estimates included in D.C. Bill 21-668, as amended as of the date of the enactment of this Act, or the sum of the total revenues of the District of Columbia for such fiscal year: *Provided further*, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2017, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects: *Provided further*, That the Fiscal Year 2017 Local Budget Act is repealed.

This title may be cited as the ''District of Columbia Appropriations Act, 2017''.

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,100,000, to remain available until September 30, 2018, of which not to exceed $1,000 is for official reception and representation expenses.

BUREAU OF CONSUMER FINANCIAL PROTECTION

ADMINISTRATIVE PROVISIONS

SEC. 501. Section 1017(a)(2)(C) of Public Law 111–203 is repealed.

SEC. 502. Effective October 1, 2017, notwithstanding section 1017 of Public Law 111–203—

(1) the Board of Governors of the Federal Reserve System shall not transfer amounts specified under such section to the Bureau of Consumer Financial Protection; and

(2) there are authorized to be appropriated to the Bureau of Consumer Financial Protection such sums as may be necessary to carry out the authorities of the Bureau under Federal consumer financial law.

SEC. 503. (a) During fiscal year 2017, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such request.

(b)(1) Any such notification shall include the amount of the funds requested, an explanation of how the funds will be obligated by object class and activity, and why the funds are necessary to protect consumers.

(2) Any notification required by this section shall be made available on the Bureau's public Web site.

SEC. 504. (a) Not later than 2 weeks after the end of each quarter of each fiscal year, the Bureau of Consumer Financial Protection shall submit a report on its activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(b) The reports required under subsection (a) shall include—

(1) the obligations made during the previous quarter by object class, office, and activity;

(2) the estimated obligations for the remainder of the fiscal year by object class, office, and activity;

(3) the number of full-time equivalents within each office during the previous quarter;

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

(c) At the request of any committee specified in subsection (a), the Bureau of Consumer Financial Protection shall make Bureau officials available to testify on the contents of the reports required under subsection (a).

SEC. 505. (a) IN GENERAL.—Section 1011 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5491) is amended—

(1) by striking subsections (b), (c), and (d);

(2) by redesignating subsection (e) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) MANAGEMENT OF THE BUREAU.—

''(1) IN GENERAL.—The management of the Bureau shall be vested in a Board of Directors consisting of 5 members, who shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals who—

''(A) are citizens of the United States; and

''(B) have developed strong competency and understanding of, and have experience working with, financial products and services.

''(2) TERMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each member of the Board, including the Chairperson, shall serve for a term of 5 years.

''(B) STAGGERED TERMS.—The members of the Board shall serve staggered terms, which shall initially be for terms of 1, 2, 3, 4, and 5 years, respectively, and such members shall be appointed such that, after the appointments of the initial 5 members of the Board, members of different political parties are appointed alternately.

''(C) REMOVAL.—The President may remove any member of the Board for inefficiency, neglect of duty, or malfeasance in office.

''(D) VACANCIES.—Any member of the Board appointed to fill a vacancy occurring before the expiration of the term to which the predecessor of that member was appointed (including the Chairperson) shall be appointed only for the remainder of the term.

''(E) CONTINUATION OF SERVICE.—Each member of the Board may continue to serve after the expiration of the term of office to which that member was appointed until a successor has been appointed by the President and confirmed by the Senate, except that a member may not continue to serve more than 1 year after the date on which the term of that member would otherwise expire.

''(F) SUCCESSIVE TERMS.—A member of the Board may not be reappointed to a second consecutive term, except that an initial member of the Board appointed for less than a 5-year term may be reappointed to a full 5-year term and a future member appointed to fill an unexpired term may be reappointed for a full 5-year term.

''(3) AFFILIATION.—Not more than 3 members of the Board shall be members of any 1 political party.

''(4) CHAIRPERSON OF THE BOARD.—

''(A) APPOINTMENT.—The President shall appoint 1 of the 5 members of the Board to serve as Chairperson of the Board.

''(B) AUTHORITY.—The Chairperson shall be the principal executive officer of the Bureau, and shall exercise all of the executive and administrative functions of the Bureau, including with respect to—

''(i) the supervision of personnel employed by the Bureau (other than personnel employed regularly and full time in the immediate offices of members of the Board other than the Chairperson);

''(ii) the distribution of business among personnel appointed and supervised by the Chairperson and among administrative units of the Bureau; and

''(iii) the use and expenditure of funds.

''(C) LIMITATION.—In carrying out any of the functions of the Chairperson under this paragraph, the Chairperson shall be governed by general policies of the Bureau and by such regulatory decisions, findings, and determinations as the Bureau may by law be authorized to make.

''(D) REQUESTS OR ESTIMATES RELATED TO APPROPRIATIONS.—Any request or estimate for regular, supplemental, or deficiency appropriations on behalf of the Bureau, including any request for a transfer of funds under section 1017(a), may not be submitted by the Chairperson without the prior approval of the Board.

''(E) VACANCY.—The President may designate a member of the Board to serve as Acting Chairperson in the event of a vacancy in the office of the Chairperson.

''(5) COMPENSATION.—

''(A) CHAIRPERSON.—The Chairperson shall receive compensation at the rate prescribed for level I of the Executive Schedule under section 5312 of title 5, United States Code.

''(B) OTHER MEMBERS OF THE BOARD.—The 4 members of the Board other than the Chairperson shall each receive compensation at the rate prescribed for level II of the Executive Schedule under section 5313 of title 5, United States Code.

''(6) OTHER EMPLOYMENT PROHIBITED.—A member of the Board may not engage in any other business, vocation, or employment.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CONSUMER FINANCIAL PROTECTION ACT OF 2010.—The Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

(A) in section 1002 (12 U.S.C. 5481)—

(i) by striking paragraph (10) and inserting: ''(10) BOARD.—The term 'Board' means the Board of Directors of the Bureau of Consumer Financial Protection.''; and

(ii) by inserting after paragraph (29) the following:

''(30) CHAIRPERSON.—The term 'Chairperson' means the Chairperson of the Board of Directors of the Bureau of Consumer Financial Protection.'';

(B) in section 1012 (12 U.S.C. 5492)—

(i) in subsection (a)(8), by striking ''appointed and supervised by the Director'' and inserting ''appointed by the Board and supervised by the Chairperson'';

(ii) in subsection (b), by striking ''Director'' and inserting ''Board''; and

(iii) in subsection (c)—

(I) in paragraph (2)(A), by striking ''Director'' and inserting ''Board''; and

(II) in paragraph (4), by striking ''the Director'' each place that term appears and inserting ''any member of the Board'';

(C) in section 1013 (12 U.S.C. 5493)—

(i) in subsections (a), (b), (d), and (e), by striking ''Director'' each place that term appears and inserting ''Board'';

(ii) in subsection (c)—

(I) in paragraphs (1) and (2), by striking ''Director'' each place that term appears and inserting ''Board''; and

(II) in paragraph (3)—

(aa) by striking ''Assistant Director'' each place that term appears and inserting ''Head of Office''; and

(bb) by striking ''the Director'' each place that term appears and inserting ''the Board'';

(iii) in subsection (g)—

(I) in paragraph (1), by striking ''Director'' and inserting ''Board''; and

(II) in paragraph (2)—

(aa) in the paragraph heading, by striking ''ASSISTANT DIRECTOR'' and inserting ''HEAD OF THE OFFICE''; and

(bb) by striking ''an assistant director'' and inserting ''the Head of the Office of Financial Protection for Older Americans'';

(D) in section 1014 (12 U.S.C. 5494), by striking ''Director'' each place that term appears and inserting ''Board'';

(E) in section 1016(a) (12 U.S.C. 5496(a)), by striking ''Director of the Bureau'' and inserting ''Chairperson'';

(F) in section 1017—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''Director'' and inserting ''Board'';

(II) in paragraph (4)—

(aa) in subparagraph (A)—

(AA) by striking ''Director shall'' and inserting ''Board shall'';

(BB) by striking ''Director,'' and inserting ''Board,''; and

(CC) by striking ''Director in'' each place that term appears and inserting ''Board in'';

(bb) in subparagraph (D), by striking ''Director'' and inserting ''Board''; and

(cc) in subparagraph (E), by striking ''Director to'' and inserting ''Board to''; and

(III) in paragraph (5)(C), by striking ''Director of the Bureau'' and inserting ''Chairperson'';

(ii) in subsection (c)(1)—

(I) by striking ''Director,'' and inserting ''Board,''; and

(II) by striking ''Director and'' and inserting ''the members of the Board and''; and

(iii) in subsection (e), by striking ''Director'' each place that term appears and inserting ''Board'';

(G) in subtitles B (12 U.S.C. 5511 et seq.), C (12 U.S.C. 5531 et seq.), and G (12 U.S.C. 5601 et seq.), by striking ''Director'' each place that term appears and inserting ''Board'';

(H) in section 1061(c)(2)(C)(i) (12 U.S.C. 5581(c)(2)(C)(i)), by striking ''the Board'' and inserting ''the National Credit Union Administration Board''; and

(I) in section 1066(a) (12 U.S.C. 5586(a)), by inserting ''first'' before ''Director''.

(2) FINANCIAL STABILITY ACT OF 2010.—Section 111(b)(1)(D) of the Financial Stability Act of 2010 (12 U.S.C. 5321(b)(1)(D)) is amended by striking ''Director of the Bureau'' and inserting ''Chairperson of the Board of Directors of the Bureau''.

(3) MORTGAGE REFORM AND ANTI-PREDATORY LENDING ACT.—Section 1447 of the Mortgage Reform and Anti-Predatory Lending Act (12 U.S.C. 1701p–2) is amended by striking ''Director'' each place the term appears and inserting ''Board of Directors''.

(4) ELECTRONIC FUND TRANSFER ACT.—Section 920(a)(4)(C) of the Electronic Fund Transfer Act (15 U.S.C. 1693o–2(a)(4)(C)) is amended by striking ''Director of the Bureau'' and inserting ''Board of Directors of the Bureau''.

(5) EXPEDITED FUNDS AVAILABILITY ACT.—The Expedited Funds Availability Act (12 U.S.C. 4001 et seq.) is amended by striking ''Director of the Bureau'' each place that term appears and inserting ''Board of Directors of the Bureau''.

(6) FEDERAL DEPOSIT INSURANCE ACT.—Section 2 of the Federal Deposit Insurance Act (12 U.S.C. 1812) is amended—

(A) by striking ''Director of the Consumer Financial Protection Bureau'' each place that term appears and inserting ''Chairperson of the Board of Directors of the Bureau of Consumer Financial Protection''; and

(B) in subsection (d)(2), by striking ''Comptroller or Director'' and inserting ''Comptroller or Chairperson''.

(7) FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL ACT OF 1978.—Section 1004(a)(4) of the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3303(a)(4)) is amended by striking ''Director of the Consumer Financial Protection Bureau'' and inserting ''Chairperson of the Board of Directors of the Bureau of Consumer Financial Protection''.

(8) FINANCIAL LITERACY AND EDUCATION IMPROVEMENT ACT.—Section 513 of the Financial Literacy and Education Improvement Act (20 U.S.C. 9702) is amended by striking ''Director'' each place that term appears and inserting ''Chairperson of the Board of Directors''.

(9) HOME MORTGAGE DISCLOSURE ACT OF 1975.—Section 307 of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2806) is amended by striking ''Director of the Bureau of Consumer'' each place that term appears and inserting ''Board of Directors of the Bureau of Consumer''.

(10) INTERSTATE LAND SALES FULL DISCLOSURE ACT.—The Interstate Land Sales Full Disclosure Act (15 U.S.C. 1701 et seq.) is amended—

(A) in section 1402(1) (15 U.S.C. 1701(1)), by striking ''''Director' means the Director'' and inserting ''''Board' means the Board of Directors'';

(B) by striking ''Director'' each place that term appears and inserting ''Board'';

(C) in section 1403(c) (15 U.S.C. 1702(c))—

(i) by striking ''by him'' and inserting ''by the Board''; and

(ii) by striking ''he'' and inserting ''the Board'';

(D) in section 1407 (15 U.S.C. 1706)—

(i) in subsection (c), by striking ''he'' and inserting ''the Board''; and

(ii) in subsection (e), by striking ''him'' and inserting ''the Board'';

(E) in section 1411 (15 U.S.C. 1710)—

(i) in subsection (a)—

(I) by striking ''his findings'' and inserting ''its finding''; and

(II) by striking ''his recommendation'' and inserting ''a recommendation''; and

(ii) in subsection (b), by striking ''Secretary's order'' and inserting ''order of the Board'';

(F) in section 1415 (15 U.S.C. 1714)—

(i) by striking ''him'' each place that term appears and inserting ''the Board'';

(ii) in subsection (a), by striking ''he may, in his discretion'' and inserting ''the Board may, at the discretion of the Board'';

(iii) in subsection (b), by striking ''he'' each time that term appears and inserting ''the Board''; and

(iv) by striking ''in his discretion'' each time that term appears and inserting ''at the discretion of the Board'';

(G) in section 1416(a) (15 U.S.C. 1715(a))—

(i) by striking ''of the Bureau of Consumer Financial Protection'' the first time that term appears;

(ii) by striking ''his functions, duties, and powers'' and inserting ''the functions, duties, and powers of the Board'';

(iii) by striking ''his administrative law judges'' and inserting ''the administrative law judges of the Bureau of Consumer Financial Protection''; and

(iv) by striking ''himself'' and inserting ''the Board'';

(H)(i) in section 1418a(b)(4) (15 U.S.C. 1717a(b)(4)), by striking ''The Secretary's determination or order'' and inserting ''A determination or order of the Board''; and

(ii) in section 1418a(d) (15 U.S.C. 1717a(d)), by striking ''the Secretary's determination or order'' and inserting ''a determination or order of the Board'';

(I) in section 1419 (15 U.S.C. 1718)—

(i) by striking ''him'' and inserting ''the Board'';

(ii) by striking ''his rules and regulations'' and inserting ''the rules and regulations of the Board''; and

(iii) by striking ''his jurisdiction'' and inserting ''the jurisdiction of the Bureau of Consumer Financial Protection''; and

(J) in section 1420 (15 U.S.C. 1719)—

(i) by inserting ''or any member of the Board'' before ''in any proceeding''; and

(ii) by striking ''him'' and inserting ''the Board or any member of the Board''.

(11) REAL ESTATE SETTLEMENT PROCEDURES ACT OF 1974.—Section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604) is amended—

(A) by striking ''Director of'' and inserting ''Board of Directors of''; and

(B) by striking ''Director'' each place that term appears and inserting ''Board''.

(12) S.A.F.E. MORTGAGE LICENSING ACT OF 2008.—The S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5101 et seq.) is amended—

(A) in section 1503(10) (12 U.S.C. 5102(10))—

(i) in the paragraph heading, by striking ''DIRECTOR'' and inserting ''BOARD''; and

(ii) by striking '''Director' means the Director'' and inserting '''Board' means the Board of Directors'';

(B) by striking ''Director'' each place that term appears and inserting ''Board'';

(C) in section 1514(b)(5) (12 U.S.C. 5113(b)(5)), by striking ''Secretary's expenses'' and inserting ''expenses of the Board'';

(D) in section 1514(c)(4)(C) (12 U.S.C. 5113(c)(4)(C)), by striking ''Secretary's'' and inserting ''Board's'';

(E) in the headings of section 1514(c)(1), (c)(4)(A), and (c)(5), by striking ''DIRECTOR'' and inserting ''BOARD''; and

(F) in the heading of section 1514(d), by striking ''DIRECTOR'' and inserting ''BOARD''.

(13) TITLE 44.—Section 3513(c) of title 44, United States Code, is amended by striking ''Director of the Bureau'' and inserting ''Board of Directors of the Bureau''.

(c) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to the Director of the Bureau of Consumer Financial Protection shall be deemed a reference to the Board of Directors of the Bureau of Consumer Financial Protection, unless otherwise specified in this Act.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the later of—

(1) October 1, 2017; or

(2) the date on which not less than 3 persons have been confirmed by the Senate to serve as members of the Board of Directors of the Bureau of Consumer Financial Protection.

SEC. 506. None of the funds made available in this Act or transferred to the Bureau of Consumer Financial Protection pursuant to section 1017 of Public law 111-203 may be used to regulate pre-dispute arbitration agreements (as described in section 1028 of Public Law 111–203) and any regulation finalized by the Bureau to regulate pre-dispute arbitration agreements shall have no legal force or effect until the requirements regarding pre-dispute arbitration specified in the report accompanying this Act under the heading ''Bureau of Consumer Financial Protection,'' are fulfilled.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $121,300,000, of which $1,000,000 shall be available for the advisory committees in the report accompanying this Act under the heading ''Consumer Product Safety Commission'', and of which $1,300,000 shall remain available until expended to carry out the program, including administrative costs, required by section 1405 of the Virginia Graeme Baker Pool and Spa Safety Act (Public Law 110–140; 15 U.S.C. 8004).

ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 510. During fiscal year 2017, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as ''ROV'') rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

(C) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a ROV's rollover resistance on a progressive scale; and

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $4,900,000.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $314,844,000, to remain available until expended: *Provided*, That $314,844,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $314,844,000 in fiscal year 2017 shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2016, shall not be available for obligation: *Provided further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $106,000,000 for fiscal year 2017: *Provided further*, That, of the amount appropriated under this heading, not less than $11,751,000 shall be for the salaries and expenses of the Office of Inspector General.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $35,958,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $80,540,000, of which $8,000,000 shall remain available until September 30, 2018, for lease expiration and replacement lease expenses; and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, $26,631,000, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles and rental of conference rooms in the District of Columbia and elsewhere; and of which not to exceed $1,500 shall be available for official reception and representation expenses: *Provided*, That public

members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $317,000,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $125,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $15,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2017, so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $177,000,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $9,244,808,000, of which—

(1) $504,918,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) as follows:

(A) National Capital Region, FBI Headquarters Consolidation, $200,000,000;

(B) California, Calexico, Calexico West Land Port of Entry, $248,213,000;

(C) District of Columbia, Washington, Southeast Federal Center Remediation, $7,000,000;

(D) Pembina, North Dakota, United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS), $5,749,000;

(E) Boyers, Pennsylvania, Federal Office Building, $31,200,000; and

(F) Austin, Texas, Internal Revenue Service (IRS) Annex Building, $12,756,000:

Provided, That each of the foregoing limits of costs on new construction and acquisition projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount;

(2) $758,790,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) $300,000,000 is for Major Repairs and Alterations;

(B) $312,090,000 is for Basic Repairs and Alterations; and

(C) $146,700,000 is for Special Emphasis Programs, of which—

(i) $20,000,000 is for Fire and Life Safety;

(ii) $26,700,000 is for Judiciary Capital Security;

(iii) $100,000,000 is for Consolidation Activities: *Provided*, That consolidation projects result in reduced annual rent paid by the tenant agency: *Provided further*, That no consolidation project exceed $10,000,000 in costs: *Provided further*, That consolidation projects are approved by each of the committees specified in section 3307(a) of title 40, United States Code: *Provided further*, That preference is given to consolidation projects that achieve a utilization rate of 130 usable square feet or less per person for office space: *Provided further*, That the obligation of funds under this paragraph for consolidation activities may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken, including estimated savings, has been submitted to the Committees on Appropriations of the House of Representatives and the Senate:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects;

(3) $5,645,000,000 for rental of space to remain available until expended; and

(4) $2,336,100,000 for building operations to remain available until expended, of which $1,184,790,000 is for building services, and $1,151,310,000 is for salaries and expenses: *Provided*, That not to exceed 5 percent of any appropriation made available under this paragraph for building operations may be transferred between and merged with such appropriations upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but no such appropriation shall be increased by more than 5 percent by any such transfers: *Provided further*, That section 521 of this title shall not apply with respect to funds made available under this heading for building operations: *Provided further*, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2017, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C.

3109; $58,000,000, of which $1,000,000 shall remain available until September 30, 2018.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; and services as authorized by 5 U.S.C. 3109; $47,966,000, of which $24,569,000 is for Real and Personal Property Management and Disposal and $23,397,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses.

CIVILIAN BOARD OF CONTRACT APPEALS

For expenses authorized by law, not otherwise provided for, for activities associated with the Civilian Board of Contract Appeals and services as authorized by 5 U.S.C. 3109, $9,275,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $65,000,000, of which $2,000,000 is available until September 30, 2018: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $1,932,000.

EXPENSES, PRESIDENTIAL TRANSITION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Presidential Transition Act of 1963 (3 U.S.C. 102 note), $9,500,000, of which not to exceed $1,000,000 is for activities authorized by paragraphs (8) and (9) of section 3(a) of the Act: *Provided*, That such amounts may be transferred to the ''Acquisition Services Fund'' or ''Federal Buildings Fund'' to reimburse obligations incurred prior to the date of enactment of this Act for the purposes provided herein related to the Presidential election in 2016: *Provided further*, That amounts available under this heading shall be in addition to any other amounts available for such purposes.

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Citizen Services and Innovative Technologies, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; $55,894,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: *Provided further*, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically in the aggregate amount not to exceed $150,000,000: *Provided further*, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2017 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: *Provided further*, That any appropriations provided to the Electronic Government Fund that remain unobligated may be transferred to the Federal Citizen Services Fund: *Provided further*, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 520. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 521. Funds in the Federal Buildings Fund made available for fiscal year 2017 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2018 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 523. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 524. From funds made available under the heading Federal Buildings Fund, Limitations on Availability of Revenue, claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 525. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 526. With respect to each project funded under the heading ''Major Repairs and Alterations'' or ''Judiciary Capital Security Program'', and with respect to E-Government projects funded under the heading ''Federal Citizen Services Fund'', the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

SEC. 527. Strike subsection (d) of section 3173 of title 40, United States Code.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $44,786,000, to remain available until September 30, 2018, and in addition not to exceed $2,345,000, to remain available until September 30, 2018, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, $380,634,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,801,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $7,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $6,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $2,000,000 shall be available until September 30, 2018, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Stop Trading on Congressional Knowledge Act of 2012, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $16,090,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $144,867,000: *Provided*, That of the total amount made available under this heading, not to exceed $37,000,000 shall remain available until September 30, 2018, for the operation and strengthening of the security of OPM legacy and Shell environment IT systems and the modernization, migration, and testing of such systems: *Provided further*, That the amount made available by the previous proviso may not be obligated until the Director of the Office of Personnel Management submits to the Committees on Appropriations of the Senate and the House of Representatives a plan for expenditure of such amount, prepared in consultation with the Director of the Office of Management and Budget, the Administrator of the United States Digital Service, and the Secretary of Homeland Security, that—

(1) identifies the full scope and cost of the IT systems remediation and stabilization project;

(2) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11, part 7;

(3) includes a Major IT Business Case under the requirements established by the Office of Management and Budget Exhibit 300;

(4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Government;

(5) complies with all Office of Management and Budget, Department of Homeland Security and National Institute of Standards and Technology requirements related to securing the agency's information system as described in 44 U.S.C. 3554; and

(6) is reviewed and commented upon by the Inspector General of the Office of Personnel Management, and such comments are submitted to the Director of the Office of Personnel Management before the date of such submission:

Provided further, That, not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report that—

(A) evaluates—

(i) the steps taken by the Office of Personnel Management to prevent, mitigate, and respond to data breaches involving sensitive personnel records and information;

(ii) the Office's cybersecurity policies and procedures in place on the date of enactment of this Act, including policies and procedures relating to IT best practices such as data encryption, multifactor authentication, and continuous monitoring;

(iii) the Office's oversight of contractors providing IT services; and

(iv) the Office's compliance with government-wide initiatives to improve cybersecurity; and

(B) sets forth improvements that could be made to assist the Office of Personnel Management in addressing cybersecurity challenges:

Provided further, That of the total amount made available under this heading, $391,000 may be made available for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition $141,611,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided further*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2017, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $5,072,000, and in addition, not to exceed $26,662,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $25,735,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $16,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $8,297,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,555,000,000, to remain available until expended; of which not less than $14,700,000 shall be for the Office of Inspector General; of which not to exceed $75,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; of which funding for information technology initiatives shall be increased over the fiscal year 2016 level by not less than $50,000,000; and of which not less than $72,049,000 shall be for the Division of Economic and Risk Analysis: *Provided*, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,555,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2017 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2017 appropriation from the general fund estimated at not more than $0.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C.

4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $22,703,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed $3,500 for official reception and representation expenses, $268,000,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2017: *Provided further*, That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2018.

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development, $243,100,000, to remain available until September 30, 2018: *Provided*, That $125,000,000 shall be available to fund grants for performance in fiscal year 2017 or fiscal year 2018 as authorized by section 21 of the Small Business Act: *Provided further*, That $31,000,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $20,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 1207 of Public Law 111–240.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $19,900,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), $9,320,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $4,338,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2017 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2017 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $28,500,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2017 commitments for loans authorized under subparagraph (C) of section 502(7) of the Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2017 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: *Provided further*, That during fiscal year 2017, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $152,726,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $185,977,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which $175,977,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which $9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

SEC. 530. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 531. (a) None of the funds made available under this Act may be used to collect a guarantee fee under section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18)) with respect to a loan guaranteed under section 7(a)(31) of such Act that is made to a small business concern (as defined under section 3 of such Act (15 U.S.C. 632)) that is 51 percent or more owned and controlled by 1 or more individuals who is a veteran (as defined in section 101 of title 38, United States Code) or the spouse of a veteran.

(b) Nothing in this section shall be construed to limit the authority of the Administrator of the Small Business Administration to waive such a guarantee fee or any other loan fee with respect to a loan to a small business concern described in subsection (a) or any other borrower.

SEC. 532. Of the unobligated balances available for the Certified Development Company Program under section 503 of the Small Business Investment Act of 1958, as amended, $55,000,000 are hereby permanently rescinded: *Provided*, That no amounts may be so rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $41,151,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices: *Provided further*, That the Postal Service shall maintain and comply with service standards for First Class Mail and periodicals effective on July 1, 2012.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $258,000,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $51,300,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSION)

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the

United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating chapter 83 of title 41, United States Code.

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2017, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2017 from appropriations made available for salaries and expenses for fiscal year 2017 in this Act, shall remain available through September 30, 2018, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

(1) in the case of an official background investigation report, if such individual has given express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) if such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 614. The provision of section 613 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. Notwithstanding section 708 of this Act, funds made available to the Commodity Futures Trading Commission and the Securities and Exchange Commission by this or any other Act may be used for the interagency funding and sponsorship of a joint advisory committee to advise on emerging regulatory issues.

SEC. 618. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term ''Executive agency covered by this Act'' means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 619. (a) There are appropriated for the following activities the amounts required under current law:

(1) Compensation of the President (3 U.S.C. 102).

(2) Payments to—

(A) the Judicial Officers' Retirement Fund (28 U.S.C. 377(o));

(B) the Judicial Survivors' Annuities Fund (28 U.S.C. 376(c)); and

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions—

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

(4) Payment to finance the unfunded liability of new and increased annuity benefits under the Civil Service Retirement and Disability Fund (5 U.S.C. 8348).

(5) Payment of annuities authorized to be paid from the Civil Service Retirement and Disability Fund by statutory provisions other than subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 620. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled ''Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts'' unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.

SEC. 621. None of the funds made available by this Act may be used to pay the salaries and expenses for the following positions:

(1) Director, White House Office of Health Reform, or any substantially similar position.

(2) Assistant to the President for Energy and Climate Change, or any substantially similar position.

(3) Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy, or any substantially similar position.

(4) White House Director of Urban Affairs, or any substantially similar position.

SEC. 622. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.

SEC. 623. (a) Not later than 180 days after the date of enactment of this section, the agencies specified in subsection (b) shall each submit a report to the Committees on Appropriations of the House of Representatives and the Senate on—

(1) increasing public participation in the rulemaking process and reducing uncertainty;

(2) improving coordination with other Federal agencies to eliminate redundant, inconsistent, and overlapping regulations; and

(3) identifying existing regulations that have been reviewed and determined to be outmoded, ineffective, or excessively burdensome.

(b) The agencies required to submit a report specified in subsection (a) are—

(1) the Consumer Product Safety Commission;

(2) the Federal Communications Commission;

(3) the Federal Trade Commission; and

(4) the Securities and Exchange Commission.

SEC. 624. The unobligated balance in the Securities and Exchange Commission Reserve Fund established by section 991 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203) is permanently rescinded.

SEC. 625. None of the funds made available by this Act shall be used by the Securities and Exchange Commission to study, develop, propose, finalize, issue, or implement any rule, regulation, or order regarding the disclosure of political contributions to tax exempt organizations, or dues paid to trade associations.

SEC. 626. None of the funds made available by this or any other Act may be used by the Financial Stability Oversight Council to make a determination, pursuant to subsection (a) or (b) of section 113 of the Financial Stability Act of 2010 (12 U.S.C. 5323), with respect to a nonbank financial company until—

(1) the Financial Stability Oversight Council, in the notice described in subsection (e)(1) of such section, identifies with specificity the risks to the financial stability of the United States presented by the nonbank financial company and explains in sufficient detail why regulatory action by the relevant primary financial regulatory agency would be insufficient to mitigate or prevent such risks; and

(2) if the nonbank financial company presents a plan in a hearing conducted pursuant to subsection (e)(2) of such section to modify its business, structure, or operations in order to mitigate the risks identified in such a notice—

(A) the Financial Stability Oversight Council makes a determination as to whether such plan, if implemented, adequately mitigates the identified risks; and

(B) if the Financial Stability Oversight Council determines that such plan would adequately mitigate the identified risk, the Council—

(i) approves such plan; and

(ii) allows the nonbank financial company a reasonable period of time to implement such plan.

SEC. 627. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 628. (a) In each of fiscal years 2017 through 2025, section 628 of division E of the Consolidated Appropriations Act, 2016 (Public Law 114-113; 129 Stat. 2469) applies to a joint sales agreement regardless of any change in the ownership of the stations involved in such agreement.

(b) In the case of a joint sales agreement to which such section applies, while such section is in effect, the Federal Communications Commission—

(1) may not require the termination or modification of such agreement as a condition of the transfer or assignment of a station license or the transfer of station ownership or control; and

(2) upon request of the transferee or assignee of the station license, shall eliminate any such condition that was imposed after March 31, 2014, and permit the licensees of the stations whose advertising was jointly sold pursuant to such agreement to enter into a new joint sales agreement on substantially similar terms and conditions as the prior agreement.

(c) In this section, the term ''joint sales agreement'' has the meaning given such term in Note 2(k) to section 73.3555 of title 47, Code of Federal Regulations, and where a joint sales agreement is part of a broader contract, this section shall be limited to the joint sales agreement portion of such contract.

SEC. 629. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change the rules or regulations of the Commission for universal service high-cost support for competitive eligible telecommunications carriers in a way that is inconsistent with paragraph (e)(5) or (e)(6) of section 54.307 of title 47, Code of Federal Regulations, as in effect on July 15, 2015: *Provided*, That this section shall not prohibit the Commission from considering, developing, or adopting other support mechanisms as an alternative to Mobility Fund Phase II.

SEC. 630. None of the funds made available by this Act may be used to implement, administer, or enforce any rule (as defined in section 551 of title 5, United States Code), or any amendment or repeal of an existing rule, that is adopted by vote of the Federal Communications Commission after the date of the enactment of this Act, unless the Commission publishes the text of such rule, amendment, or repeal on the Internet Web site of the Commission not later than 21 days before the date on which the vote occurs.

SEC. 631. None of the funds made available by this Act may be used to regulate, directly or indirectly, the prices, other fees, or data caps and allowances (as such terms are described in paragraph 164 of the Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open Internet, adopted by the Federal Communications Commission on February 26, 2015 (FCC 15–24)) charged or imposed by providers of broadband Internet access service (as defined in the final rules in Appendix A of such Report and Order on Remand, Declaratory Ruling, and Order) for such service, regardless of whether such regulation takes the form of requirements for future conduct or enforcement regarding past conduct.

SEC. 632. None of the funds made available by this Act may be used to implement, administer, or enforce the Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open Internet, adopted by the Federal Communications Commission on February 26, 2015 (FCC 15–24), until the first date on which there has been a final disposition (including the exhaustion of or expiration of the time for any appeals) of all of the following civil actions:

(1) Alamo Broadband Inc. v. Federal Communications Commission, et al., No. 15-60201, pending in the United States Court of Appeals for the Fifth Circuit as of the date of the enactment of this Act.

(2) United States Telecom Assoc. v. Federal Communications Commission, et al., No. 15-1063, pending in the United States Court of Appeals for the District of Columbia Circuit as of the date of the enactment of this Act.

(3) CenturyLink v. Federal Communications Commission, No. 15-1099, pending in the United States Court of Appeals for the District of Columbia Circuit as of the date of the enactment of this Act.

SEC. 633. (a) Section 1105(a)(35) of title 31, United States Code, is amended—

(1) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B);

(2) by striking ''homeland security'' in each instance it appears and inserting ''cybersecurity''; and

(3) by amending subparagraph (B) (as redesignated by paragraph (1)) to read as follows:

''(B) Prior to implementing this paragraph, including determining what Federal activities or accounts constitute cybersecurity for purposes of budgetary classification, the Office of Management and Budget shall consult with the Committees on Appropriations and the Committees on the Budget of the House of Representatives and the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate.''.

(b) The amendments made by subsection (a) shall apply to budget submissions under section 1105(a) of title 31, United States Code, for fiscal year 2018 and each subsequent fiscal year.

SEC. 634. (a) Effective one year after the date of the enactment of this Act, subtitle B of title IV of Public Law 102—281 is repealed.

(b) On the day before the date of the repeal under subsection (a), the Secretary of the Treasury shall transfer the amounts in the fund described in section 408(a) of subtitle A of title IV of such Public Law into the general fund of the Treasury.

SEC. 635. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication activities, or other law enforcement- or victim assistance-related activity.

SEC. 636. (a) None of the funds made available by this Act may be used to finalize, adopt, implement, administer, or enforce any proposed rule under section 629 of the Communications Act of 1934 (47 U.S.C. 549) before the date that is 180 days after the completion of the following process:

(1) There has been completed a study that—

(A) evaluates the potential costs and benefits of the proposed rule and the potential costs and benefits of other market-based solutions; and

(B) meets the requirements of subsection (b).

(2) The Federal Communications Commission has—

(A) sought public comment on the study described in paragraph (1);

(B) provided a period of not less than 90 days for the submission of such comments; and

(C) addressed the concerns raised in the comment cycle under subparagraph (B) in a report adopted by vote of the Commission and made publicly available.

(b) A study meets the requirements of this subsection if the study—

(1) is a peer-reviewed study conducted by an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or an individual in the individual's capacity as a faculty member at such an institution; and

(2) at minimum, analyzes the potential impact of the proposed rule on—

(A) all parties in the video programming marketplace, including video programming creators, programming networks, multichannel video programming distributors, and subscribers of multichannel video programming services;

(B) video programming content diversity;

(C) intellectual property and content licensing; and

(D) consumer privacy and the legal remedies available to consumers for violations of video privacy obligations.

SEC. 637. None of the funds made available in this Act or transferred pursuant to section 1017 of Public Law 111–203 may be used to take any action on the basis of an individual being a mortgage originator as defined in section 103(cc) of the Truth in Lending Act (15 U.S.C. 1602(cc)) against any individual who is a retailer of manufactured homes or its employees, unless such retailer or its employees receive compensation or gain for engaging in activities described in paragraph (1)(A) of such section 103(cc) that is in excess of any compensation or gain received in a comparable cash transaction.

SEC. 638. None of the funds made available in this Act or transferred pursuant to section 1017 of Public Law 111–203 may be used to enforce the provisions of section 129 of the Truth in Lending Act (15 U.S.C. 1639) for any transaction that is less than $75,000 and is secured by a dwelling that is personal property or is a transaction that does not include the purchase of real property on which a dwelling is to be placed if—

(1) the annual percentage rate at consummation of the transaction, as determined under section 103(bb) of the Truth in Lending Act (15 U.S.C. 1602(bb)) does not exceed 10 percentage points; and

(2) the total points and fees payable in connection with the transaction, as determined under such section 103(bb), do not exceed the greater of 5 percent or $3,000.

SEC. 639. None of the funds made available by this Act, any other Act, or transferred to the Bureau of Consumer Financial Protection pursuant to section 1017 of the Consumer Financial Protection Act of 2010 may be used to issue or enforce any rule or regulation with respect to payday loans (as described under section 1024(a)(1)(E) of such Act), vehicle title loans, or other similar loans during fiscal year 2017 and the Bureau may not issue or enforce any such rule or regulation after fiscal year 2017 until such time as the Bureau has submitted to Congress a detailed report, after providing for a public comment period of not less than 90 days, that (1) analyzes the impact of any such rule or regulation on consumer access to credit, including an analysis of the rule or regulation's impact on populations that have traditionally had limited access to credit; and (2) identifies existing alternative credit products that are immediately available to existing users of payday loans, vehicle title loans, or other similar loans at the same credit risk profiles and at sufficient levels to fully replace any anticipated potential reduction in current sources of short-term, small-dollar credit as a result of the rule or regulation.

SEC. 640. (a) None of the funds made available by this Act shall be used to implement, promulgate, finalize or enforce Executive Order 13673, issued July 31, 2014, or to develop any regulation or guidance related thereto, until—

(1) a study is conducted by the Comptroller General analyzing the impacts of such order on affected Federal agencies' missions, impacts on the industrial base, and including a cost benefit analysis of implementation of the such order versus potential alternatives; and

(2) the Secretary of Labor has reviewed the report of the study conducted pursuant to paragraph (1) and certified that the benefits of the order outweigh any associated costs and will not impede agency missions.

(b) The study to be conducted by the Comptroller General shall be publicly available and shall be submitted to the Committees on Appropriations of the House of Representatives and Senate. The elements of the study shall include an assessment of—

(1) the estimated costs to each Federal agency or department to implement the Executive order, including the costs of designating labor compliance advisors and any other associated positions or resources needed to support the functions of the labor compliance advisors;

(2) the effects of the Executive order on the industrial base (including the defense industrial base) and including input from both the Federal agencies (including the Department of Defense) and affected members of the industrial base, including how the order would affect the ability of mission critical contractors to continue to provide goods and services to the Federal Government;

(3) any private sector capabilities that the agency or department would risk losing access to if the Executive order were implemented as defined in the FAR proposed rule (FAR Case 2014–025; Docket No. 2014–0025) and any related final rule;

(4) costs to prime contractors and subcontractors associated with complying with the proposed rule or any related final rule, including the costs of having to create new information systems or processes to obtain and manage the data required by the Executive order;

(5) the effect of the Executive order on Federal acquisition competition and the ability to encourage non-traditional contractors to compete in the Federal market;

(6) the effect of the Executive order on the ability of the Federal Government to meet statutory small business prime contracting and subcontracting goals, including such goals for minority-owned, women-owned, and service-disabled veteran-owned small businesses;

(7) the total number of violations (as defined in the proposed Department of Labor guidance) and the number of such violations where a challenge was still pending that would trigger disclosure by potential bidders to a Government solicitation;

(8) any delays to the procurement process that will result from the implementation of the Executive order;

(9) alternative approaches to effect the goal of the Executive order, including potential improvements to Government information systems, that could provide greater transparency into labor law compliance without shifting the reporting burden to industry; and

(10) such other matters as the Comptroller General determines relevant.

SEC. 641. (1) None of the funds appropriated by this Act shall be available to pay for an abortion or the administrative expenses in connection with a multi-State qualified health plan offered under a contract under section 1334 of the Patient Protection and Affordable Care Act (42 U.S.C. 18054) which provides any benefits or coverage for abortions.

(2) The provision of paragraph (1) shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2017 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at $19,947 except station wagons for which the maximum shall be $19,997: *Provided*, That these limits may be exceeded by not to exceed $7,250 for police-type vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8

U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided further*, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13693 (March 19, 2015), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the Armed Forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, infographic, social media, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 716. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term ''agency''—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the

United States Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse ''General Services Administration, Government-wide Policy'' with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, including improving coordination and reducing duplication, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): *Provided further*, That the total funds transferred or reimbursed shall not exceed $15,000,000 to improve coordination, reduce duplication, and for other activities related to Federal Government Priority Goals established by 31 U.S.C. 1120, and not to exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: *Provided further*, That the funds transferred to or for reimbursement of ''General Services Administration, Government-wide Policy'' during fiscal year 2017 shall remain available for obligation through September 30, 2018: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

SEC. 722. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall comply with any relevant requirements in part 200 of title 2, Code of Federal Regulations: *Provided*, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 732. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 734. During fiscal year 2017, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code; or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 735. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract or otherwise performing or participating in acquisition at any stage of the acquisition process (as defined in section 131 of title 41, United States Code) of property or services by the Federal Government to disclose any of the following information as a condition of submitting the offer or otherwise performing in or participating in such acquisition:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the funds to make a payment described in paragraph (1).

(b) In this section, each of the terms ''contribution'', ''expenditure'', ''independent expenditure'', ''electioneering communication'', ''candidate'', ''election'', and ''Federal office'' has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

SEC. 736. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 737. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2017, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2017, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period consisting of the remainder of fiscal year 2017, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2017 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2017 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2016, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2016, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2016.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2017 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: *Provided*, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as ''Rest of United States'' pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2016.

SEC. 738. (a) The Vice President may not receive a pay raise in calendar year 2017, notwithstanding the rate adjustment made under section 104 of title 3, United States Code, or any other provision of law.

(b) An employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, may not receive a pay rate increase in calendar year 2017, notwithstanding schedule adjustments made under section 5318 of title 5, United States Code, or any other provision of law, except as provided in subsection (g), (h), or (i). This subsection applies only to employees who are holding a position under a political appointment.

(c) A chief of mission or ambassador at large may not receive a pay rate increase in calendar year 2017, notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or any other provision of law, except as provided in subsection (g), (h), or (i).

(d) Notwithstanding sections 5382 and 5383 of title 5, United States Code, a pay rate increase may not be received in calendar year 2017 (except as provided in subsection (g), (h), or (i)) by—

(1) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above level IV of the Executive Schedule; or

(2) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above level IV of the Executive Schedule.

(e) Any employee paid a rate of basic pay (including any locality-based payments under section 5304 of title 5, United States Code, or similar authority) at or above level IV of the Executive Schedule who serves under a political appointment may not receive a pay rate increase in calendar year 2017, notwithstanding any other provision of law, except as provided in subsection (g), (h), or (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, or to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS–15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

(g) A career appointee in the Senior Executive Service who receives a Presidential appointment and who makes an election to retain Senior Executive Service basic pay entitlements under section 3392 of title 5, United States Code, is not subject to this section.

(h) A member of the Senior Foreign Service who receives a Presidential appointment to any position in the executive branch and who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service Act of 1980 (Public Law 96–465) is not subject to this section.

(i) Notwithstanding subsections (b) through (e), an employee in a covered position may receive a pay rate increase upon an authorized movement to a different covered position with higher-level duties and a preestablished higher level or range of pay, except that any such increase must be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(k) If an employee affected by subsections (b) through (e) is subject to a biweekly pay period that begins in calendar year 2017 but ends in calendar year 2018, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

SEC. 739. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports

to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2017 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days after the end of a quarter, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2017 for which the cost to the United States Government was more than $20,000.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 740. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 741. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

SEC. 742. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

SEC. 743. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 744. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 745. None of the funds made available under this or any other Act may be used to—

(a) implement, administer, carry out, modify, revise, or enforce Executive Order 13690, entitled ''Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input'' (issued January 30, 2015), until such time as each affected agency—

(1) publically releases and submits to the appropriate Congressional committees an implementation plan that identifies all specific agency responsibilities and program changes, including an assessment of the near term and long term costs and benefits of the responsibilities and changes identified in such plan and

(2) seeks public comment on any regulation, policy, or guidance to implement Executive Order 13690 for not less than 180 days and holds at least one public hearing; or

(b) implement Executive Order 13690 in a manner that modifies the non-grant components of the National Flood Insurance Program under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.); or

(c) apply Executive Order 13690 or the Federal Flood Risk Management Standard by any component of the Department of Defense, including the Army Corps of Engineers in a way that changes the ''floodplain'' considered when determining whether or not to issue a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (chapter 425, 30 Stat. 1151; 33 U.S.C. 403).

SEC. 746. Except as expressly provided otherwise, any reference to ''this Act'' contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 802. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2017, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2017.

SEC. 804. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day;

(4) at the discretion of the Chief Medical Examiner, an officer or employee of the Office of the Chief Medical Examiner who resides in the District of Columbia and is on call 24 hours a day;

(5) at the discretion of the Director of the Homeland Security and Emergency Management Agency, an officer or employee of the Homeland Security and Emergency Management Agency who resides in the District of Columbia and is on call 24 hours a day;

(6) the Mayor of the District of Columbia; and

(7) the Chairman of the Council of the District of Columbia.

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 807. None of the Federal funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) No funds available for obligation or expenditure by any officer or employee of the District of Columbia government may be used to enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

SEC. 810. No funds available for obligation or expenditure by any officer or employee of the District of Columbia government shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2017 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency for which the Chief Financial Officer for the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42).

SEC. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

(c) The District of Columbia government may not transfer or reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2017 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2017 in this Act, shall remain available through September 30, 2018, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

SEC. 816. (a)(1) During fiscal year 2018, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Act referred to in paragraph (2) (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

(2) The Act referred to in this paragraph is the Act of the Council of the District of Columbia pursuant to which a proposed budget is approved for fiscal year 2018 which (subject to the requirements of the District of Columbia Home Rule Act) will constitute the local portion of the annual budget for the District of Columbia government for fiscal year 2018 for purposes of section 446 of the District of Columbia Home Rule Act (sec. 1-204.46, D.C. Official Code).

(b) Appropriations made by subsection (a) shall cease to be available—

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2018 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2018.

(c) An appropriation made by subsection (a) is provided under the authority and conditions as provided under this Act and shall be available to the extent and in the manner that would be provided by this Act.

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2018 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2018 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

SEC. 817. (a) Effective with respect to fiscal year 2013 and each succeeding fiscal year, the Local Budget Autonomy Amendment Act of 2012 (D.C. Law 19–321) is hereby repealed, and any provision of law amended or repealed by such Act shall be restored or revived as if such Act had not been enacted into law.

(b)(1) Section 450 of the District of Columbia Home Rule Act (sec. 1–204.50, D.C. Official Code) is amended—

(A) in the first sentence, by striking ''The General Fund'' and inserting ''(a) IN GENERAL.—The General Fund''; and

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

''(b) APPLICATION OF FEDERAL APPROPRIATIONS PROCESS.—Nothing in this Act shall be construed as creating a continuing appropriation of the General Fund described in subsection (a). All funds provided for the District of Columbia shall be appropriated on an annual fiscal year basis through the Federal appropriations process. For each fiscal year, the District shall be subject to all applicable requirements of subchapter III of chapter 13 and subchapter II of chapter 15 of title 31, United States Code (commonly known as the 'Anti-Deficiency Act'), the Budget and Accounting Act of 1921, and all other requirements and restrictions applicable to appropriations for such fiscal year.''.

(2) Section 603(a) of such Act (sec. 1–206.03(a), D.C. Official Code) is amended—

(A) by striking ''existing''; and

(B) by striking the period at the end and inserting the following: '', or as authorizing the District of Columbia to make any such change.''.

(3) The amendments made by this subsection shall take effect as if included in the enactment of the District of Columbia Home Rule Act.

SEC. 818. Except as expressly provided otherwise, any reference to ''this Act'' contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

TITLE IX

SOAR REAUTHORIZATION ACT

SEC. 901. SHORT TITLE; REFERENCES IN TITLE.

(a) SHORT TITLE.—This title may be cited as the ''Scholarships for Opportunity and Results Reauthorization Act'' or the ''SOAR Reauthorization Act''.

(b) REFERENCES IN TITLE.—Except as otherwise expressly provided, whenever in this title an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Scholarships for Opportunity and Results Act (division C of Public Law 112–10; sec. 38–1853.01 et seq., D.C. Official Code).

SEC. 902. REPEAL.

Section 817 of the Consolidated Appropriations Act, 2016 (Public Law 114–113) is repealed, and any provision of law amended or repealed by such section is restored or revived as if such section had not been enacted into law.

SEC. 903. PURPOSES.

Section 3003 (sec. 38–1853.03, D.C. Official Code) is amended by striking ''particularly parents'' and all that follows through '', with'' and inserting ''particularly parents of students who attend an elementary school or secondary school identified as one of the lowest-performing schools under the District of Columbia's accountability system, with''.

SEC. 904. PROHIBITING IMPOSITION OF LIMITS ON TYPES OF ELIGIBLE STUDENTS PARTICIPATING IN THE PROGRAM.

Section 3004(a) (sec. 38–1853.04(a), D.C. Official Code) is amended by adding at the end the following:

''(3) PROHIBITING IMPOSITION OF LIMITS ON ELIGIBLE STUDENTS PARTICIPATING IN THE PROGRAM.—

''(A) IN GENERAL.—In carrying out the program under this division, the Secretary may not limit the number of eligible students receiving scholarships under section 3007(a), and may not prevent otherwise eligible students from participating in the program under this division, based on any of the following:

''(i) The type of school the student previously attended.

''(ii) Whether or not the student previously received a scholarship or participated in the program, including whether an eligible student was awarded a scholarship in any previous year but has not used the scholarship, regardless of the number of years of nonuse.

''(iii) Whether or not the student was a member of the control group used by the Institute of Education Sciences to carry out previous evaluations of the program under section 3009.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) may be construed to waive the requirement under section 3005(b)(1)(B) that the eligible entity carrying out the program under this Act must carry out a random selection process, which gives weight to the priorities described in section 3006, if more eligible students seek admission in the program than the program can accommodate.''.

SEC. 905. REQUIRING ELIGIBLE ENTITIES TO UTILIZE INTERNAL FISCAL AND QUALITY CONTROLS.

Section 3005(b)(1) (sec. 38–1853.05(b)(1), D.C. Official Code) is amended—

(1) in subparagraph (I), by striking '', except that a participating school may not be required to submit to more than 1 site visit per school year'';

(2) by redesignating subparagraphs (K) and (L) as subparagraphs (L) and (M), respectively;

(3) by inserting after subparagraph (J) the following:

''(K) how the entity will ensure the financial viability of participating schools in which 85 percent or more of the total number of students enrolled at the school are participating eligible students that receive and use an opportunity scholarship;'';

(4) in subparagraph (L), as redesignated by paragraph (2), by striking ''and'' at the end; and

(5) by adding at the end the following:

''(N) how the eligible entity will ensure that it—

''(i) utilizes internal fiscal and quality controls; and

''(ii) complies with applicable financial reporting requirements and the requirements of this division; and''.

SEC. 906. CLARIFICATION OF PRIORITIES FOR AWARDING SCHOLARSHIPS TO ELIGIBLE STUDENTS.

Section 3006(1) (sec. 38–1853.06(1), D.C. Official Code) is amended—

(1) in subparagraph (A), by striking ''attended'' and all that follows through the semicolon and inserting ''attended an elementary school or secondary school identified as one of the lowest-performing schools under the District of Columbia's accountability system; and'';

(2) by striking subparagraph (B);

(3) by redesignating subparagraph (C) as subparagraph (B); and

(4) in subparagraph (B), as redesignated by paragraph (3), by striking the semicolon at the end and inserting ''or whether such students have, in the past, attended a private school;''.

SEC. 907. MODIFICATION OF REQUIREMENTS FOR PARTICIPATING SCHOOLS AND ELIGIBLE ENTITIES.

(a) CRIMINAL BACKGROUND CHECKS; COMPLIANCE WITH REPORTING REQUIREMENTS.—Section 3007(a)(4) (sec. 38–1853.07(a)(4), D.C. Official Code) is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) by striking subparagraph (F) and inserting the following:

''(F) ensures that, with respect to core subject matter, participating students are taught by a teacher who has a baccalaureate degree or equivalent degree, whether such degree was awarded in or outside of the United States;''; and

(3) by adding at the end the following:

''(G) conducts criminal background checks on school employees who have direct and unsupervised interaction with students; and

''(H) complies with all requests for data and information regarding the reporting requirements described in section 3010.''.

(b) ACCREDITATION.—Section 3007(a) (sec. 38–1853.07(a), D.C. Official Code), as amended by subsection (a), is further amended—

(1) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (5)''; and

(2) by adding at the end the following:

''(5) ACCREDITATION REQUIREMENTS.—

''(A) IN GENERAL.—None of the funds provided under this division for opportunity scholarships may be used by a participating eligible student to enroll in a participating private school unless the school—

''(i) in the case of a school that is a participating school as of the date of enactment of the SOAR Reauthorization Act—

''(I) is fully accredited by an accrediting body described in any of subparagraphs (A) through (G) of section 2202(16) of the District of Columbia School Reform Act of 1995 (Public Law 104–134; sec. 38–1802.02(16)(A)–(G), D.C. Official Code); or

''(II) if such participating school does not meet the requirements of subclause (I)—

''(aa) not later than 1 year after the date of enactment of the Consolidated Appropriations Act, 2016 (Public Law 114–113), the school is pursuing full accreditation by an accrediting body described in subclause (I); and

''(bb) is fully accredited by such an accrediting body not later than 5 years after the date on which that school began the process of pursuing full accreditation in accordance with item (aa); and

''(ii) in the case of a school that is not a participating school as of the date of enactment of the SOAR Reauthorization Act, is fully accredited by an accrediting body described in clause (i)(I) before becoming a participating school under this division.

''(B) REPORTS TO ELIGIBLE ENTITY.—Not later than 5 years after the date of enactment of the SOAR Reauthorization Act, each participating school shall submit to the eligible entity a certification that the school has been fully accredited in accordance with subparagraph (A).

''(C) ASSISTING STUDENTS IN ENROLLING IN OTHER SCHOOLS.—If a participating school fails to meet the requirements of this paragraph, the eligible entity shall assist the parents of the participating eligible students who attend the school in identifying, applying to, and enrolling in another participating school under this division.

''(6) TREATMENT OF STUDENTS AWARDED A SCHOLARSHIP IN A PREVIOUS YEAR.—An eligible entity shall treat a participating eligible student who was awarded an opportunity scholarship in any previous year and who has not used the scholarship as a renewal student and not as a new applicant, without regard as to—

''(A) whether the eligible student has used the scholarship; and

''(B) the year in which the scholarship was previously awarded.''.

(c) REQUIRING USE OF FUNDS REMAINING UNOBLIGATED FROM PREVIOUS FISCAL YEARS.—

(1) IN GENERAL.—Section 3007 (sec. 38–1853.07, D.C. Official Code) is amended by adding at the end the following:

''(e) REQUIRING USE OF FUNDS REMAINING UNOBLIGATED FROM PREVIOUS FISCAL YEARS.—

''(1) IN GENERAL.—To the extent that any funds appropriated for the opportunity scholarship program under this division for any fiscal year remain available for subsequent fiscal years under section 3014(c), the Secretary shall make such funds available to eligible entities receiving grants under section 3004(a) for the uses described in paragraph (2)—

''(A) in the case of any remaining funds that were appropriated before the date of enactment of the SOAR Reauthorization Act, beginning on the date of enactment of such Act; and

''(B) in the case of any remaining funds appropriated on or after the date of enactment of such Act, by the first day of the first subsequent fiscal year.

''(2) USE OF FUNDS.—If an eligible entity to which the Secretary provided additional funds under paragraph (1) elects to use such funds during a fiscal year, the eligible entity shall use—

''(A) not less than 95 percent of such additional funds to provide additional scholarships for eligible students under section 3007(a), or to increase the amount of the scholarships, during such year; and

''(B) not more than a total of 5 percent of such additional funds for administrative expenses, parental assistance, or tutoring, as described in subsections (b) and (c), during such year.

''(3) SPECIAL RULE.—Any amounts made available for administrative expenses, parental assistance, or tutoring under paragraph (2)(B) shall be in addition to any other amounts made available for such purposes in accordance with subsections (b) and (c).''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of enactment of this title.

(d) USE OF FUNDS FOR ADMINISTRATIVE EXPENSES AND PARENTAL ASSISTANCE.—Section 3007 (sec. 38–1853.07, D.C. Official Code), as amended by this section, is further amended—

(1) by striking subsections (b) and (c) and inserting the following:

''(b) ADMINISTRATIVE EXPENSES AND PARENTAL ASSISTANCE.—The Secretary shall make $2,000,000 of the amount made available under section 3014(a)(1) for each fiscal year available to eligible entities receiving a grant under section 3004(a) to cover the following expenses:

''(1) The administrative expenses of carrying out its program under this division during the year, including—

''(A) determining the eligibility of students to participate;

''(B) selecting the eligible students to receive scholarships;

''(C) determining the amount of the scholarships and issuing the scholarships to eligible students;

''(D) compiling and maintaining financial and programmatic records;

''(E) conducting site visits as described in section 3005(b)(1)(I); and

''(F)(i) conducting a study, including a survey of participating parents, on any barriers for participating eligible students in gaining admission to, or attending, the participating school that is their first choice; and

''(ii) not later than the end of the first full fiscal year after the date of enactment of the SOAR Reauthorization Act, submitting a report to Congress that contains the results of such study.

''(2) The expenses of educating parents about the eligible entity's program under this division, and assisting parents through the application process under this division, including—

''(A) providing information about the program and the participating schools to parents of eligible students, including information on supplemental financial aid that may be available at participating schools;

''(B) providing funds to assist parents of students in meeting expenses that might otherwise preclude the participation of eligible students in the program; and

''(C) streamlining the application process for parents.''; and

(2) by redesignating subsection (d), and subsection (e) (as added by subsection (c)(1)), as subsections (c) and (d), respectively.

(e) CLARIFICATION OF USE OF FUNDS FOR STUDENT ACADEMIC ASSISTANCE.—Section 3007(c) (sec. 38–1853.07(c), D.C. Official Code), as redesignated by subsection (d)(2), is amended by striking ''previously attended'' and all that follows through the period at the end and inserting ''previously attended an elementary school or secondary school identified as one of the lowest-performing schools under the District of Columbia's accountability system.''.

SEC. 908. PROGRAM EVALUATION.

(a) REVISION OF EVALUATION PROCEDURES AND REQUIREMENTS.—

(1) IN GENERAL.—Section 3009(a) (sec. 38–1853.09(a), D.C. Official Code) is amended to read as follows:

''(a) IN GENERAL.—

''(1) DUTIES OF THE SECRETARY AND THE MAYOR.—The Secretary and the Mayor of the District of Columbia shall—

''(A) jointly enter into an agreement with the Institute of Education Sciences of the Department of Education to evaluate annually the opportunity scholarship program under this division;

''(B) jointly enter into an agreement to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this division; and

''(C) make the evaluations described in subparagraphs (A) and (B) public in accordance with subsection (c).

''(2) DUTIES OF THE SECRETARY.—The Secretary, through a grant, contract, or cooperative agreement, shall—

''(A) ensure that the evaluation under paragraph (1)(A)—

''(i) is conducted using an acceptable quasi-experimental research design for determining the effectiveness of the opportunity scholarship program under this division that does not use a control study group consisting of students who applied for but did not receive opportunity scholarships; and

''(ii) addresses the issues described in paragraph (4); and

''(B) disseminate information on the impact of the program—

''(i) in increasing academic achievement and educational attainment of participating eligible students who use an opportunity scholarship; and

''(ii) on students and schools in the District of Columbia.

''(3) DUTIES OF THE INSTITUTE OF EDUCATION SCIENCES.—The Institute of Education Sciences of the Department of Education shall—

''(A) assess participating eligible students who use an opportunity scholarship in each of grades 3 through 8, as well as one of the grades at the high school level, by supervising the administration of the same reading and mathematics assessment used by the District of Columbia public schools to comply with section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b));

''(B) measure the academic achievement of all participating eligible students who use an opportunity scholarship in the grades described in subparagraph (A); and

''(C) work with eligible entities receiving a grant under this division to ensure that the parents of each student who is a participating eligible student that uses an opportunity scholarship agrees to permit their child to participate in the evaluations and assessments carried out by the Institute of Education Sciences under this subsection.

''(4) ISSUES TO BE EVALUATED.—The issues to be evaluated under paragraph (1)(A) shall include the following:

''(A) A comparison of the academic achievement of participating eligible students who use an opportunity scholarship on the measurements described in paragraph (3)(B) to the academic achievement of a comparison group of students with similar backgrounds in the District of Columbia public schools.

''(B) The success of the program under this division in expanding choice options for parents of participating eligible students and increasing the satisfaction of such parents and students with their choice.

''(C) The reasons parents of participating eligible students choose for their children to participate in the program, including important characteristics for selecting schools.

''(D) A comparison of the retention rates, high school graduation rates, college enrollment rates, college persistence rates, and college graduation rates of participating eligible students who use an opportunity scholarship with the rates of students in the comparison group described in subparagraph (A).

''(E) A comparison of the college enrollment rates, college persistence rates, and college graduation rates of students who participated in the program in 2004, 2005, 2011, 2012, 2013, 2014, and 2015 as the result of winning the Opportunity Scholarship Program lottery with such enrollment, persistence, and graduation rates for students who entered but did not win such lottery in those years and who, as a result, served as the control group for previous evaluations of the program under this division. Nothing in this subparagraph may be construed to waive section 3004(a)(3)(A)(iii) with respect to any such student.

''(F) A comparison of the safety of the schools attended by participating eligible students who use an opportunity scholarship and the schools in the District of Columbia attended by students in the comparison group described in subparagraph (A), based on the perceptions of the students and parents.

''(G) An assessment of student academic achievement at participating schools in which 85 percent of the total number of students enrolled at the school are participating eligible students who receive and use an opportunity scholarship.

''(H) Such other issues with respect to participating eligible students who use an opportunity scholarship as the Secretary considers appropriate for inclusion in the evaluation, such as the impact of the program on public elementary schools and secondary schools in the District of Columbia.

''(5) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—

''(A) IN GENERAL.—Any disclosure of personally identifiable information obtained under this division shall be in compliance with section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974') (20 U.S.C. 1232g).

''(B) STUDENTS NOT ATTENDING PUBLIC SCHOOLS.—With respect to any student who is not attending a public elementary school or secondary school, personally identifiable information obtained under this division shall only be disclosed to—

''(i) individuals carrying out the evaluation described in paragraph (1)(A) for such student;

''(ii) the group of individuals providing information for carrying out the evaluation of such student; and

''(iii) the parents of such student.''.

(2) TRANSITION OF EVALUATION.—

(A) TERMINATION OF PREVIOUS EVALUATIONS.—The Secretary of Education shall—

(i) terminate the evaluations conducted under section 3009(a) of the Scholarships for Opportunity and Results Act (sec. 38–1853.09(a), D.C. Official Code), as in effect on the day before the date of enactment of this title, after obtaining data for the 2016–2017 school year; and

(ii) submit any reports required for the 2016–2017 school year or preceding years with respect to the evaluations in accordance with section 3009(b) of such Act.

(B) NEW EVALUATIONS.—

(i) IN GENERAL.—Effective beginning with respect to the 2017–2018 school year, the Secretary shall conduct new evaluations in accordance with the provisions of section 3009(a) of the Scholarships for Opportunity and Results Act (sec. 38–1853.09(a), D.C. Official Code), as amended by this title.

(ii) MOST RECENT EVALUATION.—As a component of the new evaluations described in clause (i), the Secretary shall continue to monitor and evaluate the students who were evaluated in the most recent evaluation under such section prior to the date of enactment of this title, including by monitoring and evaluating the test scores and other information of such students.

(b) DUTY OF MAYOR TO ENSURE INSTITUTE HAS ALL INFORMATION NECESSARY TO CARRY OUT EVALUATIONS.—Section 3011(a)(1) (sec. 38–1853.11(a)(1), D.C. Official Code) is amended to read as follows:

''(1) INFORMATION NECESSARY TO CARRY OUT EVALUATIONS.—Ensure that all District of Columbia public schools and District of Columbia public charter schools make available to the Institute of Education Sciences of the Department of Education all of the information the Institute requires to carry out the assessments and perform the evaluations required under section 3009(a).''.

SEC. 909. FUNDING FOR DISTRICT OF COLUMBIA PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS.

(a) MANDATORY WITHHOLDING OF FUNDS FOR FAILURE TO COMPLY WITH CONDITIONS.—Section 3011(b) (sec. 38–1853.11(b), D.C. Official Code) is amended to read as follows:

''(b) ENFORCEMENT.—If, after reasonable notice and an opportunity for a hearing, the Secretary determines that the Mayor has failed to comply with any of the requirements of subsection (a), the Secretary may withhold from the Mayor, in whole or in part—

''(1) the funds otherwise authorized to be appropriated under section 3014(a)(2), if the failure to comply relates to the District of Columbia public schools;

''(2) the funds otherwise authorized to be appropriated under section 3014(a)(3), if the failure to comply relates to the District of Columbia public charter schools; or

''(3) the funds otherwise authorized to be appropriated under both paragraphs (2) and (3) of section 3014(a), if the failure relates to both the District of Columbia public schools and the District of Columbia public charter schools.''.

(b) RULES FOR USE OF FUNDS PROVIDED FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—Section 3011 (sec. 38–1853.11, D.C. Official Code), as amended by section 7(b) and section 8(a), is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) SPECIFIC RULES REGARDING FUNDS PROVIDED FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—The following rules shall apply with respect to the funds provided under this division for the support of District of Columbia public charter schools:

''(1) The Secretary may direct the funds provided for any fiscal year, or any portion thereof, to the Office of the State Superintendent of Education of the District of Columbia.

''(2) The Office of the State Superintendent of Education of the District of Columbia may transfer the funds to subgrantees that are—

''(A) specific District of Columbia public charter schools or networks of such schools; or

''(B) District of Columbia-based nonprofit organizations with experience in successfully providing support or assistance to District of Columbia public charter schools or networks of such schools.

''(3) The funds provided under this division for the support of District of Columbia public charter schools shall be available to any District of Columbia public charter school in good standing with the District of Columbia Charter School Board, and the Office of the State Superintendent of Education of the District of Columbia and the District of Columbia Charter School Board may not restrict the availability of such funds to certain types of schools on the basis of the school's location, governing body, or the school's facilities.''.

SEC. 910. REVISION OF CURRENT MEMORANDUM OF UNDERSTANDING.

Not later than the beginning of the 2017–2018 school year, the Secretary of Education and the Mayor of the District of Columbia shall revise the memorandum of understanding which is in effect under section 3012(d) of the Scholarships for Opportunity and Results Act as of the day before the date of the enactment of this title to address the following:

(1) The amendments made by this title.

(2) The need to ensure that participating schools under the Scholarships for Opportunity and Results Act meet fire code standards and maintain certificates of occupancy.

(3) The need to ensure that District of Columbia public schools and District of Columbia public charter schools meet the requirements under such Act to comply with all reasonable requests for information necessary to carry out the evaluations required under section 3009(a) of such Act.

SEC. 911. DEFINITIONS.

Section 3013 (sec. 38–1853.13, D.C. Official Code) is amended—

(1) by redesignating paragraphs (1) through (10) as paragraphs (2) through (11), respectively;

(2) by inserting before paragraph (2), as redesignated by paragraph (1), the following:

''(1) CORE SUBJECT MATTER.—The term 'core subject matter' means—

''(A) mathematics;

''(B) science; and

''(C) English, reading, or language arts.''; and

(3) in paragraph (4)(B)(ii), as redesignated by paragraph (1), by inserting ''household with a'' before ''student''.

SEC. 912. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 3014 (sec. 38–1853.14, D.C. Official Code) is amended—

(1) in subsection (a), by striking ''and for each of the 4 succeeding fiscal years'' and inserting ''and for each fiscal year through fiscal year 2021''; and

(2) by adding at the end the following:

''(c) AVAILABILITY.—Amounts appropriated under subsection (a)(1), including amounts appropriated and available under such subsection before the date of enactment of the SOAR Reauthorization Act, shall remain available until expended.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(2) shall take effect on the date of enactment of this title.

SEC. 913. EFFECTIVE DATE.

Except as otherwise provided, the amendments made by this title shall apply with respect to school year 2017–2018 and each succeeding school year.

TITLE X

SEC SMALL BUSINESS ADVOCATE ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the ''SEC Small Business Advocate Act of 2016''.

SEC. 1002. ESTABLISHMENT OF OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION AND SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.

(a) OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—Section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78d) is amended by adding at the end the following:

''(j) OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—

''(1) OFFICE ESTABLISHED.—There is established within the Commission the Office of the Advocate for Small Business Capital Formation (hereafter in this subsection referred to as the 'Office').

''(2) ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—

''(A) IN GENERAL.—The head of the Office shall be the Advocate for Small Business Capital Formation, who shall—

''(i) report directly to the Commission; and

''(ii) be appointed by the Commission, from among individuals having experience in advocating for the interests of small businesses and encouraging small business capital formation.

''(B) COMPENSATION.—The annual rate of pay for the Advocate for Small Business Capital Formation shall be equal to the highest rate of annual pay for other senior executives who report directly to the Commission.

''(C) NO CURRENT EMPLOYEE OF THE COMMISSION.—An individual may not be appointed as the Advocate for Small Business Capital Formation if the individual is currently employed by the Commission.

''(3) STAFF OF OFFICE.—The Advocate for Small Business Capital Formation, after consultation with the Commission, may retain or employ independent counsel, research staff, and service staff, as the Advocate for Small Business Capital Formation determines to be necessary to carry out the functions of the Office.

''(4) FUNCTIONS OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—The Advocate for Small Business Capital Formation shall—

''(A) assist small businesses and small business investors in resolving significant problems such businesses and investors may have with the Commission or with self-regulatory organizations;

''(B) identify areas in which small businesses and small business investors would benefit from changes in the regulations of the Commission or the rules of self-regulatory organizations;

''(C) identify problems that small businesses have with securing access to capital, including any unique challenges to minority-owned and women-owned small businesses;

''(D) analyze the potential impact on small businesses and small business investors of—

''(i) proposed regulations of the Commission that are likely to have a significant economic impact on small businesses and small business capital formation; and

''(ii) proposed rules that are likely to have a significant economic impact on small businesses and small business capital formation of self-regulatory organizations registered under this title;

''(E) conduct outreach to small businesses and small business investors, including through regional roundtables, in order to solicit views on relevant capital formation issues;

''(F) to the extent practicable, propose to the Commission changes in the regulations or orders of the Commission and to Congress any legislative, administrative, or personnel changes that may be appropriate to mitigate problems identified under this paragraph and to promote the interests of small businesses and small business investors;

''(G) consult with the Investor Advocate on proposed recommendations made under subparagraph (F); and

''(H) advise the Investor Advocate on issues related to small businesses and small business investors.

''(5) ACCESS TO DOCUMENTS.—The Commission shall ensure that the Advocate for Small Business Capital Formation has full access to the documents and information of the Commission and any self-regulatory organization, as necessary to carry out the functions of the Office.

''(6) ANNUAL REPORT ON ACTIVITIES.—

''(A) IN GENERAL.—Not later than December 31 of each year after 2015, the Advocate for Small Business Capital Formation shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the activities of the Advocate for Small Business Capital Formation during the immediately preceding fiscal year.

''(B) CONTENTS.—Each report required under subparagraph (A) shall include—

''(i) appropriate statistical information and full and substantive analysis;

''(ii) information on steps that the Advocate for Small Business Capital Formation has taken during the reporting period to improve small business services and the responsiveness of the Commission and self-regulatory organizations to small business and small business investor concerns;

''(iii) a summary of the most serious issues encountered by small businesses and small business investors, including any unique issues encountered by minority-owned and women-owned small businesses and their investors, during the reporting period;

''(iv) an inventory of the items summarized under clause (iii) (including items summarized under such clause for any prior reporting period on which no action has been taken or that have not been resolved to the satisfaction of the Advocate for Small Business Capital Formation as of the beginning of the reporting period covered by the report) that includes—

''(I) identification of any action taken by the Commission or the self-regulatory organization and the result of such action;

''(II) the length of time that each item has remained on such inventory; and

''(III) for items on which no action has been taken, the reasons for inaction, and an identification of any official who is responsible for such action;

''(v) recommendations for such changes to the regulations, guidance and orders of the Commission and such legislative actions as may be appropriate to resolve problems with the Commission and self-regulatory organizations encountered by small businesses and small business investors and to encourage small business capital formation; and

''(vi) any other information, as determined appropriate by the Advocate for Small Business Capital Formation.

''(C) CONFIDENTIALITY.—No report required by subparagraph (A) may contain confidential information.

''(D) INDEPENDENCE.—Each report required under subparagraph (A) shall be provided directly to the committees of Congress listed in such subparagraph without any prior review or comment from the Commission, any commissioner, any other officer or employee of the Commission, or the Office of Management and Budget.

''(7) REGULATIONS.—The Commission shall establish procedures requiring a formal response to all recommendations submitted to the Commission by the Advocate for Small Business Capital Formation, not later than 3 months after the date of such submission.

''(8) GOVERNMENT-BUSINESS FORUM ON SMALL BUSINESS CAPITAL FORMATION.—The Advocate for Small Business Capital Formation shall be responsible for planning, organizing, and executing the annual Government-Business Forum on Small Business Capital Formation described in section 503 of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c–1).

''(9) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as replacing or reducing the responsibilities of the Investor Advocate with respect to small business investors.''.

(b) SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.—Title I of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by adding at the end the following:

''SEC. 40. SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.

''(a) ESTABLISHMENT AND PURPOSE.—

''(1) ESTABLISHMENT.—There is established within the Commission the Small Business Capital Formation Advisory Committee (hereafter in this section referred to as the 'Committee').

''(2) FUNCTIONS.—

''(A) IN GENERAL.—The Committee shall provide the Commission with advice on the Commission's rules, regulations, and policies with regard to the Commission's mission of protecting investors, maintaining fair, orderly, and efficient markets, and facilitating capital formation, as such rules, regulations, and policies relate to—

''(i) capital raising by emerging, privately held small businesses ('emerging companies') and publicly traded companies with less than $250,000,000 in public market capitalization ('smaller public companies') through securities offerings, including private and limited offerings and initial and other public offerings;

''(ii) trading in the securities of emerging companies and smaller public companies; and

''(iii) public reporting and corporate governance requirements of emerging companies and smaller public companies.

''(B) LIMITATION.—The Committee shall not provide any advice with respect to any policies, practices, actions, or decisions concerning the Commission's enforcement program.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The members of the Committee shall be—

''(A) the Advocate for Small Business Capital Formation;

''(B) not fewer than 10, and not more than 20, members appointed by the Commission, from among individuals—

''(i) who represent—

''(I) emerging companies engaging in private and limited securities offerings or considering initial public offerings ('IPO') (including the companies' officers and directors);

''(II) the professional advisors of such companies (including attorneys, accountants, investment bankers, and financial advisors); and

''(III) the investors in such companies (including angel investors, venture capital funds, and family offices);

''(ii) who are officers or directors of minority-owned small businesses or women-owned small businesses;

''(iii) who represent—

''(I) smaller public companies (including the companies' officers and directors);

''(II) the professional advisors of such companies (including attorneys, auditors, underwriters, and financial advisors); and

''(III) the pre-IPO and post-IPO investors in such companies (both institutional, such as venture capital funds, and individual, such as angel investors); and

''(iv) who represent participants in the marketplace for the securities of emerging companies and smaller public companies, such as securities exchanges, alternative trading systems, analysts, information processors, and transfer agents; and

''(C) three non-voting members—

''(i) one of whom shall be appointed by the Investor Advocate;

''(ii) one of whom shall be appointed by the North American Securities Administrators Association; and

''(iii) one of whom shall be appointed by the Administrator of the Small Business Administration.

''(2) TERM.—Each member of the Committee appointed under subparagraph (B), (C)(ii), or (C)(iii) of paragraph (1) shall serve for a term of 4 years.

''(3) MEMBERS NOT COMMISSION EMPLOYEES.—Members appointed under subparagraph (B), (C)(ii), or (C)(iii) of paragraph (1) shall not be treated as employees or agents of the Commission solely because of membership on the Committee.

''(c) CHAIRMAN; VICE CHAIRMAN; SECRETARY; ASSISTANT SECRETARY.—

''(1) IN GENERAL.—The members of the Committee shall elect, from among the members of the Committee—

''(A) a chairman;

''(B) a vice chairman;

''(C) a secretary; and

''(D) an assistant secretary.

''(2) TERM.—Each member elected under paragraph (1) shall serve for a term of 3 years in the capacity for which the member was elected under paragraph (1).

''(d) MEETINGS.—

''(1) FREQUENCY OF MEETINGS.—The Committee shall meet—

''(A) not less frequently than four times annually, at the call of the chairman of the Committee; and

''(B) from time to time, at the call of the Commission.

''(2) NOTICE.—The chairman of the Committee shall give the members of the Committee written notice of each meeting, not later than 2 weeks before the date of the meeting.

''(e) COMPENSATION AND TRAVEL EXPENSES.—Each member of the Committee who is not a full-time employee of the United States shall—

''(1) be entitled to receive compensation at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Committee; and

''(2) while away from the home or regular place of business of the member in the performance of services for the Committee, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as

persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

''(f) STAFF.—The Commission shall make available to the Committee such staff as the chairman of the Committee determines are necessary to carry out this section.

''(g) REVIEW BY COMMISSION.—The Commission shall—

''(1) review the findings and recommendations of the Committee; and

''(2) each time the Committee submits a finding or recommendation to the Commission, promptly issue a public statement—

''(A) assessing the finding or recommendation of the Committee; and

''(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.

''(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Committee and its activities.''.

(c) ANNUAL GOVERNMENT-BUSINESS FORUM ON SMALL BUSINESS CAPITAL FORMATION.—Section 503(a) of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c–1(a)) is amended by inserting ''(acting through the Office of the Advocate for Small Business Capital Formation and in consultation with the Small Business Capital Formation Advisory Committee)'' after ''Securities and Exchange Commission''.

TITLE XI

FINANCIAL INSTITUTION BANKRUPTCY ACT

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Financial Institution Bankruptcy Act of 2016''.

SEC. 1102. GENERAL PROVISIONS RELATING TO COVERED FINANCIAL CORPORATIONS.

(a) DEFINITION.—Section 101 of title 11, United States Code, is amended by inserting the following after paragraph (9):

''(9A) The term 'covered financial corporation' means any corporation incorporated or organized under any Federal or State law, other than a stockbroker, a commodity broker, or an entity of the kind specified in paragraph (2) or (3) of section 109(b), that is—

''(A) a bank holding company, as defined in section 2(a) of the Bank Holding Company Act of 1956; or

''(B) a corporation that exists for the primary purpose of owning, controlling and financing its subsidiaries, that has total consolidated assets of $50,000,000,000 or greater, and for which, in its most recently completed fiscal year—

''(i) annual gross revenues derived by the corporation and all of its subsidiaries from activities that are financial in nature (as defined in section 4(k) of the Bank Holding Company Act of 1956) and, if applicable, from the ownership or control of one or more insured depository institutions, represents 85 percent or more of the consolidated annual gross revenues of the corporation; or

''(ii) the consolidated assets of the corporation and all of its subsidiaries related to activities that are financial in nature (as defined in section 4(k) of the Bank Holding Company Act of 1956) and, if applicable, related to the ownership or control of one or more insured depository institutions, represents 85 percent or more of the consolidated assets of the corporation.''.

(b) APPLICABILITY OF CHAPTERS.—Section 103 of title 11, United States Code, is amended by adding at the end the following:

''(l) Subchapter V of chapter 11 of this title applies only in a case under chapter 11 concerning a covered financial corporation.''.

(c) WHO MAY BE A DEBTOR.—Section 109 of title 11, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) in paragraph (3)(B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(4) a covered financial corporation.''; and

(2) in subsection (d)—

(A) by striking ''and'' before ''an uninsured State member bank'';

(B) by striking ''or'' before ''a corporation''; and

(C) by inserting '', or a covered financial corporation'' after ''Federal Deposit Insurance Corporation Improvement Act of 1991''.

(d) CONVERSION TO CHAPTER 7.—Section 1112 of title 11, United States Code, is amended by adding at the end the following:

''(g) Notwithstanding section 109(b), the court may convert a case under subchapter V to a case under chapter 7 if—

''(1) a transfer approved under section 1185 has been consummated;

''(2) the court has ordered the appointment of a special trustee under section 1186; and

''(3) the court finds, after notice and a hearing, that conversion is in the best interest of the creditors and the estate.''.

(e)(1) Section 726(a)(1) of title 11, United States Code, is amended by inserting after ''first,'' the following: ''in payment of any unpaid fees, costs, and expenses of a special trustee appointed under section 1186, and then''.

(2) Section 1129(a) of title 11, United States Code, is amended by inserting after paragraph (16) the following:

''(17) In a case under subchapter V, all payable fees, costs, and expenses of the special trustee have been paid or the plan provides for the payment of all such fees, costs, and expenses on the effective date of the plan.

''(18) In a case under subchapter V, confirmation of the plan is not likely to cause serious adverse effects on financial stability in the United States.''.

(f) Section 322(b)(2) of title 11, United States Code, is amended by striking ''The'' and inserting ''In cases under subchapter V, the United States trustee shall recommend to the court, and in all other cases, the''.

SEC. 1103. LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION.

(a) IN GENERAL.—Chapter 11 of title 11, United States Code, is amended by adding at the end the following:

''SUBCHAPTER V—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

''§ 1181. Inapplicability of other sections

''Sections 303 and 321(c) do not apply in a case under this subchapter concerning a covered financial corporation. Section 365 does not apply to a transfer under section 1185, 1187, or 1188.

''§ 1182. Definitions for this subchapter

''In this subchapter, the following definitions shall apply:

''(1) The term 'Board' means the Board of Governors of the Federal Reserve System.

''(2) The term 'bridge company' means a newly formed corporation to which property of the estate may be transferred under section 1185(a) and the equity securities of which may be transferred to a special trustee under section 1186(a).

''(3) The term 'capital structure debt' means all unsecured debt of the debtor for borrowed money for which the debtor is the primary obligor, other than a qualified financial contract and other than debt secured by a lien on property of the estate that is to be transferred to a bridge company pursuant to an order of the court under section 1185(a).

''(4) The term 'contractual right' means a contractual right of a kind defined in section 555, 556, 559, 560, or 561.

''(5) The term 'qualified financial contract' means any contract of a kind defined in paragraph (25), (38A), (47), or (53B) of section 101, section 741(7), or paragraph (4), (5), (11), or (13) of section 761.

''(6) The term 'special trustee' means the trustee of a trust formed under section 1186(a)(1).

''§ 1183. Commencement of a case concerning a covered financial corporation

''(a) A case under this subchapter concerning a covered financial corporation may be commenced by the filing of a petition with the court by the debtor under section 301 only if the debtor states to the best of its knowledge under penalty of perjury in the petition that it is a covered financial corporation.

''(b) The commencement of a case under subsection (a) constitutes an order for relief under this subchapter.

''(c) The members of the board of directors (or body performing similar functions) of a covered financial company shall have no liability to shareholders, creditors, or other parties in interest for a good faith filing of a petition to commence a case under this subchapter, or for any reasonable action taken in good faith in contemplation of or in connection with such a petition or a transfer under section 1185 or section 1186, whether prior to or after commencement of the case.

''(d) Counsel to the debtor shall provide, to the greatest extent practicable without disclosing the identity of the potential debtor, sufficient confidential notice to the chief judge of the court of appeals for the circuit embracing the district in which such counsel intends to file a petition to commence a case under this subchapter regarding the potential commencement of such case. The chief judge of such court shall randomly assign to preside over such case a bankruptcy judge selected from among the bankruptcy judges designated by the Chief Justice of the United States under section 298 of title 28.

''§ 1184. Regulators

''The Board, the Securities Exchange Commission, the Office of the Comptroller of the Currency of the Department of the Treasury, the Commodity Futures Trading Commission, and the Federal Deposit Insurance Corporation may raise and may appear and be heard on any issue in any case or proceeding under this subchapter.

''§ 1185. Special transfer of property of the estate

''(a) On request of the trustee, and after notice and a hearing that shall occur not less than 24 hours after the order for relief, the court may order a transfer under this section of property of the estate, and the assignment of executory contracts, unexpired leases, and qualified financial contracts of the debtor, to a bridge company. Upon the entry of an order approving such transfer, any property transferred, and any executory contracts, unexpired leases, and qualified financial contracts assigned under such order shall no longer be property of the estate. Except as provided under this section, the provisions of section 363 shall apply to a transfer and assignment under this section.

''(b) Unless the court orders otherwise, notice of a request for an order under subsection (a) shall consist of electronic or telephonic notice of not less than 24 hours to—

''(1) the debtor;

''(2) the holders of the 20 largest secured claims against the debtor;

''(3) the holders of the 20 largest unsecured claims against the debtor;

''(4) counterparties to any debt, executory contract, unexpired lease, and qualified financial contract requested to be transferred under this section;

''(5) the Board;

''(6) the Federal Deposit Insurance Corporation;

''(7) the Secretary of the Treasury and the Office of the Comptroller of the Currency of the Treasury;

''(8) the Commodity Futures Trading Commission;

''(9) the Securities and Exchange Commission;

''(10) the United States trustee or bankruptcy administrator; and

''(11) each primary financial regulatory agency, as defined in section 2(12) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, with respect to any affiliate the equity securities of which are proposed to be transferred under this section.

''(c) The court may not order a transfer under this section unless the court determines, based upon a preponderance of the evidence, that—

''(1) the transfer under this section is necessary to prevent serious adverse effects on financial stability in the United States;

''(2) the transfer does not provide for the assumption of any capital structure debt by the bridge company;

''(3) the transfer does not provide for the transfer to the bridge company of any property of the estate that is subject to a lien securing a debt, executory contract, unexpired lease or agreement (including a qualified financial contract) of the debtor unless—

''(A)(i) the bridge company assumes such debt, executory contract, unexpired lease or agreement (including a qualified financial contract), including any claims arising in respect thereof that would not be allowed secured claims under section 506(a)(1) and after giving effect to such transfer, such property remains subject to the lien securing such debt, executory contract, unexpired lease or agreement (including a qualified financial contract); and

''(ii) the court has determined that assumption of such debt, executory contract, unexpired lease or agreement (including a qualified financial contract) by the bridge company is in the best interests of the estate; or

''(B) such property is being transferred to the bridge company in accordance with the provisions of section 363;

''(4) the transfer does not provide for the assumption by the bridge company of any debt, executory contract, unexpired lease or agreement (including a qualified financial contract) of the debtor secured by a lien on property of the estate unless the transfer provides for such property to be transferred to the bridge company in accordance with paragraph (3)(A) of this subsection;

''(5) the transfer does not provide for the transfer of the equity of the debtor;

''(6) the trustee has demonstrated that the bridge company is not likely to fail to meet the obligations of any debt, executory contract, qualified financial contract, or unexpired lease assumed and assigned to the bridge company;

''(7) the transfer provides for the transfer to a special trustee all of the equity securities in the bridge company and appointment of a special trustee in accordance with section 1186;

''(8) after giving effect to the transfer, adequate provision has been made for the fees, costs, and expenses of the estate and special trustee; and

''(9) the bridge company will have governing documents, and initial directors and senior officers, that are in the best interest of creditors and the estate.

''(d) Immediately before a transfer under this section, the bridge company that is the recipient of the transfer shall—

''(1) not have any property, executory contracts, unexpired leases, qualified financial contracts, or debts, other than any property acquired or executory contracts, unexpired leases, or debts assumed when acting as a transferee of a transfer under this section; and

''(2) have equity securities that are property of the estate, which may be sold or distributed in accordance with this title.

''§ 1186. Special trustee

''(a)(1) An order approving a transfer under section 1185 shall require the trustee to transfer to a qualified and independent special trustee, who is appointed by the court, all of the equity securities in the bridge company that is the recipient of a transfer under section 1185 to hold in trust for the sole benefit of the estate, subject to satisfaction of the special trustee's fees, costs, and expenses. The trust of which the special trustee is the trustee shall be a newly formed trust governed by a trust agreement approved by the court as in the best interests of the estate, and shall exist for the sole purpose of holding and administering, and shall be permitted to dispose of, the equity securities of the bridge company in accordance with the trust agreement.

''(2) In connection with the hearing to approve a transfer under section 1185, the trustee shall confirm to the court that the Board has been consulted regarding the identity of the proposed special trustee and advise the court of the results of such consultation.

''(b) The trust agreement governing the trust shall provide—

''(1) for the payment of the fees, costs, expenses, and indemnities of the special trustee from the assets of the debtor's estate;

''(2) that the special trustee provide—

''(A) quarterly reporting to the estate, which shall be filed with the court; and

''(B) information about the bridge company reasonably requested by a party in interest to prepare a disclosure statement for a plan providing for distribution of any securities of the bridge company if such information is necessary to prepare such disclosure statement;

''(3) that for as long as the equity securities of the bridge company are held by the trust, the special trustee shall file a notice with the court in connection with—

''(A) any change in a director or senior officer of the bridge company;

''(B) any modification to the governing documents of the bridge company; and

''(C) any material corporate action of the bridge company, including—

''(i) recapitalization;

''(ii) a material borrowing;

''(iii) termination of an intercompany debt or guarantee;

''(iv) a transfer of a substantial portion of the assets of the bridge company; or

''(v) the issuance or sale of any securities of the bridge company;

''(4) that any sale of any equity securities of the bridge company shall not be consummated until the special trustee consults with the Federal Deposit Insurance Corporation and the Board regarding such sale and discloses the results of such consultation with the court;

''(5) that, subject to reserves for payments permitted under paragraph (1) provided for in the trust agreement, the proceeds of the sale of any equity securities of the bridge company by the special trustee be held in trust for the benefit of or transferred to the estate;

''(6) the process and guidelines for the replacement of the special trustee; and

''(7) that the property held in trust by the special trustee is subject to distribution in accordance with subsection (c).

''(c)(1) The special trustee shall distribute the assets held in trust—

''(A) if the court confirms a plan in the case, in accordance with the plan on the effective date of the plan; or

''(B) if the case is converted to a case under chapter 7, as ordered by the court.

''(2) As soon as practicable after a final distribution under paragraph (1), the office of the special trustee shall terminate, except as may be necessary to wind up and conclude the business and financial affairs of the trust.

''(d) After a transfer to the special trustee under this section, the special trustee shall be subject only to applicable nonbankruptcy law, and the actions and conduct of the special trustee shall no longer be subject to approval by the court in the case under this subchapter.

''§ 1187. Temporary and supplemental automatic stay; assumed debt

''(a)(1) A petition filed under section 1183 operates as a stay, applicable to all entities, of the termination, acceleration, or modification of any debt, contract, lease, or agreement of the kind described in paragraph (2), or of any right or obligation under any such debt, contract, lease, or agreement, solely because of—

''(A) a default by the debtor under any such debt, contract, lease, or agreement; or

''(B) a provision in such debt, contract, lease, or agreement, or in applicable nonbankruptcy law, that is conditioned on—

''(i) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(ii) the commencement of a case under this title concerning the debtor;

''(iii) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(iv) a credit rating agency rating, or absence or withdrawal of a credit rating agency rating—

''(I) of the debtor at any time after the commencement of the case;

''(II) of an affiliate during the period from the commencement of the case until 48 hours after such order is entered;

''(III) of the bridge company while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185; or

''(IV) of an affiliate while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185.

''(2) A debt, contract, lease, or agreement described in this paragraph is—

''(A) any debt (other than capital structure debt), executory contract, or unexpired lease of the debtor (other than a qualified financial contract);

''(B) any agreement under which the debtor issued or is obligated for debt (other than capital structure debt);

''(C) any debt, executory contract, or unexpired lease of an affiliate (other than a qualified financial contract); or

''(D) any agreement under which an affiliate issued or is obligated for debt.

''(3) The stay under this subsection terminates—

''(A) for the benefit of the debtor, upon the earliest of—

''(i) 48 hours after the commencement of the case;

''(ii) assumption of the debt, contract, lease, or agreement by the bridge company under an order authorizing a transfer under section 1185;

''(iii) a final order of the court denying the request for a transfer under section 1185; or

''(iv) the time the case is dismissed; and

''(B) for the benefit of an affiliate, upon the earliest of—

''(i) the entry of an order authorizing a transfer under section 1185 in which the direct or indirect interests in the affiliate that are property of the estate are not transferred under section 1185;

''(ii) a final order by the court denying the request for a transfer under section 1185;

''(iii) 48 hours after the commencement of the case if the court has not ordered a transfer under section 1185; or

''(iv) the time the case is dismissed.

''(4) Subsections (d), (e), (f), and (g) of section 362 apply to a stay under this subsection.

''(b) A debt, executory contract (other than a qualified financial contract), or unexpired lease of the debtor, or an agreement under which the debtor has issued or is obligated for any debt, may be assumed by a bridge company in a transfer under section 1185 notwithstanding any provision in an agreement or in applicable nonbankruptcy law that—

''(1) prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(2) accelerates, terminates, or modifies, or permits a party other than the debtor to terminate or modify, the debt, contract, lease, or agreement on account of—

''(A) the assignment of the debt, contract, lease, or agreement; or

''(B) a change in control of any party to the debt, contract, lease, or agreement.

''(c)(1) A debt, contract, lease, or agreement of the kind described in subparagraph (A) or (B) of subsection (a)(2) may not be accelerated, terminated, or modified, and any right or obligation under such debt, contract, lease, or agreement may not be accelerated, terminated, or modified, as to the bridge company solely because of a provision in the debt, contract, lease, or agreement or in applicable nonbankruptcy law—

''(A) of the kind described in subsection (a)(1)(B) as applied to the debtor;

''(B) that prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(C) that accelerates, terminates, or modifies, or permits a party other than the debtor to terminate or modify, the debt, contract, lease or agreement on account of—

''(i) the assignment of the debt, contract, lease, or agreement; or

''(ii) a change in control of any party to the debt, contract, lease, or agreement.

''(2) If there is a default by the debtor under a provision other than the kind described in paragraph (1) in a debt, contract, lease or agreement of the kind described in subparagraph (A) or (B) of subsection (a)(2), the bridge company may assume such debt, contract, lease, or agreement only if the bridge company—

''(A) shall cure the default;

''(B) compensates, or provides adequate assurance in connection with a transfer under section 1185 that the bridge company will promptly compensate, a party other than the debtor to the debt, contract, lease, or agreement, for any actual pecuniary loss to the party resulting from the default; and

''(C) provides adequate assurance in connection with a transfer under section 1185 of future performance under the debt, contract, lease, or agreement, as determined by the court under section 1185(c)(4).

''§ 1188. Treatment of qualified financial contracts and affiliate contracts

''(a) Notwithstanding sections 362(b)(6), 362(b)(7), 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and 561, a petition filed under section 1183 operates as a stay, during the period specified in section 1187(a)(3)(A), applicable to all entities, of the exercise of a contractual right—

''(1) to cause the modification, liquidation, termination, or acceleration of a qualified financial contract of the debtor or an affiliate;

''(2) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with a qualified financial contract of the debtor or an affiliate; or

''(3) under any security agreement or arrangement or other credit enhancement forming a part of or related to a qualified financial contract of the debtor or an affiliate.

''(b)(1) During the period specified in section 1187(a)(3)(A), the trustee or the affiliate shall perform all payment and delivery obligations under such qualified financial contract of the debtor or the affiliate, as the case may be, that become due after the commencement of the case. The stay provided under subsection (a) terminates as to a qualified financial contract of the debtor or an affiliate immediately upon the failure of the trustee or the affiliate, as the case may be, to perform any such obligation during such period.

''(2) Any failure by a counterparty to any qualified financial contract of the debtor or any affiliate to perform any payment or delivery obligation under such qualified financial contract, including during the pendency of the stay provided under subsection (a), shall constitute a breach of such qualified financial contract by the counterparty.

''(c) Subject to the court's approval, a qualified financial contract between an entity and the debtor may be assigned to or assumed by the bridge company in a transfer under, and in accordance with, section 1185 if and only if—

''(1) all qualified financial contracts between the entity and the debtor are assigned to and assumed by the bridge company in the transfer under section 1185;

''(2) all claims of the entity against the debtor in respect of any qualified financial contract between the entity and the debtor (other than any claim that, under the terms of the qualified financial contract, is subordinated to the claims of general unsecured creditors) are assigned to and assumed by the bridge company;

''(3) all claims of the debtor against the entity under any qualified financial contract between the entity and the debtor are assigned to and assumed by the bridge company; and

''(4) all property securing or any other credit enhancement furnished by the debtor for any qualified financial contract described in paragraph (1) or any claim described in paragraph (2) or (3) under any qualified financial contract between the entity and the debtor is assigned to and assumed by the bridge company.

''(d) Notwithstanding any provision of a qualified financial contract or of applicable nonbankruptcy law, a qualified financial contract of the debtor that is assumed or assigned in a transfer under section 1185 may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1185, and any right or obligation under the qualified financial contract may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1185 solely because of a condition described in section 1187(c)(1), other than a condition of the kind specified in section 1187(b) that occurs after property of the estate no longer includes a direct beneficial interest or an indirect beneficial interest through the special trustee, in more than 50 percent of the equity securities of the bridge company.

''(e) Notwithstanding any provision of any agreement or in applicable nonbankruptcy law, an agreement of an affiliate (including an executory contract, an unexpired lease, qualified financial contract, or an agreement under which the affiliate issued or is obligated for debt) and any right or obligation under such agreement may not be accelerated, terminated, or modified, solely because of a condition described in section 1187(c)(1), other than a condition of the kind specified in section 1187(b) that occurs after the bridge company is no longer a direct or indirect beneficial holder of more than 50 percent of the equity securities of the affiliate, at any time after the commencement of the case if—

''(1) all direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185 to the bridge company within the period specified in subsection (a);

''(2) the bridge company assumes—

''(A) any guarantee or other credit enhancement issued by the debtor relating to the agreement of the affiliate; and

''(B) any obligations in respect of rights of setoff, netting arrangement, or debt of the debtor that directly arises out of or directly relates to the guarantee or credit enhancement; and

''(3) any property of the estate that directly serves as collateral for the guarantee or credit enhancement is transferred to the bridge company.

''§ 1189. Licenses, permits, and registrations

''(a) Notwithstanding any otherwise applicable nonbankruptcy law, if a request is made under section 1185 for a transfer of property of the estate, any Federal, State, or local license, permit, or registration that the debtor or an affiliate had immediately before the commencement of the case and that is proposed to be transferred under section 1185 may not be accelerated, terminated, or modified at any time after the request solely on account of—

''(1) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(2) the commencement of a case under this title concerning the debtor;

''(3) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(4) a transfer under section 1185.

''(b) Notwithstanding any otherwise applicable nonbankruptcy law, any Federal, State, or local license, permit, or registration that the debtor had immediately before the commencement of the case that is included in a transfer under section 1185 shall be valid and all rights and obligations thereunder shall vest in the bridge company.

''§ 1190. Exemption from securities laws

''For purposes of section 1145, a security of the bridge company shall be deemed to be a security of a successor to the debtor under a plan if the court approves the disclosure statement for the plan as providing adequate information (as defined in section 1125(a)) about the bridge company and the security.

''§ 1191. Inapplicability of certain avoiding powers

''A transfer made or an obligation incurred by the debtor to an affiliate prior to or after the commencement of the case, including any obligation released by the debtor or the estate to or for the benefit of an affiliate, in

contemplation of or in connection with a transfer under section 1185 is not avoidable under section 544, 547, 548(a)(1)(B), or 549, or under any similar nonbankruptcy law.

"§ 1192. Consideration of financial stability

''The court may consider the effect that any decision in connection with this subchapter may have on financial stability in the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 11 of title 11, United States Code, is amended by adding at the end the following:

''SUBCHAPTER V—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

''1181. Inapplicability of other sections.
''1182. Definitions for this subchapter.
''1183. Commencement of a case concerning a covered financial corporation.
''1184. Regulators.
''1185. Special transfer of property of the estate.
''1186. Special trustee.
''1187. Temporary and supplemental automatic stay; assumed debt.
''1188. Treatment of qualified financial contracts and affiliate contracts.
''1189. Licenses, permits, and registrations.
''1190. Exemption from securities laws.
''1191. Inapplicability of certain avoiding powers.
''1192. Consideration of financial stability.''.

SEC. 1104. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) AMENDMENT TO CHAPTER 13.—Chapter 13 of title 28, United States Code, is amended by adding at the end the following:

"§ 298. Judge for a case under subchapter V of chapter 11 of title 11

''(a)(1) Notwithstanding section 295, the Chief Justice of the United States shall designate not fewer than 10 bankruptcy judges to be available to hear a case under subchapter V of chapter 11 of title 11. Bankruptcy judges may request to be considered by the Chief Justice of the United States for such designation.

''(2) Notwithstanding section 155, a case under subchapter V of chapter 11 of title 11 shall be heard under section 157 by a bankruptcy judge designated under paragraph (1), who shall be randomly assigned to hear such case by the chief judge of the court of appeals for the circuit embracing the district in which the case is pending. To the greatest extent practicable, the approvals required under section 155 should be obtained.

''(3) If the bankruptcy judge assigned to hear a case under paragraph (2) is not assigned to the district in which the case is pending, the bankruptcy judge shall be temporarily assigned to the district.

''(b) A case under subchapter V of chapter 11 of title 11, and all proceedings in the case, shall take place in the district in which the case is pending.

''(c) In this section, the term 'covered financial corporation' has the meaning given that term in section 101(9A) of title 11.''.

(b) AMENDMENT TO SECTION 1334 OF TITLE 28.—Section 1334 of title 28, United States Code, is amended by adding at the end the following:

''(f) This section does not grant jurisdiction to the district court after a transfer pursuant to an order under section 1185 of title 11 of any proceeding related to a special trustee appointed, or to a bridge company formed, in connection with a case under subchapter V of chapter 11 of title 11.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 28, United States Code, is amended by adding at the end the following:

''298. Judge for a case under subchapter V of chapter 11 of title 11.''.

TITLE XII

ADDITIONAL GENERAL PROVISIONS

SPENDING REDUCTION ACCOUNT

SEC. 1201. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

The Acting CHAIR. Are there any points of order against that portion of the bill?

POINT OF ORDER

Mr. CHAFFETZ. Mr. Chair, I raise a point of order against the following provision of H.R. 5485 for failure to comply with clause 2 of rule XXI:

Beginning with '': Provided further'' on page 122, line 19, through ''2012'' on page 122, line 22.

This provision proposes to change existing law by imparting direction to the United States Postal Service and, therefore, constitutes legislation on an appropriation bill in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Ms. KAPTUR. Mr. Chair, I wish to be heard on the point of order.

The Acting CHAIR. The gentlewoman from Ohio is recognized.

Ms. KAPTUR. Mr. Chair, let me clarify what insisting on this point of order means.

First, it means that the amendment the Appropriations Committee added to the bill, requiring the Postal Service to maintain highest quality delivery standards, is nullified.

This amendment was passed for fiscal year 2017 without objection in our committee, and it was included in last year's bill and was passed back then as well. So it is not something new. It stands as a strong measure of support for the U.S. Postal Service in both rural and urban America. Those that neither snow nor rain nor heat nor gloom of night stays them from the swift completion of their appointed rounds deserve our respect.

The Acting CHAIR. The gentlewoman needs to confine her remarks to the point of order.

Ms. KAPTUR. It is our constitutional responsibility in Article I. We should not retard postal operations.

Second, the Chaffetz point of order will actually cost our citizenry more money by, in fact, $66 million due to the added transportation costs that result from drastically slowing down the processing and delivery of the Nation's mail. The timely processing and delivery of mail is critical.

The Acting CHAIR. The gentlewoman will suspend.

The Chair will, again, remind the gentlewoman to confine her remarks to the point of order.

Ms. KAPTUR. Third, Mr. Chair, it would not have been unusual or extraordinary for the Rules Committee to have protected from a point of order the mail delivery standards added to this bill when, in fact, they actually included 30 other amendments that are in the bill that affect the SEC, the IRS, the FCC, and the District of Columbia.

The Acting CHAIR. The gentlewoman will suspend.

The Chair is prepared to rule.

The Chair finds that this provision includes language imparting direction to the United States Postal Service. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Ms. KAPTUR. Mr. Chair, I appeal the ruling of the Chair.

The Acting CHAIR. The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

RECORDED VOTE

Ms. KAPTUR. Mr. Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 220, noes 168, not voting 45, as follows:

[Roll No. 356]

AYES—220

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
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
Jones
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Pittenger
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rohrabacher

Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—168

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pelosi
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)

NOT VOTING—45

Beyer
Bost
Buchanan
Castor (FL)
Collins (NY)
Cooper
DeFazio
Delaney
DeSantis
Deutch
Doyle, Michael F.
Ellmers (NC)
Farr
Fincher
Forbes
Gibson
Gohmert
Hastings
Jeffries
Jordan
Katko
Kirkpatrick
Labrador
Marino
Messer
Nadler
Nugent
Pascrell
Payne
Pearce
Perlmutter
Pitts
Poe (TX)
Rogers (KY)
Roskam
Sanchez, Loretta
Sires
Smith (NJ)
Takai
Tiberi
Welch
Westmoreland
Whitfield
Woodall
Yarmuth

□ 1911

Messrs. FARENTHOLD, RICE of South Carolina, HARRIS, YOUNG of Iowa, and JOYCE changed their vote from ''no'' to ''aye.''

So the decision of the Chair stands as the judgment of the Committee.

The result of the vote was announced as above recorded.

Mr. CRENSHAW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCCLINTOCK) having assumed the chair, Mr. CARTER of Georgia, 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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016

Mr. UPTON submitted the following conference report and statement on the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use:

CONFERENCE REPORT (H. REPT. 114–669)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House do the bill (S. 524), to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Comprehensive Addiction and Recovery Act of 2016''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PREVENTION AND EDUCATION

Sec. 101. Task force on pain management.
Sec. 102. Awareness campaigns.
Sec. 103. Community-based coalition enhancement grants to address local drug crises.
Sec. 104. Information materials and resources to prevent addiction related to youth sports injuries.
Sec. 105. Assisting veterans with military emergency medical training to meet requirement for becoming civilian health care professionals.
Sec. 106. FDA opioid action plan.
Sec. 107. Improving access to overdose treatment.
Sec. 108. NIH opioid research.
Sec. 109. National All Schedules Prescription Electronic Reporting Reauthorization.
Sec. 110. Opioid overdose reversal medication access and education grant programs.

TITLE II—LAW ENFORCEMENT AND TREATMENT

Sec. 201. Comprehensive Opioid Abuse Grant Program.
Sec. 202. First responder training.
Sec. 203. Prescription drug take back expansion.

TITLE III—TREATMENT AND RECOVERY

Sec. 301. Evidence-based prescription opioid and heroin treatment and interventions demonstration.
Sec. 302. Building communities of recovery.
Sec. 303. Medication-assisted treatment for recovery from addiction.

TITLE IV—ADDRESSING COLLATERAL CONSEQUENCES

Sec. 401. GAO report on recovery and collateral consequences.

TITLE V—ADDICTION AND TREATMENT SERVICES FOR WOMEN, FAMILIES, AND VETERANS

Sec. 501. Improving treatment for pregnant and postpartum women.
Sec. 502. Veterans treatment courts.
Sec. 503. Infant plan of safe care.
Sec. 504. GAO report on neonatal abstinence syndrome (NAS).

TITLE VI—INCENTIVIZING STATE COMPREHENSIVE INITIATIVES TO ADDRESS PRESCRIPTION OPIOID ABUSE

Sec. 601. State demonstration grants for comprehensive opioid abuse response.

TITLE VII—MISCELLANEOUS

Sec. 701. Grant accountability and evaluations.
Sec. 702. Partial fills of schedule II controlled substances.
Sec. 703. Good samaritan assessment.
Sec. 704. Programs to prevent prescription drug abuse under Medicare parts C and D.
Sec. 705. Excluding abuse-deterrent formulations of prescription drugs from the Medicaid additional rebate requirement for new formulations of prescription drugs.
Sec. 706. Limiting disclosure of predictive modeling and other analytics technologies to identify and prevent waste, fraud, and abuse.
Sec. 707. Medicaid Improvement Fund.
Sec. 708. Sense of the Congress regarding treatment of substance abuse epidemics.

TITLE VIII—KINGPIN DESIGNATION IMPROVEMENT

Sec. 801. Protection of classified information in Federal court challenges relating to designations under the Narcotics Kingpin Designation Act.

TITLE IX—DEPARTMENT OF VETERANS AFFAIRS

Sec. 901. Short title.
Sec. 902. Definitions.

Subtitle A—Opioid Therapy and Pain Management

Sec. 911. Improvement of opioid safety measures by Department of Veterans Affairs.
Sec. 912. Strengthening of joint working group on pain management of the Department of Veterans Affairs and the Department of Defense.
Sec. 913. Review, investigation, and report on use of opioids in treatment by Department of Veterans Affairs.
Sec. 914. Mandatory disclosure of certain veteran information to State controlled substance monitoring programs.
Sec. 915. Elimination of copayment requirement for veterans receiving opioid antagonists or education on use of opioid antagonists.

Subtitle B—Patient Advocacy

Sec. 921. Community meetings on improving care furnished by Department of Veterans Affairs.

Sec. 922. Improvement of awareness of patient advocacy program and patient bill of rights of Department of Veterans Affairs.

Sec. 923. Comptroller General report on patient advocacy program of Department of Veterans Affairs.

Sec. 924. Establishment of Office of Patient Advocacy of the Department of Veterans Affairs.

Subtitle C—Complementary and Integrative Health

Sec. 931. Expansion of research and education on and delivery of complementary and integrative health to veterans.

Sec. 932. Expansion of research and education on and delivery of complementary and integrative health to veterans.

Sec. 933. Pilot program on integration of complementary and integrative health and related issues for veterans and family members of veterans.

Subtitle D—Fitness of Health Care Providers

Sec. 941. Additional requirements for hiring of health care providers by Department of Veterans Affairs.

Sec. 942. Provision of information on health care providers of Department of Veterans Affairs to State medical boards.

Sec. 943. Report on compliance by Department of Veterans Affairs with reviews of health care providers leaving the Department or transferring to other facilities.

Subtitle E—Other Matters

Sec. 951. Modification to limitation on awards and bonuses.

TITLE I—PREVENTION AND EDUCATION

SEC. 101. TASK FORCE ON PAIN MANAGEMENT.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(2) TASK FORCE.—The term ''task force'' means the Pain Management Best Practices Inter-Agency Task Force convened under subsection (b).

(b) INTER-AGENCY TASK FORCE.—Not later than 2 years after the date of enactment of this Act, the Secretary, in cooperation with the Secretary of Veterans Affairs and the Secretary of Defense, shall convene a Pain Management Best Practices Inter-Agency Task Force.

(c) MEMBERSHIP.—The task force shall be comprised of—

(1) representatives of—

(A) the Department of Health and Human Services and relevant agencies within the Department of Health and Human Services;

(B) the Department of Veterans Affairs;

(C) the Department of Defense; and

(D) the Office of National Drug Control Policy;

(2) currently licensed and practicing physicians, dentists, and nonphysician prescribers;

(3) currently licensed and practicing pharmacists and pharmacies;

(4) experts in the fields of pain research and addiction research, including adolescent and young adult addiction research;

(5) representatives of—

(A) pain management professional organizations;

(B) the mental health treatment community;

(C) the addiction treatment community, including individuals in recovery from substance use disorder;

(D) pain advocacy groups, including patients;

(E) veteran service organizations;

(F) groups with expertise on overdose reversal, including first responders;

(G) State medical boards; and

(H) hospitals;

(6) experts on the health of, and prescription opioid use disorders in, members of the Armed Forces and veterans; and

(7) experts in the field of minority health.

(d) REPRESENTATION.—The Secretary shall ensure that the membership of the task force includes individuals representing rural and underserved areas.

(e) DUTIES.—The task force shall—

(1) identify, review, and, as appropriate, determine whether there are gaps in or inconsistencies between best practices for pain management (including chronic and acute pain) developed or adopted by Federal agencies;

(2) not later than 1 year after the date on which the task force is convened under subsection (b), propose updates to best practices and recommendations on addressing gaps or inconsistencies identified under paragraph (1), as appropriate, and submit to relevant Federal agencies and the general public such proposed updates and recommendations, taking into consideration—

(A) existing pain management research and other relevant research;

(B) recommendations from relevant conferences and existing relevant evidence-based guidelines;

(C) ongoing efforts at the State and local levels and by medical professional organizations to develop improved pain management strategies, including consideration of differences within and between classes of opioids, the availability of opioids with abuse deterrent technology, and pharmacological, nonpharmacological, and medical device alternatives to opioids to reduce opioid monotherapy in appropriate cases;

(D) the management of high-risk populations who receive opioids in the course of medical care, other than for pain management;

(E) the 2016 Guideline for Prescribing Opioids for Chronic Pain issued by the Centers for Disease Control and Prevention; and

(F) private sector, State, and local government efforts related to pain management and prescribing pain medication;

(3) provide the public with at least 90 days to submit comments on any proposed updates and recommendations under paragraph (2); and

(4) develop a strategy for disseminating information about best practices for pain management (including chronic and acute pain) to stakeholders, if appropriate.

(f) LIMITATION.—The task force shall not have rulemaking authority.

(g) SUNSET.—The task force under this section shall sunset after 3 years.

SEC. 102. AWARENESS CAMPAIGNS.

(a) IN GENERAL.—The Secretary of Health and Human Services, in coordination with the heads of other departments and agencies, shall, as appropriate, through existing programs and activities, advance the education and awareness of the public (including providers, patients, and consumers) and other appropriate entities regarding the risk of abuse of prescription opioids if such drugs are not taken as prescribed.

(b) TOPICS.—The education and awareness campaigns under subsection (a) shall address—

(1) the dangers of opioid abuse;

(2) the prevention of opioid abuse, including through safe disposal of prescription medications and other safety precautions; and

(3) the detection of early warning signs of addiction.

(c) OTHER REQUIREMENTS.—The education and awareness campaigns under subsection (a) shall, as appropriate—

(1) take into account any association between prescription opioid abuse and heroin use;

(2) emphasize—

(A) the similarities between heroin and prescription opioids; and

(B) the effects of heroin and prescription opioids on the human body; and

(3) bring greater public awareness to the dangerous effects of fentanyl when mixed with heroin or abused in a similar manner.

SEC. 103. COMMUNITY-BASED COALITION ENHANCEMENT GRANTS TO ADDRESS LOCAL DRUG CRISES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Substance Abuse and Mental Health Services Administration.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of National Drug Control Policy.

(3) DRUG-FREE COMMUNITIES ACT OF 1997.—The term ''Drug-Free Communities Act of 1997'' means chapter 2 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.).

(4) ELIGIBLE ENTITY.—The term ''eligible entity'' means an organization that—

(A) on or before the date of submitting an application for a grant under this section, receives or has received a grant under the Drug-Free Communities Act of 1997; and

(B) has documented, using local data, rates of abuse of opioids or methamphetamines at levels that are—

(i) significantly higher than the national average as determined by the Secretary (including appropriate consideration of the results of the Monitoring the Future Survey published by the National Institute on Drug Abuse and the National Survey on Drug Use and Health published by the Substance Abuse and Mental Health Services Administration); or

(ii) higher than the national average, as determined by the Secretary (including appropriate consideration of the results of the surveys described in clause (i)), over a sustained period of time.

(5) EMERGING DRUG ABUSE ISSUE.—The term ''emerging drug abuse issue'' means a substance use disorder within an area involving—

(A) a sudden increase in demand for particular drug abuse treatment services relative to previous demand; and

(B) a lack of resources in the area to address the emerging problem.

(6) LOCAL DRUG CRISIS.—The term ''local drug crisis'' means, with respect to the area served by an eligible entity—

(A) a sudden increase in the abuse of opioids or methamphetamines, as documented by local data;

(B) the abuse of prescription medications, specifically opioids or methamphetamines, that is significantly higher than the national average, over a sustained period of time, as documented by local data; or

(C) a sudden increase in opioid-related deaths, as documented by local data.

(7) OPIOID.—The term ''opioid'' means any drug having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability.

(b) PROGRAM AUTHORIZED.—The Director, in coordination with the Administrator, may make grants to eligible entities to implement comprehensive community-wide strategies that address local drug crises and emerging drug abuse issues within the area served by the eligible entity.

(c) APPLICATION.—

(1) IN GENERAL.—An eligible entity seeking a grant under this section shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may require.

(2) CRITERIA.—As part of an application for a grant under this section, the Director shall require an eligible entity to submit a detailed, comprehensive, multisector plan for addressing the local drug crisis or emerging drug abuse issue within the area served by the eligible entity.

(d) USE OF FUNDS.—An eligible entity shall use a grant received under this section—

(1) for programs designed to implement comprehensive community-wide prevention strategies to address the local drug crisis in the area served by the eligible entity, in accordance with the plan submitted under subsection (c)(2);

(2) to obtain specialized training and technical assistance from the organization funded under section 4 of Public Law 107–82 (21 U.S.C. 1521 note); and

(3) for programs designed to implement comprehensive community-wide strategies to address emerging drug abuse issues in the community.

(e) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of those Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant those funds.

(f) EVALUATION.—A grant under this section shall be subject to the same evaluation requirements and procedures as the evaluation requirements and procedures imposed on the recipient of a grant under the Drug-Free Communities Act of 1997, and may also include an evaluation of the effectiveness at reducing abuse of opioids or methamphetamines.

(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 8 percent of the amounts made available to carry out this section for a fiscal year may be used to pay for administrative expenses.

(h) DELEGATION AUTHORITY.—The Director may enter into an interagency agreement with the Administrator to delegate authority for the execution of grants and for such other activities as may be necessary to carry out this section.

(i) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $5,000,000 for each of fiscal years 2017 through 2021.

SEC. 104. INFORMATION MATERIALS AND RESOURCES TO PREVENT ADDICTION RELATED TO YOUTH SPORTS INJURIES.

(a) REPORT.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall, not later than 24 months after the date of the enactment of this section, make publicly available on the appropriate website of the Department of Health and Human Services a report determining the extent to which informational materials and resources described in subsection (c) are available to teenagers and adolescents who play youth sports, families of such teenagers and adolescents, nurses, youth sports groups, and relevant health care provider groups.

(b) DEVELOPMENT OF INFORMATIONAL MATERIALS AND RESOURCES.—The Secretary may, for purposes of preventing substance use disorder in teenagers and adolescents who are injured playing youth sports and are subsequently prescribed an opioid, not later than 12 months after the report is made publicly available under subsection (a), and taking into consideration the findings of such report and in coordination with relevant health care provider groups, facilitate the development of informational materials and resources described in subsection (c) for teenagers and adolescents who play youth sports, families of such teenagers and adolescents, nurses, youth sports groups, and relevant health care provider groups.

(c) MATERIALS AND RESOURCES DESCRIBED.—For purposes of this section, the informational materials and resources described in this subsection are informational materials and resources with respect to youth sports injuries for which opioids are potentially prescribed, including materials and resources focused on the risks associated with opioid use and misuse, treatment options for such injuries that do not involve the use of opioids, and how to seek treatment for addiction.

(d) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section. This section shall be carried out using amounts otherwise available for such purpose.

SEC. 105. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENT FOR BECOMING CIVILIAN HEALTH CARE PROFESSIONALS.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

''SEC. 315. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN HEALTH CARE PROFESSIONALS.

''(a) PROGRAM.—

''(1) IN GENERAL.—The Secretary may establish a program, in consultation with the Secretary of Labor, consisting of awarding demonstration grants to States to streamline State requirements and procedures in order to assist veterans who held certain military occupational specialties related to medical care or who have completed certain medical training while serving in the Armed Forces of the United States to meet certification, licensure, and other requirements applicable to civilian health care professions (such as emergency medical technician, paramedic, licensed practical nurse, registered nurse, physical therapy assistant, or physician assistant professions) in the State.

''(2) CONSULTATION AND COLLABORATION.—In determining the eligible military occupational specialties or training courses and the assistance required as described in paragraph (1), the Secretary shall consult with the Secretary of Defense, the Secretary of Veterans Affairs, and the Assistant Secretary of Labor for Veterans' Employment and Training, and shall collaborate with the initiatives carried out under section 4114 of title 38, United States Code, and sections 1142 through 1144 of title 10, United States Code.

''(b) USE OF FUNDS.—Amounts received as a demonstration grant under this section shall be used to—

''(1) prepare and implement a plan to streamline State requirements and procedures as described in subsection (a), including by—

''(A) determining the extent to which the requirements for the education, training, and skill level of civilian health care professions (such as emergency medical technicians, paramedics, licensed practical nurses, registered nurses, physical therapy assistants, or physician assistants) in the State are equivalent to requirements for the education, training, and skill level of veterans who served in medical related fields while a member of the Armed Forces of the United States; and

''(B) identifying methods, such as waivers, for veterans who served in medical related fields while a member of the Armed Forces of the United States to forgo or meet any such equivalent State requirements; and

''(2) if necessary to meet workforce shortages or address gaps in education, training, or skill level to meet certification, licensure or other requirements applicable to becoming a civilian health care professional (such as an emergency medical technician, paramedic, licensed practical nurse, registered nurse, physical therapy assistant, or physician assistant professions) in the State, develop or expand career pathways at institutions of higher education to support veterans in meeting such requirements.

''(c) REPORT.—Upon the completion of the demonstration program under this section, the Secretary shall submit to Congress a report on the program.

''(d) FUNDING.—No additional funds are authorized to be appropriated for the purpose of carrying out this section. This section shall be carried out using amounts otherwise available for such purpose.

''(e) SUNSET.—The demonstration program under this section shall not exceed 5 years.''.

SEC. 106. FDA OPIOID ACTION PLAN.

(a) IN GENERAL.—

(1) NEW DRUG APPLICATION.—

(A) IN GENERAL.—Subject to subparagraph (B), prior to the approval pursuant to an application submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)) of a new drug that is an opioid, the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall refer the application to an advisory committee of the Food and Drug Administration to seek recommendations from such advisory committee.

(B) PUBLIC HEALTH EXEMPTION.—A referral to an advisory committee under subparagraph (A) is not required with respect to a new opioid drug or drugs if the Secretary—

(i) finds that such a referral is not in the interest of protecting and promoting public health;

(ii) finds that such a referral is not necessary based on a review of the relevant scientific information; and

(iii) submits a notice containing the rationale for such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) PEDIATRIC OPIOID LABELING.—The Secretary shall convene the Pediatric Advisory Committee of the Food and Drug Administration to seek recommendations from such Committee regarding a framework for the inclusion of information in the labeling of drugs that are opioids relating to the use of such drugs in pediatric populations before the Secretary approves any labeling or change to labeling for any drug that is an opioid intended for use in a pediatric population.

(3) SUNSET.—The requirements of paragraphs (1) and (2) shall cease to be effective on October 1, 2022.

(b) PRESCRIBER EDUCATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, as part of the Food and Drug Administration's evaluation of the Extended-Release/Long-Acting Opioid Analgesics Risk Evaluation and Mitigation Strategy, and in consultation with relevant stakeholders, shall develop recommendations regarding education programs for prescribers of opioids pursuant to section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), including recommendations on—

(1) which prescribers should participate in such programs; and

(2) how often participation in such programs is necessary.

(c) GUIDANCE ON EVALUATING THE ABUSE DETERRENCE OF GENERIC SOLID ORAL OPIOID DRUG PRODUCTS.—Not later than 18 months after the end of the period for public comment on the draft guidance entitled ''General Principles for Evaluating the Abuse Deterrence of Generic Solid Oral Opioid Drug Products'' issued by the Center for Drug Evaluation and Research of the Food and Drug Administration in March 2016, the Commissioner of Food and Drugs shall publish in the Federal Register a final version of such guidance.

SEC. 107. IMPROVING ACCESS TO OVERDOSE TREATMENT.

(a) GRANTS FOR REDUCING OVERDOSE DEATHS.—Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.) is amended by adding at the end the following:

''SEC. 544. GRANTS FOR REDUCING OVERDOSE DEATHS.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall award grants to eligible entities to expand access to drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose.

''(2) MAXIMUM GRANT AMOUNT.—A grant awarded under this section may not be for more than $200,000 per grant year.

''(3) ELIGIBLE ENTITY.—For purposes of this section, the term 'eligible entity' means a Federally qualified health center (as defined in section 1861(aa) of the Social Security Act), an opioid treatment program under part 8 of title 42, Code of Federal Regulations, any practitioner dispensing narcotic drugs pursuant to section 303(g) of the Controlled Substances Act, or any other entity that the Secretary deems appropriate.

''(4) PRESCRIBING.—For purposes of this section, the term 'prescribing' means, with respect to a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose, the practice of prescribing such drug or device—

''(A) in conjunction with an opioid prescription for patients at an elevated risk of overdose;

''(B) in conjunction with an opioid agonist approved under section 505 of the Federal Food, Drug, and Cosmetic Act for the treatment of opioid use disorder;

''(C) to the caregiver or a close relative of patients at an elevated risk of overdose from opioids; or

''(D) in other circumstances in which a provider identifies a patient is at an elevated risk for an intentional or unintentional drug overdose from heroin or prescription opioid therapies.

''(b) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit to the Secretary, in such form and manner as specified by the Secretary, an application that describes—

''(1) the extent to which the area to which the entity will furnish services through use of the grant is experiencing significant morbidity and mortality caused by opioid abuse;

''(2) the criteria that will be used to identify eligible patients to participate in such program; and

''(3) a plan for sustaining the program after Federal support for the program has ended.

''(c) USE OF FUNDS.—An eligible entity receiving a grant under this section may use amounts under the grant for any of the following activities, but may use not more than 20 percent of the grant funds for activities described in paragraphs (3) and (4):

''(1) To establish a program for prescribing a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose.

''(2) To train and provide resources for health care providers and pharmacists on the prescribing of drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose.

''(3) To purchase drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose, for distribution under the program described in paragraph (1).

''(4) To offset the co-payments and other cost sharing associated with drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose.

''(5) To establish protocols to connect patients who have experienced a drug overdose with appropriate treatment, including medication-assisted treatment and appropriate counseling and behavioral therapies.

''(d) EVALUATIONS BY RECIPIENTS.—As a condition of receipt of a grant under this section, an eligible entity shall, for each year for which the grant is received, submit to the Secretary an evaluation of activities funded by the grant which contains such information as the Secretary may reasonably require.

''(e) REPORTS BY THE SECRETARY.—Not later than 5 years after the date on which the first grant under this section is awarded, the Secretary shall submit to the appropriate committees of the House of Representatives and of the Senate a report aggregating the information received from the grant recipients for such year under subsection (d) and evaluating the outcomes achieved by the programs funded by grants awarded under this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,000,000 for the period of fiscal years 2017 through 2021.''.

(b) IMPROVING ACCESS TO OVERDOSE TREATMENT.—

(1) INFORMATION ON BEST PRACTICES.—Not later than 180 days after the date of enactment of this Act:

(A) The Secretary of Health and Human Services may provide information to prescribers within Federally qualified health centers (as defined in paragraph (4) of section 1861(aa) of the Social Security Act (42 U.S.C. 1395x(aa))), and the health care facilities of the Indian Health Service, on best practices for prescribing or co-prescribing a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) for emergency treatment of known or suspected opioid overdose, including for patients receiving chronic opioid therapy and patients being treated for opioid use disorders.

(B) The Secretary of Defense may provide information to prescribers within Department of Defense medical facilities on best practices for prescribing or co-prescribing a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) for emergency treatment of known or suspected opioid overdose, including for patients receiving chronic opioid therapy and patients being treated for opioid use disorders.

(C) The Secretary of Veterans Affairs may provide information to prescribers within Department of Veterans Affairs medical facilities on best practices for prescribing or co-prescribing a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) for emergency treatment of known or suspected opioid overdose, including for patients receiving chronic opioid therapy and patients being treated for opioid use disorders.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection should be construed to establish or contribute to a medical standard of care.

SEC. 108. NIH OPIOID RESEARCH.

(a) IN GENERAL.—The Director of the National Institutes of Health (referred to in this section as the ''NIH'') may intensify and coordinate fundamental, translational, and clinical research of the NIH with respect to—

(1) the understanding of pain;

(2) the discovery and development of therapies for chronic pain; and

(3) the development of alternatives to opioids for effective pain treatments.

(b) PRIORITY AND DIRECTION.—The prioritization and direction of the Federally funded portfolio of pain research studies shall consider recommendations made by the Interagency Pain Research Coordinating Committee in concert with the Pain Management Best Practices Inter-Agency Task Force, and in accordance with the National Pain Strategy, the Federal Pain Research Strategy, and the NIH-Wide Strategic Plan for Fiscal Years 2016–2020, the latter of which calls for the relative burdens of individual diseases and medical disorders to be regarded as crucial considerations in balancing the priorities of the Federal research portfolio.

SEC. 109. NATIONAL ALL SCHEDULES PRESCRIPTION ELECTRONIC REPORTING REAUTHORIZATION.

(a) AMENDMENT TO PURPOSE.—Paragraph (1) of section 2 of the National All Schedules Prescription Electronic Reporting Act of 2005 (Public Law 109–60) is amended to read as follows:

''(1) foster the establishment of State-administered controlled substance monitoring systems in order to ensure that health care providers have access to the accurate, timely prescription history information that they may use as a tool for the early identification of patients at risk for addiction in order to initiate appropriate medical interventions and avert the tragic personal, family, and community consequences of untreated addiction; and''.

(b) AMENDMENTS TO CONTROLLED SUBSTANCE MONITORING PROGRAM.—Section 399O of the Public Health Service Act (42 U.S.C. 280g–3) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by inserting '', in consultation with the Administrator of the Substance Abuse and Mental Health Services Administration and Director of the Centers for Disease Control and Prevention,'' after ''the Secretary'';

(B) in subparagraph (A), by striking ''or'';

(C) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following:

''(C) to maintain an existing State-controlled substance monitoring program.'';

(2) by amending subsection (b) to read as follows:

''(b) MINIMUM REQUIREMENTS.—The Secretary shall maintain and, as appropriate, supplement or revise (after publishing proposed additions and revisions in the Federal Register and receiving public comments thereon) minimum requirements for criteria to be used by States for purposes of clauses (ii), (v), (vi), and (vii) of subsection (c)(1)(A).'';

(3) in subsection (c)—

(A) in paragraph (1)(B)—

(i) in the matter preceding clause (i), by striking ''(a)(1)(B)'' and inserting ''(a)(1)(B) or (a)(1)(C)'';

(ii) in clause (i), by striking ''program to be improved'' and inserting ''program to be improved or maintained'';

(iii) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(iv) by inserting after clause (ii), the following:

''(iii) a plan to apply the latest advances in health information technology, to the extent practicable, in order to incorporate prescription drug monitoring program data directly into the workflow of prescribers and dispensers to ensure timely access to patients' controlled prescription drug history;'';

(v) in clause (iv) (as so redesignated), by striking ''; and'' and inserting the following: ''and at least one health information technology system such as electronic health records, health information exchanges, or e-prescribing systems;'';

(vi) in clause (v) (as so redesignated)—

(I) by striking ''public health'' and inserting ''public health or safety''; and

(II) by striking the period and inserting ''; and''; and

(vii) by adding at the end the following:

''(vi) information, where applicable, on how the controlled substance monitoring program jointly works with the applicant's respective State substance abuse agency to ensure information collected and maintained by the controlled substance monitoring program is used to inform the provision of clinically appropriate substance use disorder services to individuals in need.'';

(B) in paragraph (3)—

(i) by striking ''If a State that submits'' and inserting the following:

''(A) IN GENERAL.—If a State that submits'';

(ii) by inserting before the period at the end ''and include timelines for full implementation of such interoperability. The State shall also describe the manner in which it will achieve interoperability between its monitoring program and health information technology systems, as allowable under State law, and include timelines for the implementation of such interoperability''; and

(iii) by adding at the end the following:

''(B) MONITORING OF EFFORTS.—The Secretary shall monitor State efforts to achieve interoperability, as described in subparagraph (A).''; and

(C) in paragraph (5)—

(i) by striking ''implement or improve'' and inserting ''establish, improve, or maintain''; and

(ii) by adding at the end the following: ''The Secretary shall redistribute any funds that are so returned among the remaining grantees under this section in accordance with the formula described in subsection (a)(2)(B).'';

(4) in subsection (d)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''In implementing or improving'' and all that follows through ''(a)(1)(B)'' and inserting ''In establishing, improving, or maintaining a controlled substance monitoring program under this section, a State shall comply, or with respect to a State that applies for a grant under subparagraph (B) or (C) of subsection (a)(1)''; and

(ii) by striking ''public health'' and inserting ''public health or safety''; and

(B) by adding at the end the following:

''(5) The State shall report on interoperability with the controlled substance monitoring program of Federal agencies, where appropriate, interoperability with health information technology systems such as electronic health records, health information exchanges, and e-prescribing, where appropriate, and whether or not the State provides automatic, up-to-date, or daily information about a patient when a practitioner (or the designee of a practitioner, where permitted) requests information about such patient.'';

(5) in subsections (e), (f)(1), and (g), by striking ''implementing or improving'' each place it appears and inserting ''establishing, improving, or maintaining'';

(6) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''misuse of a schedule II, III, or IV substance'' and inserting ''misuse of a controlled substance included in schedule II, III, or IV of section 202(c) of the Controlled Substances Act''; and

(ii) in subparagraph (D)—

(I) by inserting ''a State substance abuse agency,'' after ''State health department,''; and

(II) by striking ''such department, program, or administration'' each place it appears and inserting ''such department, program, agency, or administration'' in each such place; and

(B) by adding at the end the following:

''(3) EVALUATION AND REPORTING.—Subject to subsection (g), a State receiving a grant under subsection (a) shall provide the Secretary with aggregate data to enable the Secretary—

''(A) to evaluate the success of the State's program in achieving its purposes; or

''(B) to prepare and submit the report to Congress required by subsection (k)(2).

''(4) RESEARCH BY OTHER ENTITIES.—A department, program, agency, or administration receiving nonidentifiable information under paragraph (1)(D) may make such information available to other entities for research purposes.'';

(7) by striking subsection (k);

(8) by redesignating subsections (h) through (j) as subsections (i) through (k), respectively;

(9) in subsections (c)(1)(A)(iv) and (d)(4), by striking ''subsection (h)'' each place it appears and inserting ''subsection (i)'';

(10) by inserting after subsection (g) the following:

''(h) EDUCATION AND ACCESS TO THE MONITORING SYSTEM.—A State receiving a grant under subsection (a) shall take steps to—

''(1) facilitate prescriber and dispenser use of the State's controlled substance monitoring system, to the extent practicable; and

''(2) educate prescribers and dispensers on the benefits of the system.'';

(11) in subsection (k)(2)(A), as so redesignated—

(A) in clause (ii), by striking ''or affected'' and inserting '', established or strengthened initiatives to ensure linkages to substance use disorder services, or affected''; and

(B) in clause (iii), by striking ''including an assessment'' and inserting ''and between controlled substance monitoring programs and health information technology systems, including an assessment'';

(12) in subsection (l)(1), by striking ''establishment, implementation, or improvement'' and inserting ''establishment, improvement, or maintenance'';

(13) in subsection (m)(8), by striking ''and the District of Columbia'' and inserting '', the District of Columbia, and any commonwealth or territory of the United States''; and

(14) by amending subsection (n) to read as follows:

''(n) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated, $10,000,000 for each of fiscal years 2017 through 2021.''.

SEC. 110. OPIOID OVERDOSE REVERSAL MEDICATION ACCESS AND EDUCATION GRANT PROGRAMS.

(a) IN GENERAL.—Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.), as amended by section 107, is further amended by adding at the end the following:

''SEC. 545. OPIOID OVERDOSE REVERSAL MEDICATION ACCESS AND EDUCATION GRANT PROGRAMS.

''(a) GRANTS TO STATES.—The Secretary shall make grants to States to—

''(1) implement strategies for pharmacists to dispense a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose, as appropriate, pursuant to a standing order;

''(2) encourage pharmacies to dispense opioid overdose reversal medication pursuant to a standing order;

''(3) develop or provide training materials that persons authorized to prescribe or dispense a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose may use to educate the public concerning—

''(A) when and how to safely administer such drug or device; and

''(B) steps to be taken after administering such drug or device; and

''(4) educate the public concerning the availability of drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose without a person-specific prescription.

''(b) CERTAIN REQUIREMENT.—A grant may be made under this section only if the State involved has authorized standing orders to be issued for drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose.

''(c) PREFERENCE IN MAKING GRANTS.—In making grants under this section, the Secretary may give preference to States that have a significantly higher rate of opioid overdoses than the national average, and that—

''(1) have not implemented standing orders regarding drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose;

''(2) authorize standing orders to be issued that permit community-based organizations, substance abuse programs, or other nonprofit entities to acquire, dispense, or administer drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose; or

''(3) authorize standing orders to be issued that permit police, fire, or emergency medical services agencies to acquire and administer drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose.

''(d) GRANT TERMS.—

''(1) NUMBER.—A State may not receive more than one grant under this section at a time.

''(2) PERIOD.—A grant under this section shall be for a period of 3 years.

''(3) LIMITATION.—A State may use not more than 20 percent of a grant under this section for educating the public pursuant to subsection (a)(4).

''(e) APPLICATIONS.—To be eligible to receive a grant under this section, a State shall submit an application to the Secretary in such form and manner and containing such information as the Secretary may reasonably require, including detailed proposed expenditures of grant funds.

''(f) REPORTING.—A State that receives a grant under this section shall, at least annually for the duration of the grant, submit a report to the Secretary evaluating the progress of the activities supported through the grant. Such reports shall include information on the number of pharmacies in the State that dispense a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose under a standing order, and other information as the Secretary determines appropriate to evaluate the use of grant funds.

''(g) DEFINITIONS.—In this section the term 'standing order' means a document prepared by a person authorized to prescribe medication that permits another person to acquire, dispense, or administer medication without a person-specific prescription.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—To carry out this section, there are authorized to be appropriated $5,000,000 for the period of fiscal years 2017 through 2019.

''(2) ADMINISTRATIVE COSTS.—Not more than 3 percent of the amounts made available to carry out this section may be used by the Secretary for administrative expenses of carrying out this section.''.

(b) TECHNICAL CLARIFICATION.—Effective as if included in the enactment of the Children's Health Act of 2000 (Public Law 106–310), section 3405(a) of such Act (114 Stat. 1221) is amended by striking ''Part E of title III'' and inserting ''Part E of title III of the Public Health Service Act''.

TITLE II—LAW ENFORCEMENT AND TREATMENT

SEC. 201. COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM.

(a) COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM.—

(1) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following:

''PART LL—COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM

''SEC. 3021. DESCRIPTION.

''(a) GRANTS AUTHORIZED.—From amounts made available to carry out this part, the Attorney General may make grants to States, units of local government, and Indian tribes, for use by the State, unit of local government, or Indian tribe to provide services primarily relating to opioid abuse, including for any one or more of the following:

''(1) Developing, implementing, or expanding a treatment alternative to incarceration program, which may include—

''(A) prebooking or postbooking components, which may include the activities described in part DD or HH of this title;

''(B) training for criminal justice agency personnel on substance use disorders and co-occurring mental illness and substance use disorders;

''(C) a mental health court, including the activities described in part V of this title;

''(D) a drug court, including the activities described in part EE of this title;

''(E) a veterans treatment court program, including the activities described in subsection (i) of section 2991 of this title;

''(F) a focus on parents whose incarceration could result in their children entering the child welfare system; and

''(G) a community-based substance use diversion program sponsored by a law enforcement agency.

''(2) In the case of a State, facilitating or enhancing planning and collaboration between State criminal justice agencies and State substance abuse agencies in order to more efficiently and effectively carry out activities or services described in any paragraph of this subsection that address problems related to opioid abuse.

''(3) Providing training and resources for first responders on carrying and administering an opioid overdose reversal drug or device approved or cleared by the Food and Drug Administration, and purchasing such a drug or device for first responders who have received such training to so carry and administer.

''(4) Locating or investigating illicit activities related to the unlawful distribution of opioids.

''(5) Developing, implementing, or expanding a medication-assisted treatment program used or operated by a criminal justice agency, which may include training criminal justice agency personnel on medication-assisted treatment, and carrying out the activities described in part S of this title.

''(6) In the case of a State, developing, implementing, or expanding a prescription drug monitoring program to collect and analyze data related to the prescribing of schedules II, III, and IV controlled substances through a centralized database administered by an authorized State agency, which includes tracking the dispensation of such substances, and providing for interoperability and data sharing with each other such program in each other State, and with any interstate entity that shares information between such programs.

''(7) Developing, implementing, or expanding a program to prevent and address opioid abuse by juveniles.

''(8) Developing, implementing, or expanding a program (which may include demonstration projects) to utilize technology that provides a secure container for prescription drugs that would prevent or deter individuals, particularly adolescents, from gaining access to opioid medications that are lawfully prescribed for other individuals.

''(9) Developing, implementing, or expanding a prescription drug take-back program.

''(10) Developing, implementing, or expanding an integrated and comprehensive opioid abuse response program.

''(b) CONTRACTS AND SUBAWARDS.—A State, unit of local government, or Indian tribe may, in using a grant under this part for purposes authorized by subsection (a), use all or a portion of that grant to contract with, or make one or more subawards to, one or more—

''(1) local or regional organizations that are private and nonprofit, including faith-based organizations;

''(2) units of local government; or

''(3) tribal organizations.

''(c) PROGRAM ASSESSMENT COMPONENT; WAIVER.—

''(1) PROGRAM ASSESSMENT COMPONENT.—Each program funded under this part shall contain a program assessment component, developed pursuant to guidelines established by the Attorney General, in coordination with the National Institute of Justice.

''(2) WAIVER.—The Attorney General may waive the requirement of paragraph (1) with respect to a program if, in the opinion of the Attorney General, the program is not of sufficient size to justify a full program assessment.

''(d) ADMINISTRATIVE COSTS.—Not more than 10 percent of a grant made under this part may be used for costs incurred to administer such grant.

''(e) PERIOD.—The period of a grant made under this part may not be longer than 4 years, except that renewals and extensions beyond that period may be granted at the discretion of the Attorney General.

''SEC. 3022. APPLICATIONS.

''To request a grant under this part, the chief executive officer of a State, unit of local government, or Indian tribe shall submit an application to the Attorney General at such time and in such form as the Attorney General may require. Such application shall include the following:

''(1) A certification that Federal funds made available under this part will not be used to supplant State, local, or tribal funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for the activities described in section 3021(a).

''(2) An assurance that, for each fiscal year covered by an application, the applicant shall maintain and report such data, records, and information (programmatic and financial) as the Attorney General may reasonably require.

''(3) A certification, made in a form acceptable to the Attorney General and executed by the chief executive officer of the applicant (or by another officer of the applicant, if qualified under regulations promulgated by the Attorney General), that—

''(A) the activities or services to be funded by the grant meet all the requirements of this part;

''(B) all the information contained in the application is correct;

''(C) there has been appropriate coordination with affected agencies; and

''(D) the applicant will comply with all provisions of this part and all other applicable Federal laws.

''(4) An assurance that the applicant will work with the Drug Enforcement Administration to develop an integrated and comprehensive strategy to address opioid abuse.

''SEC. 3023. REVIEW OF APPLICATIONS.

''The Attorney General shall not finally disapprove any application (or any amendment to that application) submitted under this part without first affording the applicant reasonable notice of any deficiencies in the application and an opportunity for correction of any such deficiencies and reconsideration.

''SEC. 3024. EQUITABLE DISTRIBUTION OF FUNDS.

''In awarding grants under this part, the Attorney General shall distribute funds in a manner that—

''(1) equitably addresses the needs of underserved populations, including rural and tribal communities; and

''(2) focuses on communities that have been disproportionately impacted by opioid abuse as evidenced in part by—

''(A) high rates of primary treatment admissions for heroin and other opioids;

''(B) high rates of drug poisoning deaths from heroin and other opioids; and

''(C) a lack of accessibility to treatment providers and facilities and to emergency medical services.

''SEC. 3025. DEFINITIONS.

''In this part:

''(1) The term 'first responder' includes a firefighter, law enforcement officer, paramedic, emergency medical technician, or other individual (including an employee of a legally organized and recognized volunteer organization, whether compensated or not), who, in the course of his or her professional duties, responds to fire, medical, hazardous material, or other similar emergencies.

''(2) The term 'medication-assisted treatment' means the use of medications approved by the Food and Drug Administration for the treatment of opioid abuse.

''(3) The term 'opioid' means any drug, including heroin, having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability.

''(4) The term 'schedule II, III, or IV controlled substance' means a controlled substance that is listed on schedule II, schedule III, or schedule IV of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

''(5) The terms 'drug' and 'device' have the meanings given those terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(6) The term 'criminal justice agency' means a State, local, or tribal—

''(A) court;

''(B) prison;

''(C) jail;

''(D) law enforcement agency; or

''(E) other agency that performs the administration of criminal justice, including prosecution, pretrial services, and community supervision.

''(7) The term 'tribal organization' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''(8) The term 'State substance abuse agency' has the meaning given that term in section 508(r)(6) of the Public Health Service Act (42 U.S.C. 290bb–1).''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by inserting after paragraph (26) the following:

''(27) There are authorized to be appropriated to carry out part LL $103,000,000 for each of fiscal years 2017 through 2021.''.

(b) EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.—Section 609Y(a) of the Justice Assistance Act of 1984 (42 U.S.C. 10513(a)) is amended by striking ''September 30, 1984'' and inserting ''September 30, 2021''.

(c) INCLUSION OF SERVICES FOR PREGNANT WOMEN UNDER FAMILY-BASED SUBSTANCE ABUSE GRANTS.—Part DD of title I of the Omnibus Crime Control and Safe Streets Act (42 U.S.C. 3797s et seq.) is amended—

(1) in section 2921(2), by inserting before the period at the end ''or pregnant women''; and

(2) in section 2927—

(A) in paragraph (1)(A), by inserting ''pregnant or'' before ''a parent''; and

(B) in paragraph (3), by inserting ''or pregnant women'' after ''incarcerated parents''.

(d) GAO STUDY AND REPORT ON FEDERAL AGENCY PROGRAMS AND RESEARCH RELATIVE TO SUBSTANCE USE AND SUBSTANCE USE DISORDERS AMONG ADOLESCENTS AND YOUNG ADULTS.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on how Federal agencies, through grant programs, are addressing prevention of, treatment for, and recovery from, substance use by, and substance use disorders among, adolescents and young adults. Such study shall include an analysis of each of the following:

(A) The research that has been, and is being, conducted or supported pursuant to grant programs operated by Federal agencies on prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults, including an assessment of—

(i) such research relative to any unique circumstances (including social and biological circumstances) of adolescents and young adults that may make adolescent-specific and young adult-specific treatment protocols necessary, including any effects that substance use and substance use disorders may have on brain development and the implications for treatment and recovery; and

(ii) areas of such research in which greater investment or focus is necessary relative to other areas of such research.

(B) Federal agency nonresearch programs and activities that address prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults, including an assessment of the effectiveness of such programs and activities in

preventing substance use by and substance use disorders among adolescents and young adults, treating such adolescents and young adults in a way that accounts for any unique circumstances faced by adolescents and young adults, and supports long-term recovery among adolescents and young adults.

(C) Gaps that have been identified by officials of Federal agencies or experts in the efforts supported by grant programs operated by Federal agencies relating to prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults, including gaps in research, data collection, and measures to evaluate the effectiveness of such efforts, and the reasons for such gaps.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of the Congress a report containing the results of the study conducted under paragraph (1), including—

(A) a summary of the findings of the study; and

(B) recommendations based on the results of the study, including recommendations for such areas of research and legislative and administrative action as the Comptroller General determines appropriate.

SEC. 202. FIRST RESPONDER TRAINING.

Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.), as amended by section 110, is further amended by adding at the end the following:

"SEC. 546. FIRST RESPONDER TRAINING.

''(a) PROGRAM AUTHORIZED.—The Secretary shall make grants to States, local governmental entities, and Indian tribes and tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) to allow first responders and members of other key community sectors to administer a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose.

''(b) APPLICATION.—

''(1) IN GENERAL.—An entity seeking a grant under this section shall submit an application to the Secretary—

''(A) that meets the criteria under paragraph (2); and

''(B) at such time, in such manner, and accompanied by such information as the Secretary may require.

''(2) CRITERIA.—An entity, in submitting an application under paragraph (1), shall—

''(A) describe the evidence-based methodology and outcome measurements that will be used to evaluate the program funded with a grant under this section, and specifically explain how such measurements will provide valid measures of the impact of the program;

''(B) describe how the program could be broadly replicated if demonstrated to be effective;

''(C) identify the governmental and community agencies with which the entity will coordinate to implement the program; and

''(D) describe how the entity will ensure that law enforcement agencies will coordinate with their corresponding State substance abuse and mental health agencies to identify protocols and resources that are available to overdose victims and families, including information on treatment and recovery resources.

''(c) USE OF FUNDS.—An entity shall use a grant received under this section to—

''(1) make a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose available to be carried and administered by first responders and members of other key community sectors;

''(2) train and provide resources for first responders and members of other key community sectors on carrying and administering a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose; and

''(3) establish processes, protocols, and mechanisms for referral to appropriate treatment, which may include an outreach coordinator or team to connect individuals receiving opioid overdose reversal drugs to followup services.

''(d) TECHNICAL ASSISTANCE GRANTS.—The Secretary shall make a grant for the purpose of providing technical assistance and training on the use of a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose, and mechanisms for referral to appropriate treatment for an entity receiving a grant under this section.

''(e) GEOGRAPHIC DISTRIBUTION.—In making grants under this section, the Secretary shall ensure that not less than 20 percent of grant funds are awarded to eligible entities that are not located in metropolitan statistical areas (as defined by the Office of Management and Budget). The Secretary shall take into account the unique needs of rural communities, including communities with an incidence of individuals with opioid use disorder that is above the national average and communities with a shortage of prevention and treatment services.

''(f) EVALUATION.—The Secretary shall conduct an evaluation of grants made under this section to determine—

''(1) the number of first responders and members of other key community sectors equipped with a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose;

''(2) the number of opioid and heroin overdoses reversed by first responders and members of other key community sectors receiving training and supplies of a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose, through a grant received under this section;

''(3) the number of responses to requests for services by the entity or subgrantee, to opioid and heroin overdose; and

''(4) the extent to which overdose victims and families receive information about treatment services and available data describing treatment admissions.

''(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $12,000,000 for each of fiscal years 2017 through 2021.''.

SEC. 203. PRESCRIPTION DRUG TAKE BACK EXPANSION.

(a) DEFINITION OF COVERED ENTITY.—In this section, the term ''covered entity'' means—

(1) a State, local, or tribal law enforcement agency;

(2) a manufacturer, distributor, or reverse distributor of prescription medications;

(3) a retail pharmacy;

(4) a registered narcotic treatment program;

(5) a hospital or clinic with an onsite pharmacy;

(6) an eligible long-term care facility; or

(7) any other entity authorized by the Drug Enforcement Administration to dispose of prescription medications.

(b) PROGRAM AUTHORIZED.—The Attorney General, in coordination with the Administrator of the Drug Enforcement Administration, the Secretary of Health and Human Services, and the Director of the Office of National Drug Control Policy, shall coordinate with covered entities in expanding or making available disposal sites for unwanted prescription medications.

TITLE III—TREATMENT AND RECOVERY

SEC. 301. EVIDENCE-BASED PRESCRIPTION OPIOID AND HEROIN TREATMENT AND INTERVENTIONS DEMONSTRATION.

Subpart 1 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended by adding at the end the following:

"SEC. 514B. EVIDENCE-BASED PRESCRIPTION OPIOID AND HEROIN TREATMENT AND INTERVENTIONS DEMONSTRATION.

''(a) GRANTS TO EXPAND ACCESS.—

''(1) AUTHORITY TO AWARD GRANTS.—The Secretary shall award grants, contracts, or cooperative agreements to State substance abuse agencies, units of local government, nonprofit organizations, and Indian tribes and tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) that have a high rate, or have had a rapid increase, in the use of heroin or other opioids, in order to permit such entities to expand activities, including an expansion in the availability of evidence-based medication-assisted treatment and other clinically appropriate services, with respect to the treatment of addiction in the specific geographical areas of such entities where there is a high rate or rapid increase in the use of heroin or other opioids, such as in rural areas.

''(2) NATURE OF ACTIVITIES.—Funds awarded under paragraph (1) shall be used for activities that are based on reliable scientific evidence of efficacy in the treatment of problems related to heroin or other opioids.

''(b) APPLICATION.—To be eligible for a grant, contract, or cooperative agreement under subsection (a), an entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(c) EVALUATION.—An entity that receives a grant, contract, or cooperative agreement under subsection (a) shall submit, in the application for such grant, contract, or agreement a plan for the evaluation of any project undertaken with funds provided under this section. Such entity shall provide the Secretary with periodic evaluations of the progress of such project and an evaluation at the completion of such project as the Secretary determines to be appropriate.

''(d) GEOGRAPHIC DISTRIBUTION.—In awarding grants, contracts, and cooperative agreements under this section, the Secretary shall ensure that not less than 15 percent of funds are awarded to eligible entities that are not located in metropolitan statistical areas (as defined by the Office of Management and Budget). The Secretary shall take into account the unique needs of rural communities, including communities with an incidence of individuals with opioid use disorder that is above the national average and communities with a shortage of prevention and treatment services.

''(e) ADDITIONAL ACTIVITIES.—In administering grants, contracts, and cooperative agreements under subsection (a), the Secretary shall—

''(1) evaluate the activities supported under such subsection;

''(2) disseminate information, as appropriate, derived from evaluations as the Secretary considers appropriate;

''(3) provide States, Indian tribes and tribal organizations, and providers with technical assistance in connection with the provision of treatment of problems related to heroin and other opioids; and

''(4) fund only those applications that specifically support recovery services as a critical component of the program involved.

''(f) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $25,000,000 for each of fiscal years 2017 through 2021.''.

SEC. 302. BUILDING COMMUNITIES OF RECOVERY.

Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.), as amended by section 202, is further amended by adding at the end the following:

"SEC. 547. BUILDING COMMUNITIES OF RECOVERY.

''(a) DEFINITION.—In this section, the term 'recovery community organization' means an independent nonprofit organization that—

''(1) mobilizes resources within and outside of the recovery community to increase the prevalence and quality of long-term recovery from substance use disorders; and

''(2) is wholly or principally governed by people in recovery for substance use disorders who reflect the community served.

''(b) GRANTS AUTHORIZED.—The Secretary shall award grants to recovery community organizations to enable such organizations to develop, expand, and enhance recovery services.

''(c) FEDERAL SHARE.—The Federal share of the costs of a program funded by a grant under this section may not exceed 50 percent.

''(d) USE OF FUNDS.—Grants awarded under subsection (b)—

''(1) shall be used to develop, expand, and enhance community and statewide recovery support services; and

''(2) may be used to—

''(A) build connections between recovery networks, between recovery community organizations, and with other recovery support services, including—

''(i) behavioral health providers;

''(ii) primary care providers and physicians;

''(iii) the criminal justice system;

''(iv) employers;

''(v) housing services;

''(vi) child welfare agencies; and

''(vii) other recovery support services that facilitate recovery from substance use disorders;

''(B) reduce the stigma associated with substance use disorders; and

''(C) conduct outreach on issues relating to substance use disorders and recovery, including—

''(i) identifying the signs of addiction;

''(ii) the resources available to individuals struggling with addiction and to families with a family member struggling with, or being treated for, addiction, including programs that mentor and provide support services to children;

''(iii) the resources available to help support individuals in recovery; and

''(iv) related medical outcomes of substance use disorders, the potential of acquiring an infectious disease from intravenous drug use, and neonatal abstinence syndrome among infants exposed to opioids during pregnancy.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2017 through 2021.''.

SEC. 303. MEDICATION-ASSISTED TREATMENT FOR RECOVERY FROM ADDICTION.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)) is amended—

(A) in subparagraph (B), by striking clauses (i), (ii), and (iii) and inserting the following:

''(i) The practitioner is a qualifying practitioner (as defined in subparagraph (G)).

''(ii) With respect to patients to whom the practitioner will provide such drugs or combinations of drugs, the practitioner has the capacity to provide directly, by referral, or in such other manner as determined by the Secretary—

''(I) all drugs approved by the Food and Drug Administration for the treatment of opioid use disorder, including for maintenance, detoxification, overdose reversal, and relapse prevention; and

''(II) appropriate counseling and other appropriate ancillary services.

''(iii)(I) The total number of such patients of the practitioner at any one time will not exceed the applicable number. Except as provided in subclause (II), the applicable number is 30.

''(II) The applicable number is 100 if, not sooner than 1 year after the date on which the practitioner submitted the initial notification, the practitioner submits a second notification to the Secretary of the need and intent of the practitioner to treat up to 100 patients.

''(III) The Secretary may by regulation change such applicable number.

''(IV) The Secretary may exclude from the applicable number patients to whom such drugs or combinations of drugs are directly administered by the qualifying practitioner in the office setting.'';

(B) in subparagraph (D)—

(i) in clause (ii), by striking ''Upon receiving a notification under subparagraph (B)'' and inserting ''Upon receiving a determination from the Secretary under clause (iii) finding that a practitioner meets all requirements for a waiver under subparagraph (B)''; and

(ii) in clause (iii)—

(I) by inserting ''and shall forward such determination to the Attorney General'' before the period at the end of the first sentence; and

(II) by striking ''physician'' and inserting ''practitioner'';

(C) in subparagraph (G)—

(i) by amending clause (ii)(I) to read as follows:

''(I) The physician holds a board certification in addiction psychiatry or addiction medicine from the American Board of Medical Specialties.'';

(ii) by amending clause (ii)(II) to read as follows:

''(II) The physician holds an addiction certification or board certification from the American Society of Addiction Medicine or the American Board of Addiction Medicine.'';

(iii) in clause (ii)(III), by striking ''subspecialty'';

(iv) by amending clause (ii)(IV) to read as follows:

''(IV) The physician has, with respect to the treatment and management of opiate-dependent patients, completed not less than 8 hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or any other organization that the Secretary determines is appropriate for purposes of this subclause. Such training shall include—

''(aa) opioid maintenance and detoxification;

''(bb) appropriate clinical use of all drugs approved by the Food and Drug Administration for the treatment of opioid use disorder;

''(cc) initial and periodic patient assessments (including substance use monitoring);

''(dd) individualized treatment planning, overdose reversal, and relapse prevention;

''(ee) counseling and recovery support services;

''(ff) staffing roles and considerations;

''(gg) diversion control; and

''(hh) other best practices, as identified by the Secretary.''; and

(v) by adding at the end the following:

''(iii) The term 'qualifying practitioner' means—

''(I) a qualifying physician, as defined in clause (ii); or

''(II) during the period beginning on the date of enactment of the Comprehensive Addiction and Recovery Act of 2016 and ending on October 1, 2021, a qualifying other practitioner, as defined in clause (iv).

''(iv) The term 'qualifying other practitioner' means a nurse practitioner or physician assistant who satisfies each of the following:

''(I) The nurse practitioner or physician assistant is licensed under State law to prescribe schedule III, IV, or V medications for the treatment of pain.

''(II) The nurse practitioner or physician assistant has—

''(aa) completed not fewer than 24 hours of initial training addressing each of the topics listed in clause (ii)(IV) (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Nurses Credentialing Center, the American Psychiatric Association, the American Association of Nurse Practitioners, the American Academy of Physician Assistants, or any other organization that the Secretary determines is appropriate for purposes of this subclause; or

''(bb) has such other training or experience as the Secretary determines will demonstrate the ability of the nurse practitioner or physician assistant to treat and manage opiate-dependent patients.

''(III) The nurse practitioner or physician assistant is supervised by, or works in collaboration with, a qualifying physician, if the nurse practitioner or physician assistant is required by State law to prescribe medications for the treatment of opioid use disorder in collaboration with or under the supervision of a physician.

The Secretary may, by regulation, revise the requirements for being a qualifying other practitioner under this clause.''; and

(D) in subparagraph (H)—

(i) in clause (i), by inserting after subclause (II) the following:

''(III) Such other elements of the requirements under this paragraph as the Secretary determines necessary for purposes of implementing such requirements.''; and

(ii) by amending clause (ii) to read as follows:

''(ii) Not later than 18 months after the date of enactment of the Opioid Use Disorder Treatment Expansion and Modernization Act, the Secretary shall update the treatment improvement protocol containing best practice guidelines for the treatment of opioid-dependent patients in office-based settings. The Secretary shall update such protocol in consultation with experts in opioid use disorder research and treatment.''.

(2) OPIOID DEFINED.—Section 102(18) of the Controlled Substances Act (21 U.S.C. 802(18)) is amended by inserting ''or 'opioid' '' after ''The term 'opiate' ''.

(3) REPORTS TO CONGRESS.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act and not later than 3 years thereafter, the Secretary of Health and Human Services, in consultation with the Drug Enforcement Administration and experts in opioid use disorder research and treatment, shall—

(i) perform a thorough review of the provision of opioid use disorder treatment services in the United States, including services provided in opioid treatment programs and other specialty and nonspecialty settings; and

(ii) submit a report to the Congress on the findings and conclusions of such review.

(B) CONTENTS.—Each report under subparagraph (A) shall include an assessment of—

(i) compliance with the requirements of section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)), as amended by this section;

(ii) the measures taken by the Secretary of Health and Human Services to ensure such compliance;

(iii) whether there is further need to increase or decrease the number of patients a practitioner, pursuant to a waiver under section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)), is permitted to treat;

(iv) the extent to which, and proportions with which, the full range of Food and Drug Administration-approved treatments for opioid use disorder are used in routine health care settings

and specialty substance use disorder treatment settings;

(v) access to, and use of, counseling and recovery support services, including the percentage of patients receiving such services;

(vi) changes in State or local policies and legislation relating to opioid use disorder treatment;

(vii) the use of prescription drug monitoring programs by practitioners who are permitted to dispense narcotic drugs to individuals pursuant to a waiver described in clause (iii);

(viii) the findings resulting from inspections by the Drug Enforcement Administration of practitioners described in clause (vii); and

(ix) the effectiveness of cross-agency collaboration between Department of Health and Human Services and the Drug Enforcement Administration for expanding effective opioid use disorder treatment.

(b) STATE FLEXIBILITY.—Section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)) is amended by striking subparagraphs (I) and (J), and inserting the following:

''(I) Notwithstanding section 708, nothing in this paragraph shall be construed to preempt any State law that—

''(i) permits a qualifying practitioner to dispense narcotic drugs in schedule III, IV, or V, or combinations of such drugs, for maintenance or detoxification treatment in accordance with this paragraph to a total number of patients that is more than 30 or less than the total number applicable to the qualifying practitioner under subparagraph (B)(iii)(II) if a State enacts a law modifying such total number and the Attorney General is notified by the State of such modification; or

''(ii) requires a qualifying practitioner to comply with additional requirements relating to the dispensing of narcotic drugs in schedule III, IV, or V, or combinations of such drugs, including requirements relating to the practice setting in which the qualifying practitioner practices and education, training, and reporting requirements.''.

(c) UPDATE REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Attorney General and the Secretary of Health and Human Services, as appropriate, shall update regulations regarding practitioners described in subsection (a)(3)(B)(vii) (as amended by this section) to include nurse practitioners and physician assistants to ensure the quality of patient care and prevent diversion.

TITLE IV—ADDRESSING COLLATERAL CONSEQUENCES

SEC. 401. GAO REPORT ON RECOVERY AND COLLATERAL CONSEQUENCES.

(a) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes the collateral consequences for individuals with convictions for nonviolent drug-related offenses;

(2) describes the effect of the collateral consequences described in paragraph (1) on individuals in resuming their personal and professional activities, especially, to the extent data are available, the effect on individuals who are participating in or have completed a recovery program for a substance use disorder;

(3) discusses policy bases and justifications for imposing collateral consequences on individuals convicted of nonviolent drug-related offenses identified under paragraph (1); and

(4) provides perspectives on the potential for mitigating the effect of the collateral consequences described in paragraph (1) on individuals who are participating in or have completed a recovery program, while also taking into account the policy interests described in paragraph (3).

(b) DEFINITION.—In this section, the term ''collateral consequence''—

(1) means a penalty, disability, or disadvantage imposed upon an individual as a result of a criminal conviction for a drug-related offense—

(A) automatically by operation of law; or

(B) by authorized action of an administrative agency or court on a case-by-case basis; and

(2) does not include a direct consequence imposed as part of the judgment of a court at sentencing, including a term of imprisonment or community supervision, or a fine.

TITLE V—ADDICTION AND TREATMENT SERVICES FOR WOMEN, FAMILIES, AND VETERANS

SEC. 501. IMPROVING TREATMENT FOR PREGNANT AND POSTPARTUM WOMEN.

(a) GENERAL AMENDMENTS TO THE RESIDENTIAL TREATMENT PROGRAM FOR PREGNANT AND POSTPARTUM WOMEN.—Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''(referred to in this section as the 'Director')'' after ''Substance Abuse Treatment'';

(ii) by striking ''grants, cooperative agreement,'' and inserting ''grants, including the grants under subsection (r), cooperative agreements''; and

(iii) by striking ''for substance abuse'' and inserting ''for substance use disorders''; and

(B) in paragraph (1), by inserting ''or receive outpatient treatment services from'' after ''reside in'';

(2) in subsection (b)(2), by inserting ''and her children'' before the period at the end;

(3) in subsection (c)—

(A) in paragraph (1), by striking ''to the woman of the services'' and inserting ''of services for the woman and her children''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''substance abuse'' and inserting ''substance use disorders''; and

(ii) in subparagraph (B), by striking ''such abuse'' and inserting ''such a disorder'';

(4) in subsection (d)—

(A) in paragraph (3)(A), by striking ''maternal substance abuse'' and inserting ''a maternal substance use disorder'';

(B) by amending paragraph (4) to read as follows:

''(4) Providing therapeutic, comprehensive child care for children during the periods in which the woman is engaged in therapy or in other necessary health and rehabilitative activities.'';

(C) in paragraphs (9), (10), and (11), by striking ''women'' each place such term appears and inserting ''woman'';

(D) in paragraph (9), by striking ''units'' and inserting ''unit''; and

(E) in paragraph (11)—

(i) in subparagraph (A), by striking ''their children'' and inserting ''any child of such woman'';

(ii) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(iii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(D) family reunification with children in kinship or foster care arrangements, where safe and appropriate.'';

(5) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''substance abuse'' and inserting ''substance use disorders''; and

(ii) in subparagraph (B), by striking ''substance abuse'' and inserting ''substance use disorders''; and

(B) in paragraph (2)—

(i) by striking ''(A) Subject'' and inserting the following:

''(A) IN GENERAL.—Subject'';

(ii) in subparagraph (B)—

(I) by striking ''(B)(i) In the case'' and inserting the following:

''(B) WAIVER OF PARTICIPATION AGREEMENTS.—

''(i) IN GENERAL.—In the case''; and

(II) by striking ''(ii) A determination'' and inserting the following:

''(ii) DONATIONS.—A determination''; and

(iii) by striking ''(C) With respect'' and inserting the following:

''(C) NONAPPLICATION OF CERTAIN REQUIREMENTS.—With respect'';

(6) in subsection (g)—

(A) by striking ''who are engaging in substance abuse'' and inserting ''who have a substance use disorder''; and

(B) by striking ''such abuse'' and inserting ''such disorder'';

(7) in subsection (j)—

(A) in the matter preceding paragraph (1), by striking ''to on'' and inserting ''to or on''; and

(B) in paragraph (3), by striking ''Office for'' and inserting ''Office of'';

(8) by amending subsection (m) to read as follows:

''(m) ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall give priority to an applicant that agrees to use the award for a program serving an area that is a rural area, an area designated under section 332 by the Secretary as a health professional shortage area, or an area determined by the Director to have a shortage of family-based substance use disorder treatment options.''; and

(9) in subsection (q)—

(A) in paragraph (3), by striking ''funding agreement under subsection (a)'' and inserting ''funding agreement''; and

(B) in paragraph (4), by striking ''substance abuse'' and inserting ''a substance use disorder''.

(b) REAUTHORIZATION OF PROGRAM.—Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1), as amended by subsection (a), is further amended—

(1) in subsection (p), in the first sentence, by inserting ''(other than subsection (r))'' after ''section''; and

(2) in subsection (r), by striking ''such sums'' and all that follows through ''2003'' and inserting ''$16,900,000 for each of fiscal years 2017 through 2021''.

(c) PILOT PROGRAM GRANTS FOR STATE SUBSTANCE ABUSE AGENCIES.—

(1) IN GENERAL.—Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1), as amended by subsections (a) and (b), is further amended—

(A) by redesignating subsection (r), as amended by subsection (b), as subsection (s); and

(B) by inserting after subsection (q) the following new subsection:

''(r) PILOT PROGRAM FOR STATE SUBSTANCE ABUSE AGENCIES.—

''(1) IN GENERAL.—From amounts made available under subsection (s), the Director of the Center for Substance Abuse Treatment shall carry out a pilot program under which competitive grants are made by the Director to State substance abuse agencies—

''(A) to enhance flexibility in the use of funds designed to support family-based services for pregnant and postpartum women with a primary diagnosis of a substance use disorder, including opioid use disorders;

''(B) to help State substance abuse agencies address identified gaps in services furnished to such women along the continuum of care, including services provided to women in nonresidential-based settings; and

''(C) to promote a coordinated, effective, and efficient State system managed by State substance abuse agencies by encouraging new approaches and models of service delivery.

''(2) REQUIREMENTS.—In carrying out the pilot program under this subsection, the Director shall—

''(A) require State substance abuse agencies to submit to the Director applications, in such form and manner and containing such information as specified by the Director, to be eligible to receive a grant under the program;

''(B) identify, based on such submitted applications, State substance abuse agencies that are eligible for such grants;

''(C) require services proposed to be furnished through such a grant to support family-based treatment and other services for pregnant and postpartum women with a primary diagnosis of a substance use disorder, including opioid use disorders;

''(D) not require that services furnished through such a grant be provided solely to women that reside in facilities;

''(E) not require that grant recipients under the program make available through use of the grant all the services described in subsection (d); and

''(F) consider not applying the requirements described in paragraphs (1) and (2) of subsection (f) to an applicant, depending on the circumstances of the applicant.

''(3) REQUIRED SERVICES.—

''(A) IN GENERAL.—The Director shall specify a minimum set of services required to be made available to eligible women through a grant awarded under the pilot program under this subsection. Such minimum set of services—

''(i) shall include the services requirements described in subsection (c) and be based on the recommendations submitted under subparagraph (B); and

''(ii) may be selected from among the services described in subsection (d) and include other services as appropriate.

''(B) STAKEHOLDER INPUT.—The Director shall convene and solicit recommendations from stakeholders, including State substance abuse agencies, health care providers, persons in recovery from substance abuse, and other appropriate individuals, for the minimum set of services described in subparagraph (A).

''(4) DURATION.—The pilot program under this subsection shall not exceed 5 years.

''(5) EVALUATION AND REPORT TO CONGRESS.—

''(A) IN GENERAL.—The Director of the Center for Behavioral Health Statistics and Quality shall evaluate the pilot program at the conclusion of the first grant cycle funded by the pilot program.

''(B) REPORT.—The Director of the Center for Behavioral Health Statistics and Quality, in coordination with the Director of the Center for Substance Abuse Treatment shall submit to the relevant committees of jurisdiction of the House of Representatives and the Senate a report on the evaluation under subparagraph (A). The report shall include, at a minimum—

''(i) outcomes information from the pilot program, including any resulting reductions in the use of alcohol and other drugs;

''(ii) engagement in treatment services;

''(iii) retention in the appropriate level and duration of services;

''(iv) increased access to the use of medications approved by the Food and Drug Administration for the treatment of substance use disorders in combination with counseling; and

''(v) other appropriate measures.

''(C) RECOMMENDATION.—The report under subparagraph (B) shall include a recommendation by the Director of the Center for Substance Abuse Treatment as to whether the pilot program under this subsection should be extended.

''(6) STATE SUBSTANCE ABUSE AGENCIES DEFINED.—For purposes of this subsection, the term 'State substance abuse agency' means, with respect to a State, the agency in such State that manages the Substance Abuse Prevention and Treatment Block Grant under part B of title XIX.''.

(2) FUNDING.—Subsection (s) of section 508 of the Public Health Service Act (42 U.S.C. 290bb–1), as amended by subsection (a) and redesignated by paragraph (1), is further amended by adding at the end the following new sentences: ''Of the amounts made available for a year pursuant to the previous sentence to carry out this section, not more than 25 percent of such amounts shall be made available for such year to carry out subsection (r), other than paragraph (5) of such subsection. Notwithstanding the preceding sentence, no funds shall be made available to carry out subsection (r) for a fiscal year unless the amount made available to carry out this section for such fiscal year is more than the amount made available to carry out this section for fiscal year 2016.''.

SEC. 502. VETERANS TREATMENT COURTS.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following:

''(i) ASSISTING VETERANS.—

''(1) DEFINITIONS.—In this subsection:

''(A) PEER-TO-PEER SERVICES OR PROGRAMS.—The term 'peer-to-peer services or programs' means services or programs that connect qualified veterans with other veterans for the purpose of providing support and mentorship to assist qualified veterans in obtaining treatment, recovery, stabilization, or rehabilitation.

''(B) QUALIFIED VETERAN.—The term 'qualified veteran' means a preliminarily qualified offender who—

''(i) served on active duty in any branch of the Armed Forces, including the National Guard or Reserves; and

''(ii) was discharged or released from such service under conditions other than dishonorable, unless the reason for the dishonorable discharge was attributable to a substance abuse disorder.

''(C) VETERANS TREATMENT COURT PROGRAM.—The term 'veterans treatment court program' means a court program involving collaboration among criminal justice, veterans, and mental health and substance abuse agencies that provides qualified veterans with—

''(i) intensive judicial supervision and case management, which may include random and frequent drug testing where appropriate;

''(ii) a full continuum of treatment services, including mental health services, substance abuse services, medical services, and services to address trauma;

''(iii) alternatives to incarceration; or

''(iv) other appropriate services, including housing, transportation, mentoring, employment, job training, education, or assistance in applying for and obtaining available benefits.

''(2) VETERANS ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Attorney General, in consultation with the Secretary of Veterans Affairs, may award grants under this subsection to applicants to establish or expand—

''(i) veterans treatment court programs;

''(ii) peer-to-peer services or programs for qualified veterans;

''(iii) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to qualified veterans who have been incarcerated; or

''(iv) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and appropriately respond to incidents involving qualified veterans.

''(B) PRIORITY.—In awarding grants under this subsection, the Attorney General shall give priority to applications that—

''(i) demonstrate collaboration between and joint investments by criminal justice, mental health, substance abuse, and veterans service agencies;

''(ii) promote effective strategies to identify and reduce the risk of harm to qualified veterans and public safety; and

''(iii) propose interventions with empirical support to improve outcomes for qualified veterans.''.

SEC. 503. INFANT PLAN OF SAFE CARE.

(a) BEST PRACTICES FOR DEVELOPMENT OF PLANS OF SAFE CARE.—Section 103(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5104(b)) is amended—

(1) by redesignating paragraphs (5) through (8) as paragraphs (6) through (9), respectively; and

(2) by inserting after paragraph (4) the following:

''(5) maintain and disseminate information about the requirements of section 106(b)(2)(B)(iii) and best practices relating to the development of plans of safe care as described in such section for infants born and identified as being affected by substance abuse or withdrawal symptoms, or a Fetal Alcohol Spectrum Disorder;''.

(b) STATE PLANS.—Section 106(b)(2)(B) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)) is amended—

(1) in clause (ii), by striking ''illegal substance abuse'' and inserting ''substance abuse''; and

(2) in clause (iii)—

(A) by striking ''illegal substance abuse'' and inserting ''substance abuse''; and

(B) by inserting before the semicolon at the end the following: ''to ensure the safety and well-being of such infant following release from the care of health care providers, including through—

''(I) addressing the health and substance use disorder treatment needs of the infant and affected family or caregiver; and

''(II) the development and implementation by the State of monitoring systems regarding the implementation of such plans to determine whether and in what manner local entities are providing, in accordance with State requirements, referrals to and delivery of appropriate services for the infant and affected family or caregiver''.

(c) DATA REPORTS.—

(1) IN GENERAL.—Section 106(d) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(d)) is amended by adding at the end of the following:

''(17) The number of infants—

''(A) identified under subsection (b)(2)(B)(ii);

''(B) for whom a plan of safe care was developed under subsection (b)(2)(B)(iii); and

''(C) for whom a referral was made for appropriate services, including services for the affected family or caregiver, under subsection (b)(2)(B)(iii).''.

(2) REDESIGNATION.—Effective on May 29, 2017, section 106(d) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(d)) is amended by redesignating paragraph (17) (as added by paragraph (1)) as paragraph (18).

(d) MONITORING AND OVERSIGHT.—

(1) AMENDMENT.—Title I of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) is amended by adding at the end the following:

''SEC. 114. MONITORING AND OVERSIGHT.

''The Secretary shall conduct monitoring to ensure that each State that receives a grant under section 106 is in compliance with the requirements of section 106(b), which—

''(1) shall—

''(A) be in addition to the review of the State plan upon its submission under section 106(b)(1)(A); and

''(B) include monitoring of State policies and procedures required under clauses (ii) and (iii) of section 106(b)(2)(B); and

''(2) may include—

''(A) a comparison of activities carried out by the State to comply with the requirements of section 106(b) with the State plan most recently approved under section 432 of the Social Security Act;

''(B) a review of information available on the website of the State relating to its compliance with the requirements of section 106(b);

''(C) site visits, as may be necessary to carry out such monitoring; and

''(D) a review of information available in the State's Annual Progress and Services Report most recently submitted under section 1357.16 of title 45, Code of Federal Regulations (or successor regulations).''.

(2) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note) is amended by inserting after the item relating to section 113, the following:

''Sec. 114. Monitoring and oversight.''.

(e) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to authorize the Secretary of Health and Human Services or any other officer of the Federal Government to add new requirements to section 106(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)), as amended by this section.

SEC. 504. GAO REPORT ON NEONATAL ABSTINENCE SYNDROME (NAS).

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate a report on neonatal abstinence syndrome (in this section referred to as ''NAS'') in the United States.

(b) INFORMATION TO BE INCLUDED IN REPORT.—Such report shall include information on the following:

(1) The prevalence of NAS in the United States, including the proportion of children born in the United States with NAS who are eligible for medical assistance under State Medicaid programs under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) at birth, and the costs associated with coverage under such programs for treatment of infants with NAS.

(2) The services for which coverage is available under State Medicaid programs for treatment of infants with NAS.

(3) The settings (including inpatient, outpatient, hospital-based, and other settings) for the treatment of infants with NAS and the reimbursement methodologies and costs associated with such treatment in such settings.

(4) The prevalence of utilization of various care settings under State Medicaid programs for treatment of infants with NAS and any Federal barriers to treating such infants under such programs, particularly in non-hospital-based settings.

(5) What is known about best practices for treating infants with NAS.

(c) RECOMMENDATIONS.—Such report also shall include such recommendations as the Comptroller General determines appropriate for improvements that will ensure access to treatment for infants with NAS under State Medicaid programs.

TITLE VI—INCENTIVIZING STATE COMPREHENSIVE INITIATIVES TO ADDRESS PRESCRIPTION OPIOID ABUSE

SEC. 601. STATE DEMONSTRATION GRANTS FOR COMPREHENSIVE OPIOID ABUSE RESPONSE.

Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.), as amended by section 302, is further amended by adding at the end the following:

''SEC. 548. STATE DEMONSTRATION GRANTS FOR COMPREHENSIVE OPIOID ABUSE RESPONSE.

''(a) DEFINITIONS.—In this section:

''(1) DISPENSER.—The term 'dispenser' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

''(2) PRESCRIBER.—The term 'prescriber' means a dispenser who prescribes a controlled substance, or the agent of such a dispenser.

''(3) PRESCRIBER OF A SCHEDULE II, III, OR IV CONTROLLED SUBSTANCE.—The term 'prescriber of a schedule II, III, or IV controlled substance' does not include a prescriber of a schedule II, III, or IV controlled substance that dispenses the substance—

''(A) for use on the premises on which the substance is dispensed;

''(B) in a hospital emergency room, when the substance is in short supply;

''(C) for a certified opioid treatment program; or

''(D) in other situations as the Secretary may reasonably determine.

''(4) SCHEDULE II, III, OR IV CONTROLLED SUBSTANCE.—The term 'schedule II, III, or IV controlled substance' means a controlled substance that is listed on schedule II, schedule III, or schedule IV of section 202(c) of the Controlled Substances Act.

''(b) GRANTS FOR COMPREHENSIVE OPIOID ABUSE RESPONSE.—

''(1) IN GENERAL.—The Secretary shall award grants to States, and combinations of States, to implement an integrated opioid abuse response initiative.

''(2) PURPOSES.—A State receiving a grant under this section shall establish a comprehensive response plan to opioid abuse, which may include—

''(A) education efforts around opioid use, treatment, and addiction recovery, including education of residents, medical students, and physicians and other prescribers of schedule II, III, or IV controlled substances on relevant prescribing guidelines, the prescription drug monitoring program of the State described in subparagraph (B), and overdose prevention methods;

''(B) establishing, maintaining, or improving a comprehensive prescription drug monitoring program to track dispensing of schedule II, III, or IV controlled substances, which may—

''(i) provide for data sharing with other States; and

''(ii) allow all individuals authorized by the State to write prescriptions for schedule II, III, or IV controlled substances to access the prescription drug monitoring program of the State;

''(C) developing, implementing, or expanding prescription drug and opioid addiction treatment programs by—

''(i) expanding the availability of treatment for prescription drug and opioid addiction, including medication-assisted treatment and behavioral health therapy, as appropriate;

''(ii) developing, implementing, or expanding screening for individuals in treatment for prescription drug and opioid addiction for hepatitis C and HIV, and treating or referring those individuals if clinically appropriate; or

''(iii) developing, implementing, or expanding recovery support services and programs at high schools or institutions of higher education;

''(D) developing, implementing, and expanding efforts to prevent overdose death from opioid abuse or addiction to prescription medications and opioids; and

''(E) advancing the education and awareness of the public, providers, patients, consumers, and other appropriate entities regarding the dangers of opioid abuse, safe disposal of prescription medications, and detection of early warning signs of opioid use disorders.

''(3) APPLICATION.—A State seeking a grant under this section shall submit to the Secretary an application in such form, and containing such information, as the Secretary may reasonably require.

''(4) USE OF FUNDS.—A State that receives a grant under this section shall use the grant for the cost, including the cost for technical assistance, training, and administration expenses, of carrying out an integrated opioid abuse response initiative as outlined by the State's comprehensive response plan to opioid abuse established under paragraph (2).

''(5) PRIORITY CONSIDERATIONS.—In awarding grants under this section, the Secretary shall, as appropriate, give priority to a State that—

''(A)(i) provides civil liability protection for first responders, health professionals, and family members who have received appropriate training in administering a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose; and

''(ii) submits to the Secretary a certification by the attorney general of the State that the attorney general has—

''(I) reviewed any applicable civil liability protection law to determine the applicability of the law with respect to first responders, health care professionals, family members, and other individuals who—

''(aa) have received appropriate training in administering a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose; and

''(bb) may administer a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose; and

''(II) concluded that the law described in subclause (I) provides adequate civil liability protection applicable to such persons;

''(B) has a process for enrollment in services and benefits necessary by criminal justice agencies to initiate or continue treatment in the community, under which an individual who is incarcerated may, while incarcerated, enroll in services and benefits that are necessary for the individual to continue treatment upon release from incarceration;

''(C) ensures the capability of data sharing with other States, where applicable, such as by making data available to a prescription monitoring hub;

''(D) ensures that data recorded in the prescription drug monitoring program database of the State are regularly updated, to the extent possible;

''(E) ensures that the prescription drug monitoring program of the State notifies prescribers and dispensers of schedule II, III, or IV controlled substances when overuse or misuse of such controlled substances by patients is suspected; and

''(F) has in effect one or more statutes or implements policies that maximize use of prescription drug monitoring programs by individuals authorized by the State to prescribe schedule II, III, or IV controlled substances.

''(6) EVALUATION.—In conducting an evaluation of the program under this section pursuant to section 701 of the Comprehensive Addiction and Recovery Act of 2016, with respect to a State, the Secretary shall report on State legislation or policies related to maximizing the use of prescription drug monitoring programs and the incidence of opioid use disorders and overdose deaths in such State.

''(7) STATES WITH LOCAL PRESCRIPTION DRUG MONITORING PROGRAMS.—

''(A) IN GENERAL.—In the case of a State that does not have a prescription drug monitoring program, a county or other unit of local government within the State that has a prescription drug monitoring program shall be treated as a State for purposes of this section, including for purposes of eligibility for grants under paragraph (1).

''(B) PLAN FOR INTEROPERABILITY.—In submitting an application to the Secretary under paragraph (3), a county or other unit of local government shall submit a plan outlining the methods such county or unit of local government shall use to ensure the capability of data sharing with other counties and units of local government within the state and with other States, as applicable.

''(c) AUTHORIZATION OF FUNDING.—For the purpose of carrying out this section, there are authorized to be appropriated $5,000,000 for each of fiscal years 2017 through 2021.''.

TITLE VII—MISCELLANEOUS

SEC. 701. GRANT ACCOUNTABILITY AND EVALUATIONS.

(a) DEPARTMENT OF JUSTICE GRANT ACCOUNTABILITY.—Part LL of title I of the Omnibus

Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as added by section 201, is amended by adding at the end the following:

"SEC. 3026. GRANT ACCOUNTABILITY.

''(a) DEFINITION OF APPLICABLE COMMITTEES.—In this section, the term 'applicable committees' means—

''(1) the Committee on the Judiciary of the Senate; and

''(2) the Committee on the Judiciary of the House of Representatives.

''(b) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

''(B) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—A nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986 may not—

''(i) be party to a contract entered into under section 3021(b); or

''(ii) receive a subaward under section 3021(b).

''(C) DISCLOSURE.—Each nonprofit organization that receives a subaward or is party to a contract entered into under section 3021(b) and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose, in the application for such contract or subaward, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts made available to the Attorney General under this part may be used by the Attorney General, or by any State, unit of local government, or entity awarded a grant, subaward, or contract under this part, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Attorney General, unless the head of the relevant agency, bureau, or program office provides prior written authorization that the funds may be expended to host or support the conference.

''(B) WRITTEN AUTHORIZATION.—Written authorization under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit to the applicable committees an annual report on all conference expenditures approved by the Attorney General under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this section, the Attorney General shall submit to the applicable committees an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Inspector General of the Department of Justice under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

''(c) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this part, the Attorney General shall compare potential grant awards with other grants awarded under this part by the Attorney General to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If the Attorney General awards duplicate grants under this part to the same applicant for the same purpose, the Attorney General shall submit to the applicable committees a report that includes—

''(A) a list of all duplicate grants awarded under this part, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the Attorney General awarded the duplicate grants.''.

(b) EVALUATION OF PERFORMANCE OF DEPARTMENT OF JUSTICE PROGRAMS.—

(1) EVALUATION OF JUSTICE DEPARTMENT COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM.—Not later than 5 years after the date of enactment of this Act, the Attorney General shall complete an evaluation of the effectiveness of the Comprehensive Opioid Abuse Grant Program under part LL of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by section 201, administered by the Department of Justice based upon the information reported under paragraph (4).

(2) INTERIM EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Attorney General shall complete an interim evaluation assessing the nature and extent of the incidence of opioid abuse and illegal opioid distribution in the United States.

(3) METRICS AND OUTCOMES FOR EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall identify outcomes that are to be achieved by activities funded by the Comprehensive Opioid Abuse Grant Program and the metrics by which the achievement of such outcomes shall be determined.

(4) METRICS DATA COLLECTION.—The Attorney General shall require grantees under the Comprehensive Opioid Abuse Grant Program (and those receiving subawards under section 3021(b) of part LL of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by section 201) to collect and annually report to the Department of Justice data based upon the metrics identified under paragraph (3).

(5) PUBLICATION OF DATA AND FINDINGS.—

(A) PUBLICATION OF OUTCOMES AND METRICS.—The Attorney General shall, not later than 30 days after completion of the requirement under paragraph (3), publish the outcomes and metrics identified under that paragraph.

(B) PUBLICATION OF EVALUATION.—In the case of the interim evaluation under paragraph (2), and the final evaluation under paragraph (1), the entity conducting the evaluation shall, not later than 90 days after such an evaluation is completed, publish the results of such evaluation and issue a report on such evaluation to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate. Such report shall also be published along with the data used to make such evaluation.

(6) INDEPENDENT EVALUATION.—For purposes of paragraphs (1), (2), and (3), the Attorney General shall—

(A) enter into an arrangement with the National Academy of Sciences; or

(B) enter into a contract or cooperative agreement with an entity that is not an agency of the Federal Government, and is qualified to conduct and evaluate research pertaining to opioid use and abuse, and draw conclusions about overall opioid use and abuse on the basis of that research.

(c) DEPARTMENT OF HEALTH AND HUMAN SERVICES GRANT ACCOUNTABILITY.—

(1) DEFINITIONS.—In this subsection:

(A) APPLICABLE COMMITTEES.—The term ''applicable committees'' means—

(i) the Committee on Health, Education, Labor and Pensions of the Senate; and

(ii) the Committee on Energy and Commerce of the House of Representatives.

(B) COVERED GRANT.—The term ''covered grant'' means a grant awarded by the Secretary under a program established under this Act (or an amendment made by this Act, other than sections 703 through 707), including any grant administered by the Administrator of the Substance Abuse and Mental Health Services Administration under section 103.

(C) GRANTEE.—The term ''grantee'' means the recipient of a covered grant.

(D) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(2) ACCOUNTABILITY MEASURES.—Each covered grant shall be subject to the following accountability requirements:

(A) EFFECTIVENESS REPORT.—The Secretary shall require grantees to report on the effectiveness of the activities carried out with amounts made available to carry out the program under which the covered grant is awarded, including the number of persons served by such grant, if applicable, the number of persons seeking services who could not be served by such grant, and such other information as the Secretary may prescribe.

(B) REPORT ON PREVENTION OF FRAUD, WASTE, AND ABUSE.—

(i) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in coordination with the Inspector General of the Department of Health and Human Services, shall submit to the applicable committees a report on the policies and procedures the Department has in place to prevent waste,

fraud, and abuse in the administration of covered grants.

(ii) CONTENTS.—The policies and procedures referred to in clause (i) shall include policies and procedures that are designed to—

(I) prevent grantees from utilizing funds awarded through a covered grant for unauthorized expenditures or otherwise unallowable costs; and

(II) ensure grantees will not receive unwarranted duplicate grants for the same purpose.

(C) CONFERENCE EXPENDITURES.—

(i) IN GENERAL.—No amounts made available to the Secretary under this Act (or in a provision of law amended by this Act, other than sections 703 through 707) may be used by the Secretary, or by any individual or entity awarded discretionary funds through a cooperative agreement under a program established under this Act (or in a provision of law amended by this Act), to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Secretary, unless the head of the relevant operating division or program office provides prior written authorization that the funds may be expended to host or support the conference. Such written authorization shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(ii) REPORT.—The Secretary (or the Secretary's designee) shall submit to the applicable committees an annual report on all conference expenditures approved by the Secretary under this subparagraph.

(d) EVALUATION OF PERFORMANCE OF DEPARTMENT OF HEALTH AND HUMAN SERVICES PROGRAMS.—

(1) EVALUATIONS.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, except as otherwise provided in this section, the Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall complete an evaluation of any program administered by the Secretary included in this Act (or an amendment made by this Act, excluding sections 703 through 707), including any grant administered by the Administrator of the Substance Abuse and Mental Health Services Administration under section 103, that provides grants for the primary purpose of providing assistance in addressing problems pertaining to opioid abuse based upon the outcomes and metrics identified under paragraph (2).

(B) PUBLICATION.—With respect to each evaluation completed under subparagraph (A), the Secretary shall, not later than 90 days after the date on which such evaluation is completed, publish the results of such evaluation and issue a report on such evaluation to the appropriate committees. Such report shall also be published along with the data used to make such evaluation.

(2) METRICS AND OUTCOMES.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall identify—

(i) outcomes that are to be achieved by activities funded by the programs described in paragraph (1)(A); and

(ii) the metrics by which the achievement of such outcomes shall be determined.

(B) PUBLICATION.—The Secretary shall, not later than 30 days after completion of the requirement under subparagraph (A), publish the outcomes and metrics identified under such subparagraph.

(3) METRICS DATA COLLECTION.—The Secretary shall require grantees under the programs described in paragraph (1)(A) to collect, and annually report to the Secretary, data based upon the metrics identified under paragraph (2)(A).

(4) INDEPENDENT EVALUATION.—For purposes of paragraph (1), the Secretary shall—

(A) enter into an arrangement with the National Academy of Sciences; or

(B) enter into a contract or cooperative agreement with an entity that—

(i) is not an agency of the Federal Government; and

(ii) is qualified to conduct and evaluate research pertaining to opioid use and abuse and draw conclusions about overall opioid use and abuse on the basis of that research.

(5) EXCEPTION.—If a program described in paragraph (1)(A) is subject to an evaluation similar to the evaluation required under such paragraph pursuant to another provision of Federal law, the Secretary may opt not to conduct an evaluation under such paragraph with respect to such program.

(e) ADDITIONAL REPORT.—In the case of a report submitted under subsection (c) to the applicable committees, if such report pertains to a grant under section 103, that report shall also be submitted, in the same manner and at the same time, to the Committee on Oversight and Government Reform of the House of Representatives and to the Committee on the Judiciary of the Senate.

(f) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to be appropriated to carry out this section.

SEC. 702. PARTIAL FILLS OF SCHEDULE II CONTROLLED SUBSTANCES.

(a) IN GENERAL.—Section 309 of the Controlled Substances Act (21 U.S.C. 829) is amended by adding at the end the following:

''(f) PARTIAL FILLS OF SCHEDULE II CONTROLLED SUBSTANCES.—

''(1) PARTIAL FILLS.—A prescription for a controlled substance in schedule II may be partially filled if—

''(A) it is not prohibited by State law;

''(B) the prescription is written and filled in accordance with this title, regulations prescribed by the Attorney General, and State law;

''(C) the partial fill is requested by the patient or the practitioner that wrote the prescription; and

''(D) the total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.

''(2) REMAINING PORTIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), remaining portions of a partially filled prescription for a controlled substance in schedule II—

''(i) may be filled; and

''(ii) shall be filled not later than 30 days after the date on which the prescription is written.

''(B) EMERGENCY SITUATIONS.—In emergency situations, as described in subsection (a), the remaining portions of a partially filled prescription for a controlled substance in schedule II—

''(i) may be filled; and

''(ii) shall be filled not later than 72 hours after the prescription is issued.

''(3) CURRENTLY LAWFUL PARTIAL FILLS.—Notwithstanding paragraph (1) or (2), in any circumstance in which, as of the day before the date of enactment of this subsection, a prescription for a controlled substance in schedule II may be lawfully partially filled, the Attorney General may allow such a prescription to be partially filled.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of the Attorney General to allow a prescription for a controlled substance in schedule III, IV, or V of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) to be partially filled.

SEC. 703. GOOD SAMARITAN ASSESSMENT.

(a) FINDING.—The Congress finds that the executive branch, including the Office of National Drug Control Policy, has a policy focus on preventing and addressing prescription drug misuse and heroin use, and has worked with States and municipalities to enact Good Samaritan laws that would protect caregivers, law enforcement personnel, and first responders who administer opioid overdose reversal drugs or devices.

(b) GAO STUDY ON GOOD SAMARITAN LAWS PERTAINING TO TREATMENT OF OPIOID OVERDOSES.—The Comptroller General of the United States shall submit to the Committee on the Judiciary of the House of Representatives, the Committee on Oversight and Government Reform of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on—

(1) the extent to which the Director of National Drug Control Policy has reviewed Good Samaritan laws, and any findings from such a review, including findings related to the potential effects of such laws, if available;

(2) efforts by the Director to encourage the enactment of Good Samaritan laws; and

(3) a compilation of Good Samaritan laws in effect in the States, the territories, and the District of Columbia.

(c) DEFINITIONS.—In this section—

(1) the term ''Good Samaritan law'' means a law of a State or unit of local government that exempts from criminal or civil liability any individual who administers an opioid overdose reversal drug or device, or who contacts emergency services providers in response to an overdose; and

(2) the term ''opioid'' means any drug, including heroin, having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability.

SEC. 704. PROGRAMS TO PREVENT PRESCRIPTION DRUG ABUSE UNDER MEDICARE PARTS C AND D.

(a) DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.—

(1) IN GENERAL.—Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–10(c)) is amended by adding at the end the following:

''(5) DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.—

''(A) AUTHORITY TO ESTABLISH.—A PDP sponsor may establish a drug management program for at-risk beneficiaries under which, subject to subparagraph (B), the PDP sponsor may, in the case of an at-risk beneficiary for prescription drug abuse who is an enrollee in a prescription drug plan of such PDP sponsor, limit such beneficiary's access to coverage for frequently abused drugs under such plan to frequently abused drugs that are prescribed for such beneficiary by one or more prescribers selected under subparagraph (D), and dispensed for such beneficiary by one or more pharmacies selected under such subparagraph.

''(B) REQUIREMENT FOR NOTICES.—

''(i) IN GENERAL.—A PDP sponsor may not limit the access of an at-risk beneficiary for prescription drug abuse to coverage for frequently abused drugs under a prescription drug plan until such sponsor—

''(I) provides to the beneficiary an initial notice described in clause (ii) and a second notice described in clause (iii); and

''(II) verifies with the providers of the beneficiary that the beneficiary is an at-risk beneficiary for prescription drug abuse.

''(ii) INITIAL NOTICE.—An initial notice described in this clause is a notice that provides to the beneficiary—

''(I) notice that the PDP sponsor has identified the beneficiary as potentially being an at-risk beneficiary for prescription drug abuse;

''(II) information describing all State and Federal public health resources that are designed to address prescription drug abuse to which the beneficiary has access, including mental health services and other counseling services;

''(III) notice of, and information about, the right of the beneficiary to appeal such identification under subsection (h) and the option of an automatic escalation to external review;

''(IV) a request for the beneficiary to submit to the PDP sponsor preferences for which prescribers and pharmacies the beneficiary would prefer the PDP sponsor to select under subparagraph (D) in the case that the beneficiary is

identified as an at-risk beneficiary for prescription drug abuse as described in clause (iii)(I);

''(V) an explanation of the meaning and consequences of the identification of the beneficiary as potentially being an at-risk beneficiary for prescription drug abuse, including an explanation of the drug management program established by the PDP sponsor pursuant to subparagraph (A);

''(VI) clear instructions that explain how the beneficiary can contact the PDP sponsor in order to submit to the PDP sponsor the preferences described in subclause (IV) and any other communications relating to the drug management program for at-risk beneficiaries established by the PDP sponsor; and

''(VII) contact information for other organizations that can provide the beneficiary with assistance regarding such drug management program (similar to the information provided by the Secretary in other standardized notices provided to part D eligible individuals enrolled in prescription drug plans under this part).

''(iii) SECOND NOTICE.—A second notice described in this clause is a notice that provides to the beneficiary notice—

''(I) that the PDP sponsor has identified the beneficiary as an at-risk beneficiary for prescription drug abuse;

''(II) that such beneficiary is subject to the requirements of the drug management program for at-risk beneficiaries established by such PDP sponsor for such plan;

''(III) of the prescriber (or prescribers) and pharmacy (or pharmacies) selected for such individual under subparagraph (D);

''(IV) of, and information about, the beneficiary's right to appeal such identification under subsection (h) and the option of an automatic escalation to external review;

''(V) that the beneficiary can, in the case that the beneficiary has not previously submitted to the PDP sponsor preferences for which prescribers and pharmacies the beneficiary would prefer the PDP sponsor select under subparagraph (D), submit such preferences to the PDP sponsor; and

''(VI) that includes clear instructions that explain how the beneficiary can contact the PDP sponsor.

''(iv) TIMING OF NOTICES.—

''(I) IN GENERAL.—Subject to subclause (II), a second notice described in clause (iii) shall be provided to the beneficiary on a date that is not less than 30 days after an initial notice described in clause (ii) is provided to the beneficiary.

''(II) EXCEPTION.—In the case that the PDP sponsor, in conjunction with the Secretary, determines that concerns identified through rulemaking by the Secretary regarding the health or safety of the beneficiary or regarding significant drug diversion activities require the PDP sponsor to provide a second notice described in clause (iii) to the beneficiary on a date that is earlier than the date described in subclause (I), the PDP sponsor may provide such second notice on such earlier date.

''(C) AT-RISK BENEFICIARY FOR PRESCRIPTION DRUG ABUSE.—

''(i) IN GENERAL.—For purposes of this paragraph, the term 'at-risk beneficiary for prescription drug abuse' means a part D eligible individual who is not an exempted individual described in clause (ii) and—

''(I) who is identified as such an at-risk beneficiary through the use of clinical guidelines that indicate misuse or abuse of prescription drugs described in subparagraph (G) and that are developed by the Secretary in consultation with PDP sponsors and other stakeholders, including individuals entitled to benefits under part A or enrolled under part B, advocacy groups representing such individuals, physicians, pharmacists, and other clinicians, retail pharmacies, plan sponsors, entities delegated by plan sponsors, and biopharmaceutical manufacturers; or

''(II) with respect to whom the PDP sponsor of a prescription drug plan, upon enrolling such individual in such plan, received notice from the Secretary that such individual was identified under this paragraph to be an at-risk beneficiary for prescription drug abuse under the prescription drug plan in which such individual was most recently previously enrolled and such identification has not been terminated under subparagraph (F).

''(ii) EXEMPTED INDIVIDUAL DESCRIBED.—An exempted individual described in this clause is an individual who—

''(I) receives hospice care under this title;

''(II) is a resident of a long-term care facility, of a facility described in section 1905(d), or of another facility for which frequently abused drugs are dispensed for residents through a contract with a single pharmacy; or

''(III) the Secretary elects to treat as an exempted individual for purposes of clause (i).

''(iii) PROGRAM SIZE.—The Secretary shall establish policies, including the guidelines developed under clause (i)(I) and the exemptions under clause (ii)(III), to ensure that the population of enrollees in a drug management program for at-risk beneficiaries operated by a prescription drug plan can be effectively managed by such plans.

''(iv) CLINICAL CONTACT.—With respect to each at-risk beneficiary for prescription drug abuse enrolled in a prescription drug plan offered by a PDP sponsor, the PDP sponsor shall contact the beneficiary's providers who have prescribed frequently abused drugs regarding whether prescribed medications are appropriate for such beneficiary's medical conditions.

''(D) SELECTION OF PRESCRIBERS AND PHARMACIES.—

''(i) IN GENERAL.—With respect to each at-risk beneficiary for prescription drug abuse enrolled in a prescription drug plan offered by such sponsor, a PDP sponsor shall, based on the preferences submitted to the PDP sponsor by the beneficiary pursuant to clauses (ii)(IV) and (iii)(V) of subparagraph (B) (except as otherwise provided in this subparagraph) select—

''(I) one, or, if the PDP sponsor reasonably determines it necessary to provide the beneficiary with reasonable access under clause (ii), more than one, individual who is authorized to prescribe frequently abused drugs (referred to in this paragraph as a 'prescriber') who may write prescriptions for such drugs for such beneficiary; and

''(II) one, or, if the PDP sponsor reasonably determines it necessary to provide the beneficiary with reasonable access under clause (ii), more than one, pharmacy that may dispense such drugs to such beneficiary.

For purposes of subclause (II), in the case of a pharmacy that has multiple locations that share real-time electronic data, all such locations of the pharmacy shall collectively be treated as one pharmacy.

''(ii) REASONABLE ACCESS.—In making the selections under this subparagraph—

''(I) a PDP sponsor shall ensure that the beneficiary continues to have reasonable access to frequently abused drugs (as defined in subparagraph (G)), taking into account geographic location, beneficiary preference, impact on costsharing, and reasonable travel time; and

''(II) a PDP sponsor shall ensure such access (including access to prescribers and pharmacies with respect to frequently abused drugs) in the case of individuals with multiple residences, in the case of natural disasters and similar situations, and in the case of the provision of emergency services.

''(iii) BENEFICIARY PREFERENCES.—If an at-risk beneficiary for prescription drug abuse submits preferences for which in-network prescribers and pharmacies the beneficiary would prefer the PDP sponsor select in response to a notice under subparagraph (B), the PDP sponsor shall—

''(I) review such preferences;

''(II) select or change the selection of prescribers and pharmacies for the beneficiary based on such preferences; and

''(III) inform the beneficiary of such selection or change of selection.

''(iv) EXCEPTION REGARDING BENEFICIARY PREFERENCES.—In the case that the PDP sponsor determines that a change to the selection of prescriber or pharmacy under clause (iii)(II) by the PDP sponsor is contributing or would contribute to prescription drug abuse or drug diversion by the beneficiary, the PDP sponsor may change the selection of prescriber or pharmacy for the beneficiary without regard to the preferences of the beneficiary described in clause (iii). If the PDP sponsor changes the selection pursuant to the preceding sentence, the PDP sponsor shall provide the beneficiary with—

''(I) at least 30 days written notice of the change of selection; and

''(II) a rationale for the change.

''(v) CONFIRMATION.—Before selecting a prescriber or pharmacy under this subparagraph, a PDP sponsor must notify the prescriber and pharmacy that the beneficiary involved has been identified for inclusion in the drug management program for at-risk beneficiaries and that the prescriber and pharmacy has been selected as the beneficiary's designated prescriber and pharmacy.

''(E) TERMINATIONS AND APPEALS.—The identification of an individual as an at-risk beneficiary for prescription drug abuse under this paragraph, a coverage determination made under a drug management program for at-risk beneficiaries, the selection of prescriber or pharmacy under subparagraph (D), and information to be shared under subparagraph (I), with respect to such individual, shall be subject to reconsideration and appeal under subsection (h) and the option of an automatic escalation to external review to the extent provided by the Secretary.

''(F) TERMINATION OF IDENTIFICATION.—

''(i) IN GENERAL.—The Secretary shall develop standards for the termination of identification of an individual as an at-risk beneficiary for prescription drug abuse under this paragraph. Under such standards such identification shall terminate as of the earlier of—

''(I) the date the individual demonstrates that the individual is no longer likely, in the absence of the restrictions under this paragraph, to be an at-risk beneficiary for prescription drug abuse described in subparagraph (C)(i); and

''(II) the end of such maximum period of identification as the Secretary may specify.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed as preventing a plan from identifying an individual as an at-risk beneficiary for prescription drug abuse under subparagraph (C)(i) after such termination on the basis of additional information on drug use occurring after the date of notice of such termination.

''(G) FREQUENTLY ABUSED DRUG.—For purposes of this subsection, the term 'frequently abused drug' means a drug that is a controlled substance that the Secretary determines to be frequently abused or diverted.

''(H) DATA DISCLOSURE.—

''(i) DATA ON DECISION TO IMPOSE LIMITATION.—In the case of an at-risk beneficiary for prescription drug abuse (or an individual who is a potentially at-risk beneficiary for prescription drug abuse) whose access to coverage for frequently abused drugs under a prescription drug plan has been limited by a PDP sponsor under this paragraph, the Secretary shall establish rules and procedures to require the PDP sponsor to disclose data, including any necessary individually identifiable health information, in a form and manner specified by the Secretary, about the decision to impose such limitations and the limitations imposed by the sponsor under this part.

''(ii) DATA TO REDUCE FRAUD, ABUSE, AND WASTE.—The Secretary shall establish rules and

procedures to require PDP sponsors operating a drug management program for at-risk beneficiaries under this paragraph to provide the Secretary with such data as the Secretary determines appropriate for purposes of identifying patterns of prescription drug utilization for plan enrollees that are outside normal patterns and that may indicate fraudulent, medically unnecessary, or unsafe use.

''(I) SHARING OF INFORMATION FOR SUBSEQUENT PLAN ENROLLMENTS.—The Secretary shall establish procedures under which PDP sponsors who offer prescription drug plans shall share information with respect to individuals who are at-risk beneficiaries for prescription drug abuse (or individuals who are potentially at-risk beneficiaries for prescription drug abuse) and enrolled in a prescription drug plan and who subsequently disenroll from such plan and enroll in another prescription drug plan offered by another PDP sponsor.

''(J) PRIVACY ISSUES.—Prior to the implementation of the rules and procedures under this paragraph, the Secretary shall clarify privacy requirements, including requirements under the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), related to the sharing of data under subparagraphs (H) and (I) by PDP sponsors. Such clarification shall provide that the sharing of such data shall be considered to be protected health information in accordance with the requirements of the regulations promulgated pursuant to such section 264(c).

''(K) EDUCATION.—The Secretary shall provide education to enrollees in prescription drug plans of PDP sponsors and providers regarding the drug management program for at-risk beneficiaries described in this paragraph, including education—

''(i) provided by Medicare administrative contractors through the improper payment outreach and education program described in section 1874A(h); and

''(ii) through current education efforts (such as State health insurance assistance programs described in subsection (a)(1)(A) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note)) and materials directed toward such enrollees.

''(L) APPLICATION UNDER MA–PD PLANS.—Pursuant to section 1860D–21(c)(1), the provisions of this paragraph apply under part D to MA organizations offering MA–PD plans to MA eligible individuals in the same manner as such provisions apply under this part to a PDP sponsor offering a prescription drug plan to a part D eligible individual.

''(M) CMS COMPLIANCE REVIEW.—The Secretary shall ensure that existing plan sponsor compliance reviews and audit processes include the drug management programs for at-risk beneficiaries under this paragraph, including appeals processes under such programs.''.

(2) INFORMATION FOR CONSUMERS.—Section 1860D–4(a)(1)(B) of the Social Security Act (42 U.S.C. 1395w–104(a)(1)(B)) is amended by adding at the end the following:

''(v) The drug management program for at-risk beneficiaries under subsection (c)(5).''.

(3) DUAL ELIGIBLES.—Section 1860D–1(b)(3)(D) of the Social Security Act (42 U.S.C. 1395w–101(b)(3)(D)) is amended by inserting '', subject to such limits as the Secretary may establish for individuals identified pursuant to section 1860D–4(c)(5)'' after ''the Secretary''.

(b) UTILIZATION MANAGEMENT PROGRAMS.—Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)), as amended by subsection (a)(1), is further amended—

(1) in paragraph (1), by inserting after subparagraph (D) the following new subparagraph:

''(E) A utilization management tool to prevent drug abuse (as described in paragraph (6)(A)).''; and

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

''(6) UTILIZATION MANAGEMENT TOOL TO PREVENT DRUG ABUSE.—

''(A) IN GENERAL.—A tool described in this paragraph is any of the following:

''(i) A utilization tool designed to prevent the abuse of frequently abused drugs by individuals and to prevent the diversion of such drugs at pharmacies.

''(ii) Retrospective utilization review to identify—

''(I) individuals that receive frequently abused drugs at a frequency or in amounts that are not clinically appropriate; and

''(II) providers of services or suppliers that may facilitate the abuse or diversion of frequently abused drugs by beneficiaries.

''(iii) Consultation with the contractor described in subparagraph (B) to verify if an individual enrolling in a prescription drug plan offered by a PDP sponsor has been previously identified by another PDP sponsor as an individual described in clause (ii)(I).

''(B) REPORTING.—A PDP sponsor offering a prescription drug plan (and an MA organization offering an MA–PD plan) in a State shall submit to the Secretary and the Medicare drug integrity contractor with which the Secretary has entered into a contract under section 1893 with respect to such State a report, on a monthly basis, containing information on—

''(i) any provider of services or supplier described in subparagraph (A)(ii)(II) that is identified by such plan sponsor (or organization) during the 30-day period before such report is submitted; and

''(ii) the name and prescription records of individuals described in paragraph (5)(C).

''(C) CMS COMPLIANCE REVIEW.—The Secretary shall ensure that plan sponsor compliance reviews and program audits biennially include a certification that utilization management tools under this paragraph are in compliance with the requirements for such tools.''.

(c) EXPANDING ACTIVITIES OF MEDICARE DRUG INTEGRITY CONTRACTORS (MEDICS).—

(1) IN GENERAL.—Section 1893 of the Social Security Act (42 U.S.C. 1395ddd) is amended by adding at the end the following new subsection:

''(j) EXPANDING ACTIVITIES OF MEDICARE DRUG INTEGRITY CONTRACTORS (MEDICS).—

''(1) ACCESS TO INFORMATION.—Under contracts entered into under this section with Medicare drug integrity contractors (including any successor entity to a Medicare drug integrity contractor), the Secretary shall authorize such contractors to directly accept prescription and necessary medical records from entities such as pharmacies, prescription drug plans, MA–PD plans, and physicians with respect to an individual in order for such contractors to provide information relevant to the determination of whether such individual is an at-risk beneficiary for prescription drug abuse, as defined in section 1860D–4(c)(5)(C).

''(2) REQUIREMENT FOR ACKNOWLEDGMENT OF REFERRALS.—If a PDP sponsor or MA organization refers information to a contractor described in paragraph (1) in order for such contractor to assist in the determination described in such paragraph, the contractor shall—

''(A) acknowledge to the sponsor or organization receipt of the referral; and

''(B) in the case that any PDP sponsor or MA organization contacts the contractor requesting to know the determination by the contractor of whether or not an individual has been determined to be an individual described in such paragraph, shall inform such sponsor or organization of such determination on a date that is not later than 15 days after the date on which the sponsor or organization contacts the contractor.

''(3) MAKING DATA AVAILABLE TO OTHER ENTITIES.—

''(A) IN GENERAL.—For purposes of carrying out this subsection, subject to subparagraph (B), the Secretary shall authorize MEDICs to respond to requests for information from PDP sponsors and MA organizations, State prescription drug monitoring programs, and other entities delegated by such sponsors or organizations using available programs and systems in the effort to prevent fraud, waste, and abuse.

''(B) HIPAA COMPLIANT INFORMATION ONLY.—Information may only be disclosed by a MEDIC under subparagraph (A) if the disclosure of such information is permitted under the Federal regulations (concerning the privacy of individually identifiable health information) promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).''.

(2) OIG STUDY AND REPORT ON EFFECTIVENESS OF MEDICS.—

(A) STUDY.—The Inspector General of the Department of Health and Human Services shall conduct a study on the effectiveness of Medicare drug integrity contractors with which the Secretary of Health and Human Services has entered into a contract under section 1893 of the Social Security Act (42 U.S.C. 1395ddd) in identifying, combating, and preventing fraud under the Medicare program, including under the authority provided under section 1893(j) of the Social Security Act, added by paragraph (1).

(B) REPORT.—Not later than 24 months after the date of the enactment of this Act, the Inspector General shall submit to Congress a report on the study conducted under subparagraph (A). Such report shall include such recommendations for improvements in the effectiveness of such contractors as the Inspector General determines appropriate.

(d) TREATMENT OF CERTAIN COMPLAINTS FOR PURPOSES OF QUALITY OR PERFORMANCE ASSESSMENT.—Section 1860D–42 of the Social Security Act (42 U.S.C. 1395w–152) is amended by adding at the end the following new subsection:

''(d) TREATMENT OF CERTAIN COMPLAINTS FOR PURPOSES OF QUALITY OR PERFORMANCE ASSESSMENT.—In conducting a quality or performance assessment of a PDP sponsor, the Secretary shall develop or utilize existing screening methods for reviewing and considering complaints that are received from enrollees in a prescription drug plan offered by such PDP sponsor and that are complaints regarding the lack of access by the individual to prescription drugs due to a drug management program for at-risk beneficiaries.''.

(e) SENSE OF CONGRESS REGARDING USE OF TECHNOLOGY TOOLS TO COMBAT FRAUD.—It is the sense of Congress that MA organizations and PDP sponsors should consider using e-prescribing and other health information technology tools to support combating fraud under MA–PD plans and prescription drug plans under parts C and D of the Medicare program.

(f) REPORTS.—

(1) REPORT BY SECRETARY ON APPEALS PROCESS.—

(A) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the appropriate committees of jurisdiction of Congress a report on ways to improve upon the appeals process for Medicare beneficiaries with respect to prescription drug coverage under part D of title XVIII of the Social Security Act. Such report shall include an analysis comparing appeals processes under parts C and D of such title XVIII.

(B) FEEDBACK.—In development of the report described in subparagraph (A), the Secretary of Health and Human Services shall solicit feedback on the current appeals process from stakeholders, such as beneficiaries, consumer advocates, plan sponsors, pharmacy benefit managers, pharmacists, providers, independent review entity evaluators, and pharmaceutical manufacturers.

(2) GAO STUDY AND REPORT.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on the implementation of the amendments made by this section, including the effectiveness of the at-risk

beneficiaries for prescription drug abuse drug management programs authorized by section 1860D–4(c)(5) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)), as added by subsection (a)(1). Such study shall include an analysis of—

(i) the impediments, if any, that impair the ability of individuals described in subparagraph (C) of such section 1860D–4(c)(5) to access clinically appropriate levels of prescription drugs;

(ii) the effectiveness of the reasonable access protections under subparagraph (D)(ii) of such section 1860D–4(c)(5), including the impact on beneficiary access and health;

(iii) the types of—

(I) individuals who, in the implementation of such section, are determined to be individuals described in such subparagraph (C); and

(II) prescribers and pharmacies that are selected under subparagraph (D) of such section; and

(iv) other areas determined appropriate by the Comptroller General.

(B) REPORT.—Not later than July 1, 2019, the Comptroller General of the United States shall submit to the appropriate committees of jurisdiction of Congress a report on the study conducted under subparagraph (A), together with recommendations for such legislation and administrative action as the Comptroller General determines to be appropriate.

(g) EFFECTIVE DATE; RULEMAKING.—

(1) IN GENERAL.—The amendments made by this section shall apply to prescription drug plans (and MA–PD plans) for plan years beginning on or after January 1, 2019.

(2) STAKEHOLDER MEETINGS PRIOR TO EFFECTIVE DATE.—

(A) IN GENERAL.—Not later than January 1, 2017, the Secretary of Health and Human Services shall convene stakeholders, including individuals entitled to benefits under part A of title XVIII of the Social Security Act or enrolled under part B of such title, advocacy groups representing such individuals, physicians, pharmacists, and other clinicians, retail pharmacies, plan sponsors, entities delegated by plan sponsors, and biopharmaceutical manufacturers for input regarding the topics described in subparagraph (B). The input described in the preceding sentence shall be provided to the Secretary in sufficient time in order for the Secretary to take such input into account in promulgating the regulations pursuant to paragraph (3).

(B) TOPICS DESCRIBED.—The topics described in this subparagraph are the topics of—

(i) the anticipated impact of drug management programs for at-risk beneficiaries under paragraph (5) of section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)) on cost-sharing and ensuring accessibility to prescription drugs for enrollees in prescription drug plans of PDP sponsors, and enrollees in MA–PD plans, who are at-risk beneficiaries for prescription drug abuse (as defined in subparagraph (C) of such paragraph);

(ii) the use of an expedited appeals process under which such an enrollee may appeal an identification of such enrollee as an at-risk beneficiary for prescription drug abuse under such paragraph (similar to the processes established under the Medicare Advantage program under part C of title XVIII of the Social Security Act that allow an automatic escalation to external review of claims submitted under such part);

(iii) the types of enrollees that should be treated as exempted individuals, as described in subparagraph (C)(ii) of such paragraph;

(iv) the manner in which terms and definitions in such paragraph should be applied, such as the use of clinical appropriateness in determining whether an enrollee is an at-risk beneficiary for prescription drug abuse as defined in subparagraph (C) of such paragraph;

(v) the information to be included in the notices described in subparagraph (B) of such paragraph and the standardization of such notices;

(vi) with respect to a PDP sponsor (or Medicare Advantage organization) that establishes a drug management program for at-risk beneficiaries under such paragraph, the responsibilities of such PDP sponsor (or organization) with respect to the implementation of such program;

(vii) notices for plan enrollees at the point of sale that would explain why an at-risk beneficiary has been prohibited from receiving a prescription at a location outside of the designated pharmacy;

(viii) evidence-based prescribing guidelines for opiates; and

(ix) the sharing of claims data under parts A and B of title XVIII of the Social Security Act with PDP sponsors.

(3) RULEMAKING.—Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall, taking into account the input gathered pursuant to paragraph (2)(A) and after providing notice and an opportunity to comment, promulgate regulations to carry out the provisions of, and amendments made by this section.

(h) DEPOSIT OF SAVINGS INTO MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''during and after fiscal year 2020, $0'' and inserting ''during and after fiscal year 2021, $140,000,000''.

SEC. 705. EXCLUDING ABUSE-DETERRENT FORMULATIONS OF PRESCRIPTION DRUGS FROM THE MEDICAID ADDITIONAL REBATE REQUIREMENT FOR NEW FORMULATIONS OF PRESCRIPTION DRUGS.

(a) IN GENERAL.—The last sentence of section 1927(c)(2)(C) of the Social Security Act (42 U.S.C. 1396r–8(c)(2)(C)) is amended by inserting before the period at the end the following: '', but does not include an abuse-deterrent formulation of the drug (as determined by the Secretary), regardless of whether such abuse-deterrent formulation is an extended release formulation''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to drugs that are paid for by a State in calendar quarters beginning on or after the date of the enactment of this Act.

SEC. 706. LIMITING DISCLOSURE OF PREDICTIVE MODELING AND OTHER ANALYTICS TECHNOLOGIES TO IDENTIFY AND PREVENT WASTE, FRAUD, AND ABUSE.

(a) IN GENERAL.—Title XI of the Social Security Act is amended by inserting after section 1128J (42 U.S.C. 1320a–7k) the following new section:

''SEC. 1128K. DISCLOSURE OF PREDICTIVE MODELING AND OTHER ANALYTICS TECHNOLOGIES TO IDENTIFY AND PREVENT WASTE, FRAUD, AND ABUSE.

''(a) REFERENCE TO PREDICTIVE MODELING TECHNOLOGIES REQUIREMENTS.—For provisions relating to the use of predictive modeling and other analytics technologies to identify and prevent waste, fraud, and abuse with respect to the Medicare program under title XVIII, the Medicaid program under title XIX, and the Children's Health Insurance Program under title XXI, see section 4241 of the Small Business Jobs Act of 2010 (42 U.S.C. 1320a–7m).

''(b) LIMITING DISCLOSURE OF PREDICTIVE MODELING TECHNOLOGIES.—In implementing such provisions under such section 4241 with respect to covered algorithms (as defined in subsection (c)), the following shall apply:

''(1) NONAPPLICATION OF FOIA.—The covered algorithms used or developed for purposes of such section 4241 (including by the Secretary or a State (or an entity operating under a contract with a State)) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code.

''(2) LIMITATION WITH RESPECT TO USE AND DISCLOSURE OF INFORMATION BY STATE AGENCIES.—

''(A) IN GENERAL.—A State agency may not use or disclose covered algorithms used or developed for purposes of such section 4241 except for purposes of administering the State plan (or a waiver of the plan) under the Medicaid program under title XIX or the State child health plan (or a waiver of the plan) under the Children's Health Insurance Program under title XXI, including by enabling an entity operating under a contract with a State to assist the State to identify or prevent waste, fraud, and abuse with respect to such programs.

''(B) INFORMATION SECURITY.—A State agency shall have in effect data security and control policies that the Secretary finds adequate to ensure the security of covered algorithms used or developed for purposes of such section 4241 and to ensure that access to such information is restricted to authorized persons for purposes of authorized uses and disclosures described in subparagraph (A).

''(C) PROCEDURAL REQUIREMENTS.—State agencies to which information is disclosed pursuant to such section 4241 shall adhere to uniform procedures established by the Secretary.

''(c) COVERED ALGORITHM DEFINED.—In this section, the term 'covered algorithm'—

''(1) means a predictive modeling or other analytics technology, as used for purposes of section 4241(a) of the Small Business Jobs Act of 2010 (42 U.S.C. 1320a–7m(a)) to identify and prevent waste, fraud, and abuse with respect to the Medicare program under title XVIII, the Medicaid program under title XIX, and the Children's Health Insurance Program under title XXI; and

''(2) includes the mathematical expressions utilized in the application of such technology and the means by which such technology is developed.''.

(b) CONFORMING AMENDMENTS.—

(1) MEDICAID STATE PLAN REQUIREMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(A) in paragraph (80), by striking ''and'' at the end;

(B) in paragraph (81), by striking the period at the end and inserting ''; and''; and

(C) by inserting after paragraph (81) the following new paragraph:

''(82) provide that the State agency responsible for administering the State plan under this title provides assurances to the Secretary that the State agency is in compliance with subparagraphs (A), (B), and (C) of section 1128K(b)(2).''.

(2) STATE CHILD HEALTH PLAN REQUIREMENT.—Section 2102(a)(7) of the Social Security Act (42 U.S.C. 1397bb(a)(7)) is amended—

(A) in subparagraph (A), by striking '', and'' at the end and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

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

''(C) to ensure that the State agency involved is in compliance with subparagraphs (A), (B), and (C) of section 1128K(b)(2).''.

SEC. 707. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w–1(b)(1)) is amended to read as follows:

''(1) IN GENERAL.—There shall be available to the Fund, for expenditures from the Fund for fiscal year 2021 and thereafter, $5,000,000.''.

SEC. 708. SENSE OF THE CONGRESS REGARDING TREATMENT OF SUBSTANCE ABUSE EPIDEMICS.

It is the sense of the Congress that decades of experience and research have demonstrated that a fiscally responsible approach to addressing the opioid abuse epidemic and other substance abuse epidemics requires treating such epidemics as a public health emergency emphasizing prevention, treatment, and recovery.

TITLE VIII—KINGPIN DESIGNATION IMPROVEMENT

SEC. 801. PROTECTION OF CLASSIFIED INFORMATION IN FEDERAL COURT CHALLENGES RELATING TO DESIGNATIONS UNDER THE NARCOTICS KINGPIN DESIGNATION ACT.

Section 804 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1903) is amended by adding at the end the following:

''(i) PROTECTION OF CLASSIFIED INFORMATION IN FEDERAL COURT CHALLENGES RELATING TO DESIGNATIONS.—In any judicial review of a determination made under this section, if the determination was based on classified information (as defined in section 1(a) of the Classified Information Procedures Act) such information may be submitted to the reviewing court ex parte and in camera. This subsection does not confer or imply any right to judicial review.''.

TITLE IX—DEPARTMENT OF VETERANS AFFAIRS

SEC. 901. SHORT TITLE.

This title may be cited as the ''Jason Simcakoski Memorial and Promise Act''.

SEC. 902. DEFINITIONS.

In this title:

(1) The term ''controlled substance'' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) The term ''State'' means each of the several States, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(3) The term ''complementary and integrative health'' has the meaning given that term, or any successor term, by the National Institutes of Health.

(4) The term ''opioid receptor antagonist'' means a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) for emergency treatment of known or suspected opioid overdose.

Subtitle A—Opioid Therapy and Pain Management

SEC. 911. IMPROVEMENT OF OPIOID SAFETY MEASURES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) EXPANSION OF OPIOID SAFETY INITIATIVE.—

(1) INCLUSION OF ALL MEDICAL FACILITIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall expand the Opioid Safety Initiative of the Department of Veterans Affairs to include all medical facilities of the Department.

(2) GUIDANCE.—The Secretary shall establish guidance that each health care provider of the Department of Veterans Affairs, before initiating opioid therapy to treat a patient as part of the comprehensive assessment conducted by the health care provider, use the Opioid Therapy Risk Report tool of the Department of Veterans Affairs (or any subsequent tool), which shall include information from the prescription drug monitoring program of each participating State as applicable, that includes the most recent information to date relating to the patient that accessed such program to assess the risk for adverse outcomes of opioid therapy for the patient, including the concurrent use of controlled substances such as benzodiazepines, as part of the comprehensive assessment conducted by the health care provider.

(3) ENHANCED STANDARDS.—The Secretary shall establish enhanced standards with respect to the use of routine and random urine drug tests for all patients before and during opioid therapy to help prevent substance abuse, dependence, and diversion, including—

(A) that such tests occur not less frequently than once each year or as otherwise determined according to treatment protocols; and

(B) that health care providers appropriately order, interpret and respond to the results from such tests to tailor pain therapy, safeguards, and risk management strategies to each patient.

(b) PAIN MANAGEMENT EDUCATION AND TRAINING.—

(1) IN GENERAL.—In carrying out the Opioid Safety Initiative of the Department, the Secretary shall require all employees of the Department responsible for prescribing opioids to receive education and training described in paragraph (2).

(2) EDUCATION AND TRAINING.—Education and training described in this paragraph is education and training on pain management and safe opioid prescribing practices for purposes of safely and effectively managing patients with chronic pain, including education and training on the following:

(A) The implementation of and full compliance with the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, including any update to such guideline.

(B) The use of evidence-based pain management therapies and complementary and integrative health services, including cognitive-behavioral therapy, non-opioid alternatives, and non-drug methods and procedures to managing pain and related health conditions including, to the extent practicable, medical devices approved or cleared by the Food and Drug Administration for the treatment of patients with chronic pain and related health conditions.

(C) Screening and identification of patients with substance use disorder, including drug-seeking behavior, before prescribing opioids, assessment of risk potential for patients developing an addiction, and referral of patients to appropriate addiction treatment professionals if addiction is identified or strongly suspected.

(D) Communication with patients on the potential harm associated with the use of opioids and other controlled substances, including the need to safely store and dispose of supplies relating to the use of opioids and other controlled substances.

(E) Such other education and training as the Secretary considers appropriate to ensure that veterans receive safe and high-quality pain management care from the Department.

(3) USE OF EXISTING PROGRAM.—In providing education and training described in paragraph (2), the Secretary shall use the Interdisciplinary Chronic Pain Management Training Team Program of the Department (or successor program).

(c) PAIN MANAGEMENT TEAMS.—

(1) IN GENERAL.—In carrying out the Opioid Safety Initiative of the Department, the director of each medical facility of the Department shall identify and designate a pain management team of health care professionals, which may include board certified pain medicine specialists, responsible for coordinating and overseeing pain management therapy at such facility for patients experiencing acute and chronic pain that is non-cancer related.

(2) ESTABLISHMENT OF PROTOCOLS.—

(A) IN GENERAL.—In consultation with the Directors of each Veterans Integrated Service Network, the Secretary shall establish standard protocols for the designation of pain management teams at each medical facility within the Department.

(B) CONSULTATION ON PRESCRIPTION OF OPIOIDS.—Each protocol established under subparagraph (A) shall ensure that any health care provider without expertise in prescribing analgesics or who has not completed the education and training under subsection (b), including a mental health care provider, does not prescribe opioids to a patient unless that health care provider—

(i) consults with a health care provider with pain management expertise or who is on the pain management team of the medical facility; and

(ii) refers the patient to the pain management team for any subsequent prescriptions and related therapy.

(3) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of enactment of this Act, the director of each medical facility of the Department shall submit to the Under Secretary for Health and the director of the Veterans Integrated Service Network in which the medical facility is located a report identifying the health care professionals that have been designated as members of the pain management team at the medical facility pursuant to paragraph (1).

(B) ELEMENTS.—Each report submitted under subparagraph (A) with respect to a medical facility of the Department shall include—

(i) a certification as to whether all members of the pain management team at the medical facility have completed the education and training required under subsection (b);

(ii) a plan for the management and referral of patients to such pain management team if health care providers without expertise in prescribing analgesics prescribe opioid medications to treat acute and chronic pain that is non-cancer related; and

(iii) a certification as to whether the medical facility—

(I) fully complies with the stepped-care model, or successor models, of pain management and other pain management policies of the Department; or

(II) does not fully comply with such stepped-care model, or successor models, of pain management and other pain management policies but is carrying out a corrective plan of action to ensure such full compliance.

(d) TRACKING AND MONITORING OF OPIOID USE.—

(1) PRESCRIPTION DRUG MONITORING PROGRAMS OF STATES.—In carrying out the Opioid Safety Initiative and the Opioid Therapy Risk Report tool of the Department, the Secretary shall—

(A) ensure access by health care providers of the Department to information on controlled substances, including opioids and benzodiazepines, prescribed to veterans who receive care outside the Department through the prescription drug monitoring program of each State with such a program, including by seeking to enter into memoranda of understanding with States to allow shared access of such information between States and the Department;

(B) include such information in the Opioid Therapy Risk Report tool; and

(C) require health care providers of the Department to submit to the prescription drug monitoring program of each State with such a program information on prescriptions of controlled substances received by veterans in that State under the laws administered by the Secretary.

(2) REPORT ON TRACKING OF DATA ON OPIOID USE.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the feasibility and advisability of improving the Opioid Therapy Risk Report tool of the Department to allow for more advanced real-time tracking of and access to data on—

(A) the key clinical indicators with respect to the totality of opioid use by veterans;

(B) concurrent prescribing by health care providers of the Department of opioids in different health care settings, including data on concurrent prescribing of opioids to treat mental health disorders other than opioid use disorder; and

(C) mail-order prescriptions of opioids prescribed to veterans under the laws administered by the Secretary.

(e) AVAILABILITY OF OPIOID RECEPTOR ANTAGONISTS.—

(1) INCREASED AVAILABILITY AND USE.—

(A) IN GENERAL.—The Secretary shall maximize the availability of opioid receptor antagonists, including naloxone, to veterans.

(B) AVAILABILITY, TRAINING, AND DISTRIBUTING.—In carrying out subparagraph (A), not later than 90 days after the date of the enactment of this Act, the Secretary shall—

(i) equip each pharmacy of the Department with opioid receptor antagonists to be dispensed to outpatients as needed; and

(ii) expand the Overdose Education and Naloxone Distribution program of the Department to ensure that all veterans in receipt of health care under laws administered by the Secretary who are at risk of opioid overdose may access such opioid receptor antagonists and training on the proper administration of such opioid receptor antagonists.

(C) VETERANS WHO ARE AT RISK.—For purposes of subparagraph (B), veterans who are at risk of opioid overdose include—

(i) veterans receiving long-term opioid therapy;

(ii) veterans receiving opioid therapy who have a history of substance use disorder or prior instances of overdose; and

(iii) veterans who are at risk as determined by a health care provider who is treating the veteran.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on carrying out paragraph (1), including an assessment of any remaining steps to be carried out by the Secretary to carry out such paragraph.

(f) INCLUSION OF CERTAIN INFORMATION AND CAPABILITIES IN OPIOID THERAPY RISK REPORT TOOL OF THE DEPARTMENT.—

(1) INFORMATION.—The Secretary shall include in the Opioid Therapy Risk Report tool of the Department—

(A) information on the most recent time the tool was accessed by a health care provider of the Department with respect to each veteran; and

(B) information on the results of the most recent urine drug test for each veteran.

(2) CAPABILITIES.—The Secretary shall include in the Opioid Therapy Risk Report tool the ability of the health care providers of the Department to determine whether a health care provider of the Department prescribed opioids to a veteran without checking the information in the tool with respect to the veteran.

(g) NOTIFICATIONS OF RISK IN COMPUTERIZED HEALTH RECORD.—The Secretary shall modify the computerized patient record system of the Department to ensure that any health care provider that accesses the record of a veteran, regardless of the reason the veteran seeks care from the health care provider, will be immediately notified whether the veteran—

(1) is receiving opioid therapy and has a history of substance use disorder or prior instances of overdose;

(2) has a history of opioid abuse; or

(3) is at risk of developing an opioid use disorder, as determined by a health care provider who is treating the veteran.

SEC. 912. STRENGTHENING OF JOINT WORKING GROUP ON PAIN MANAGEMENT OF THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense shall ensure that the Pain Management Working Group of the Health Executive Committee of the Department of Veterans Affairs–Department of Defense Joint Executive Committee (Pain Management Working Group) established under section 320 of title 38, United States Code, includes a focus on the following:

(1) The opioid prescribing practices of health care providers of each Department.

(2) The ability of each Department to manage acute and chronic pain among individuals receiving health care from the Department, including training health care providers with respect to pain management.

(3) The use by each Department of complementary and integrative health in treating such individuals.

(4) The concurrent use and practice by health care providers of each Department of opioids and prescription drugs to treat mental health disorders, including benzodiazepines.

(5) The use of care transition plans by health care providers of each Department to address case management issues for patients receiving opioid therapy who transition between inpatient and outpatient care.

(6) The coordination in coverage of and consistent access to medications prescribed for patients transitioning from receiving health care from the Department of Defense to receiving health care from the Department of Veterans Affairs.

(7) The ability of each Department to properly screen, identify, refer, and treat patients with substance use disorders who are seeking treatment for acute and chronic pain management conditions.

(b) COORDINATION AND CONSULTATION.—The Secretary of Veterans Affairs and the Secretary of Defense shall ensure that the working group described in subsection (a)—

(1) coordinates the activities of the working group with other relevant working groups established under section 320 of title 38, United States Code;

(2) consults with other relevant Federal agencies, including the Centers for Disease Control and Prevention, with respect to the activities of the working group; and

(3) consults with the Department of Veterans Affairs and the Department of Defense with respect to the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, or any successor guideline, and reviews and provides comments before any update to the guideline is released.

(c) CLINICAL PRACTICE GUIDELINES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense shall issue an update to the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain.

(2) MATTERS INCLUDED.—In conducting the update under paragraph (1), the Pain Management Working Group, in coordination with the Clinical Practice Guideline VA/DoD Management of Opioid Therapy for Chronic Pain Working Group, shall work to ensure that the Clinical Practical Guideline includes the following:

(A) Enhanced guidance with respect to—

(i) the co-administration of an opioid and other drugs, including benzodiazepines, that may result in life-limiting drug interactions;

(ii) the treatment of patients with current acute psychiatric instability or substance use disorder or patients at risk of suicide; and

(iii) the use of opioid therapy to treat mental health disorders other than opioid use disorder.

(B) Enhanced guidance with respect to the treatment of patients with behaviors or comorbidities, such as post-traumatic stress disorder or other psychiatric disorders, or a history of substance abuse or addiction, that requires a consultation or co-management of opioid therapy with one or more specialists in pain management, mental health, or addictions.

(C) Enhanced guidance with respect to health care providers—

(i) conducting an effective assessment for patients beginning or continuing opioid therapy, including understanding and setting realistic goals with respect to achieving and maintaining an expected level of pain relief, improved function, or a clinically appropriate combination of both; and

(ii) effectively assessing whether opioid therapy is achieving or maintaining the established treatment goals of the patient or whether the patient and health care provider should discuss adjusting, augmenting, or discontinuing the opioid therapy.

(D) Guidelines to inform the methodologies used by health care providers of the Department of Veterans Affairs and the Department of Defense to safely taper opioid therapy when adjusting or discontinuing the use of opioid therapy, including—

(i) prescription of the lowest effective dose based on patient need;

(ii) use of opioids only for a limited time; and

(iii) augmentation of opioid therapy with other pain management therapies and modalities.

(E) Guidelines with respect to appropriate case management for patients receiving opioid therapy who transition between inpatient and outpatient health care settings, which may include the use of care transition plans.

(F) Guidelines with respect to appropriate case management for patients receiving opioid therapy who transition from receiving care during active duty to post-military health care networks.

(G) Guidelines with respect to providing options, before initiating opioid therapy, for pain management therapies without the use of opioids and options to augment opioid therapy with other clinical and complementary and integrative health services to minimize opioid dependence.

(H) Guidelines with respect to the provision of evidence-based non-opioid treatments within the Department of Veterans Affairs and the Department of Defense, including medical devices and other therapies approved or cleared by the Food and Drug Administration for the treatment of chronic pain as an alternative to or to augment opioid therapy.

(I) Guidelines developed by the Centers for Disease Control and Prevention for safely prescribing opioids for the treatment of chronic, non-cancer related pain in outpatient settings.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prevent the Secretary of Veterans Affairs and the Secretary of Defense from considering all relevant evidence, as appropriate, in updating the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, as required under paragraph (1), or from ensuring that the final clinical practice guideline updated under such paragraph remains applicable to the patient populations of the Department of Veterans Affairs and the Department of Defense.

SEC. 913. REVIEW, INVESTIGATION, AND REPORT ON USE OF OPIOIDS IN TREATMENT BY DEPARTMENT OF VETERANS AFFAIRS.

(a) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the Opioid Safety Initiative of the Department of Veterans Affairs and the opioid prescribing practices of health care providers of the Department.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include the following:

(A) An assessment of the implementation and monitoring by the Veterans Health Administration of the Opioid Safety Initiative of the Department, including examining, as appropriate, the following:

(i) How the Department monitors the key clinical outcomes of such safety initiative (for example, the percentage of unique veterans visiting each medical center of the Department that are prescribed an opioid or an opioid and benzodiazepine concurrently) and how the Department uses that information—

(I) to improve prescribing practices; and

(II) to identify high prescribing or otherwise inappropriate prescribing practices by health care providers.

(ii) How the Department monitors the use of the Opioid Therapy Risk Report tool of the Department (as developed through such safety initiative) and compliance with such tool by medical facilities and health care providers of the Department, including any findings by the Department of prescription rates or prescription practices by medical facilities or health care providers that are inappropriate.

(iii) The implementation of academic detailing programs within the Veterans Integrated Service Networks of the Department and how such programs are being used to improve opioid prescribing practices.

(iv) Recommendations on such improvements to the Opioid Safety Initiative of the Department as the Comptroller General considers appropriate.

(B) Information made available under the Opioid Therapy Risk Report tool with respect to—

(i) deaths resulting from sentinel events involving veterans prescribed opioids by a health care provider;

(ii) overall prescription rates and, if applicable, indications used by health care providers for prescribing chronic opioid therapy to treat non-cancer, non-palliative, and non-hospice care patients;

(iii) the prescription rates and indications used by health care providers for prescribing benzodiazepines and opioids concomitantly;

(iv) the practice by health care providers of prescribing opioids to treat patients without any pain, including to treat patients with mental health disorders other than opioid use disorder; and

(v) the effectiveness of opioid therapy for patients receiving such therapy, including the effectiveness of long-term opioid therapy.

(C) An evaluation of processes of the Department in place to oversee opioid use among veterans, including procedures to identify and remedy potential over-prescribing of opioids by health care providers of the Department.

(D) An assessment of the implementation by the Secretary of Veterans Affairs of the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, including any figures or approaches used by the Department to assess compliance with such guidelines by medical centers of the Department and identify any medical centers of the Department operating action plans to improve compliance with such guidelines.

(E) An assessment of the data that the Department has developed to review the opioid prescribing practices of health care providers of the Department, as required by this subtitle, including a review of how the Department identifies the practices of individual health care providers that warrant further review based on prescribing levels, health conditions for which the health care provider is prescribing opioids or opioids and benzodiazepines concurrently, or other practices of the health care provider.

(b) SEMI-ANNUAL PROGRESS REPORT ON IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS.—Not later than 180 days after the date of the submittal of the report required under subsection (a), and not less frequently than annually thereafter until the Comptroller General of the United States determines that all recommended actions are closed, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a progress report detailing the actions by the Secretary to address any outstanding findings and recommendations by the Comptroller General of the United States under subsection (a) with respect to the Veterans Health Administration.

(c) ANNUAL REPORT ON OPIOID THERAPY AND PRESCRIPTION RATES.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually for the following five years, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on opioid therapy and prescription rates for the one-year period preceding the date of the submission of the report. Each such report shall include each of the following:

(1) The number of patients and the percentage of the patient population of the Department who were prescribed benzodiazepines and opioids concurrently by a health care provider of the Department.

(2) The number of patients and the percentage of the patient population of the Department without any pain who were prescribed opioids by a health care provider of the Department, including those who were prescribed benzodiazepines and opioids concurrently.

(3) The number of non-cancer, non-palliative, and non-hospice care patients and the percentage of such patients who were treated with opioids by a health care provider of the Department on an inpatient-basis and who also received prescription opioids by mail from the Department while being treated on an inpatient-basis.

(4) The number of non-cancer, non-palliative, and non-hospice care patients and the percentage of such patients who were prescribed opioids concurrently by a health care provider of the Department and a health care provider that is not a health care provider of the Department.

(5) With respect to each medical facility of the Department, the collected and reviewed information on opioids prescribed by health care providers at the facility to treat non-cancer, non-palliative, and non-hospice care patients, including—

(A) the prescription rate at which each health care provider at the facility prescribed benzodiazepines and opioids concurrently to such patients and the aggregate of such prescription rate for all health care providers at the facility;

(B) the prescription rate at which each health care provider at the facility prescribed benzodiazepines or opioids to such patients to treat conditions for which benzodiazepines or opioids are not approved treatment and the aggregate of such prescription rate for all health care providers at the facility;

(C) the prescription rate at which each health care provider at the facility prescribed or dispensed mail-order prescriptions of opioids to such patients while such patients were being treated with opioids on an inpatient-basis and the aggregate of such prescription rate for all health care providers at the facility; and

(D) the prescription rate at which each health care provider at the facility prescribed opioids to such patients who were also concurrently prescribed opioids by a health care provider that is not a health care provider of the Department and the aggregate of such prescription rates for all health care providers at the facility.

(6) With respect to each medical facility of the Department, the number of times a pharmacist at the facility overrode a critical drug interaction warning with respect to an interaction between opioids and another medication before dispensing such medication to a veteran.

(d) INVESTIGATION OF PRESCRIPTION RATES.—If the Secretary determines that a prescription rate with respect to a health care provider or medical facility of the Department conflicts with or is otherwise inconsistent with the standards of appropriate and safe care, the Secretary shall—

(1) immediately notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives of such determination, including information relating to such determination, prescription rate, and health care provider or medical facility, as the case may be; and

(2) through the Office of the Medical Inspector of the Veterans Health Administration, conduct a full investigation of the health care provider or medical facility, as the case may be.

(e) PRESCRIPTION RATE DEFINED.—In this section, the term ''prescription rate'' means, with respect to a health care provider or medical facility of the Department, each of the following:

(1) The number of patients treated with opioids by the health care provider or at the medical facility, as the case may be, divided by the total number of pharmacy users of that health care provider or medical facility.

(2) The average number of morphine equivalents per day prescribed by the health care provider or at the medical facility, as the case may be, to patients being treated with opioids.

(3) Of the patients being treated with opioids by the health care provider or at the medical facility, as the case may be, the average number of prescriptions of opioids per patient.

SEC. 914. MANDATORY DISCLOSURE OF CERTAIN VETERAN INFORMATION TO STATE CONTROLLED SUBSTANCE MONITORING PROGRAMS.

Section 5701(l) of title 38, United States Code, is amended by striking ''may'' and inserting ''shall''.

SEC. 915. ELIMINATION OF COPAYMENT REQUIREMENT FOR VETERANS RECEIVING OPIOID ANTAGONISTS OR EDUCATION ON USE OF OPIOID ANTAGONISTS.

(a) COPAYMENT FOR OPIOID ANTAGONISTS.—Section 1722A(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(4) Paragraph (1) does not apply to opioid antagonists furnished under this chapter to a veteran who is at high risk for overdose of a specific medication or substance in order to reverse the effect of such an overdose.''.

(b) COPAYMENT FOR EDUCATION ON USE OF OPIOID ANTAGONISTS.—Section 1710(g)(3) of such title is amended—

(1) by striking ''with respect to home health services'' and inserting ''with respect to the following:''

''(A) Home health services''; and

(2) by adding at the end the following subparagraph:

''(B) Education on the use of opioid antagonists to reverse the effects of overdoses of specific medications or substances.''.

Subtitle B—Patient Advocacy

SEC. 921. COMMUNITY MEETINGS ON IMPROVING CARE FURNISHED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) COMMUNITY MEETINGS.—

(1) MEDICAL CENTERS.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter, the Secretary shall ensure that each medical facility of the Department of Veterans Affairs hosts a community meeting open to the public on improving health care furnished by the Secretary.

(2) COMMUNITY-BASED OUTPATIENT CLINICS.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall ensure that each community-based outpatient clinic of the Department hosts a community meeting open to the public on improving health care furnished by the Secretary.

(b) ATTENDANCE BY DIRECTOR OF VETERANS INTEGRATED SERVICE NETWORK OR DESIGNEE.—

(1) IN GENERAL.—Each community meeting hosted by a medical facility or community-based outpatient clinic under subsection (a) shall be attended by the Director of the Veterans Integrated Service Network in which the medical facility or community-based outpatient clinic, as the case may be, is located. Subject to paragraph (2), the Director may delegate such attendance only to an employee who works in the Office of the Director.

(2) ATTENDANCE BY DIRECTOR.—Each Director of a Veterans Integrated Service Network shall personally attend not less than one community meeting under subsection (a) hosted by each medical facility located in the Veterans Integrated Service Network each year.

(c) NOTICE.—The Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of Congress (as defined in section 902) who represents the area in which the medical facility is located of a community meeting under subsection (a) by not later than 10 days before such community meeting occurs.

SEC. 922. IMPROVEMENT OF AWARENESS OF PATIENT ADVOCACY PROGRAM AND PATIENT BILL OF RIGHTS OF DEPARTMENT OF VETERANS AFFAIRS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, in as many prominent locations as the Secretary determines appropriate to be seen by the largest percentage of patients and family members of patients at each medical facility of the Department of Veterans Affairs—

(1) display the purposes of the Patient Advocacy Program of the Department and the contact information for the patient advocate at such medical facility; and

(2) display the rights and responsibilities of—

(A) patients and family members of patients at such medical facility; and

(B) with respect to community living centers and other residential facilities of the Department, residents and family members of residents at such medical facility.

SEC. 923. COMPTROLLER GENERAL REPORT ON PATIENT ADVOCACY PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the Patient Advocacy Program of the Department of Veterans Affairs (in this section referred to as the ''Program'').

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the Program, including—

(A) the purpose of the Program;

(B) the activities carried out under the Program; and

(C) the sufficiency of the Program in achieving the purpose of the Program.

(2) An assessment of the sufficiency of staffing of employees of the Department responsible for carrying out the Program.

(3) An assessment of the sufficiency of the training of such employees.

(4) An assessment of—

(A) the awareness of the Program among veterans and family members of veterans; and

(B) the use of the Program by veterans and family members of veterans.

(5) Such recommendations and proposals for improving or modifying the Program as the Comptroller General considers appropriate.

(6) Such other information with respect to the Program as the Comptroller General considers appropriate.

SEC. 924. ESTABLISHMENT OF OFFICE OF PATIENT ADVOCACY OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter I of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7309A. Office of Patient Advocacy

''(a) ESTABLISHMENT.—There is established in the Department within the Office of the Under Secretary for Health an office to be known as the 'Office of Patient Advocacy' (in this section referred to as the 'Office').

''(b) HEAD.—(1) The Director of the Office of Patient Advocacy shall be the head of the Office.

''(2) The Director of the Office of Patient Advocacy shall be appointed by the Under Secretary for Health from among individuals qualified to perform the duties of the position and shall report directly to the Under Secretary for Health.

''(c) FUNCTION.—(1) The function of the Office is to carry out the Patient Advocacy Program of the Department.

''(2) In carrying out the Patient Advocacy Program of the Department, the Director shall ensure that patient advocates of the Department—

''(A) advocate on behalf of veterans with respect to health care received and sought by veterans under the laws administered by the Secretary;

''(B) carry out the responsibilities specified in subsection (d); and

''(C) receive training in patient advocacy.

''(d) PATIENT ADVOCACY RESPONSIBILITIES.—The responsibilities of each patient advocate at a medical facility of the Department are the following:

''(1) To resolve complaints by veterans with respect to health care furnished under the laws administered by the Secretary that cannot be resolved at the point of service or at a higher level easily accessible to the veteran.

''(2) To present at various meetings and to various committees the issues experienced by veterans in receiving such health care at such medical facility.

''(3) To express to veterans their rights and responsibilities as patients in receiving such health care.

''(4) To manage the Patient Advocate Tracking System of the Department at such medical facility.

''(5) To compile data at such medical facility of complaints made by veterans with respect to the receipt of such health care at such medical facility and the satisfaction of veterans with such health care at such medical facility to determine whether there are trends in such data.

''(6) To ensure that a process is in place for the distribution of the data compiled under paragraph (5) to appropriate leaders, committees, services, and staff of the Department.

''(7) To identify, not less frequently than quarterly, opportunities for improvements in the furnishing of such health care to veterans at such medical facility based on complaints by veterans.

''(8) To ensure that any significant complaint by a veteran with respect to such health care is brought to the attention of appropriate staff of the Department to trigger an assessment of whether there needs to be a further analysis of the problem at the facility-wide level.

''(9) To support any patient advocacy programs carried out by the Department.

''(10) To ensure that all appeals and final decisions with respect to the receipt of such health care are entered into the Patient Advocate Tracking System of the Department.

''(11) To understand all laws, directives, and other rules with respect to the rights and responsibilities of veterans in receiving such health care, including the appeals processes available to veterans.

''(12) To ensure that veterans receiving mental health care, or the surrogate decision-makers for such veterans, are aware of the rights of veterans to seek representation from systems established under section 103 of the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10803) to protect and advocate the rights of individuals with mental illness and to investigate incidents of abuse and neglect of such individuals.

''(13) To fulfill requirements established by the Secretary with respect to the inspection of controlled substances.

''(14) To document potentially threatening behavior and report such behavior to appropriate authorities.

''(e) TRAINING.—In providing training to patient advocates under subsection (c)(2)(C), the Director shall ensure that such training is consistent throughout the Department.

''(f) CONTROLLED SUBSTANCE DEFINED.—In this section, the term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7309 the following new item:

''7309A. Office of Patient Advocacy.''.

(c) DATE FULLY OPERATIONAL.—The Secretary of Veterans Affairs shall ensure that the Office of Patient Advocacy established under section 7309A of title 38, United States Code, as added by subsection (a), is fully operational not later than the date that is one year after the date of the enactment of this Act.

Subtitle C—Complementary and Integrative Health

SEC. 931. EXPANSION OF RESEARCH AND EDUCATION ON AND DELIVERY OF COMPLEMENTARY AND INTEGRATIVE HEALTH TO VETERANS.

(a) ESTABLISHMENT.—There is established a commission to be known as the ''Creating Options for Veterans' Expedited Recovery'' or the ''COVER Commission'' (in this section referred to as the ''Commission''). The Commission shall examine the evidence-based therapy treatment model used by the Secretary of Veterans Affairs for treating mental health conditions of veterans and the potential benefits of incorporating complementary and integrative health treatments available in non-Department facilities (as defined in section 1701 of title 38, United States Code).

(b) DUTIES.—The Commission shall perform the following duties:

(1) Examine the efficacy of the evidence-based therapy model used by the Secretary for treating mental health illnesses of veterans and identify areas to improve wellness-based outcomes.

(2) Conduct a patient-centered survey within each of the Veterans Integrated Service Networks to examine—

(A) the experience of veterans with the Department of Veterans Affairs when seeking medical assistance for mental health issues through the health care system of the Department;

(B) the experience of veterans with non-Department facilities and health professionals for treating mental health issues;

(C) the preference of veterans regarding available treatment for mental health issues and which methods the veterans believe to be most effective;

(D) the experience, if any, of veterans with respect to the complementary and integrative health treatment therapies described in paragraph (3);

(E) the prevalence of prescribing prescription medication among veterans seeking treatment through the health care system of the Department as remedies for addressing mental health issues; and

(F) the outreach efforts of the Secretary regarding the availability of benefits and treatments for veterans for addressing mental health issues, including by identifying ways to reduce barriers to gaps in such benefits and treatments.

(3) Examine available research on complementary and integrative health treatment therapies for mental health issues and identify what benefits could be made with the inclusion of such treatments for veterans, including with respect to—

(A) music therapy;

(B) equine therapy;

(C) training and caring for service dogs;

(D) yoga therapy;

(E) acupuncture therapy;

(F) meditation therapy;

(G) outdoor sports therapy;

(H) hyperbaric oxygen therapy;

(I) accelerated resolution therapy;

(J) art therapy;

(K) magnetic resonance therapy; and

(L) other therapies the Commission determines appropriate.

(4) Study the sufficiency of the resources of the Department to ensure the delivery of quality health care for mental health issues among veterans seeking treatment within the Department.

(5) Study the current treatments and resources available within the Department and assess—

(A) the effectiveness of such treatments and resources in decreasing the number of suicides per day by veterans;

(B) the number of veterans who have been diagnosed with mental health issues;

(C) the percentage of veterans using the resources of the Department who have been diagnosed with mental health issues;

(D) the percentage of veterans who have completed counseling sessions offered by the Department; and

(E) the efforts of the Department to expand complementary and integrative health treatments viable to the recovery of veterans with mental health issues as determined by the Secretary to improve the effectiveness of treatments offered by the Department.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 10 members, appointed as follows:

(A) Two members appointed by the Speaker of the House of Representatives, at least one of whom shall be a veteran.

(B) Two members appointed by the minority leader of the House of Representatives, at least one of whom shall be a veteran.

(C) Two members appointed by the majority leader of the Senate, at least one of whom shall be a veteran.

(D) Two members appointed by the minority leader of the Senate, at least one of whom shall be a veteran.

(E) Two members appointed by the President, at least one of whom shall be a veteran.

(2) QUALIFICATIONS.—Members of the Commission shall be individuals who—

(A) are of recognized standing and distinction within the medical community with a background in treating mental health;

(B) have experience working with the military and veteran population; and

(C) do not have a financial interest in any of the complementary and integrative health treatments reviewed by the Commission.

(3) CHAIRMAN.—The President shall designate a member of the Commission to be the Chairman.

(4) PERIOD OF APPOINTMENT.—Members of the Commission shall be appointed for the life of the Commission.

(5) VACANCY.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(6) APPOINTMENT DEADLINE.—The appointment of members of the Commission in this section shall be made not later than 90 days after the date of the enactment of this Act.

(d) POWERS OF COMMISSION.—

(1) MEETINGS.—

(A) INITIAL MEETING.—The Commission shall hold its first meeting not later than 30 days after a majority of members are appointed to the Commission.

(B) MEETING.—The Commission shall regularly meet at the call of the Chairman. Such meetings may be carried out through the use of telephonic or other appropriate telecommunication technology if the Commission determines that such technology will allow the members to communicate simultaneously.

(2) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive evidence as the Commission considers advisable to carry out the responsibilities of the Commission.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any department or agency of the Federal Government such information as the Commission considers necessary to carry out the duties of the Commission.

(4) INFORMATION FROM NONGOVERNMENTAL ORGANIZATIONS.—In carrying out its duties, the Commission may seek guidance through consultation with foundations, veteran service organizations, nonprofit groups, faith-based organizations, private and public institutions of higher education, and other organizations as the Commission determines appropriate.

(5) COMMISSION RECORDS.—The Commission shall keep an accurate and complete record of the actions and meetings of the Commission. Such record shall be made available for public inspection and the Comptroller General of the United States may audit and examine such record.

(6) PERSONNEL RECORDS.—The Commission shall keep an accurate and complete record of the actions and meetings of the Commission. Such record shall be made available for public inspection and the Comptroller General of the United States may audit and examine such records.

(7) COMPENSATION OF MEMBERS; TRAVEL EXPENSES.—Each member shall serve without pay but shall receive travel expenses to perform the duties of the Commission, including per diem in lieu of substances, at rates authorized under subchapter I of chapter 57 of title 5, United States Code.

(8) STAFF.—The Chairman, in accordance with rules agreed upon the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, without regard to the provision of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this paragraph may exceed the equivalent of that payable for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(9) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission are employees under section 2105 of title 5, United States Code, for purpose of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of such title.

(B) MEMBERS OF THE COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(10) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriations Acts, enter into contracts to enable the Commission to discharge the duties of the Commission under this Act.

(11) EXPERT AND CONSULTANT SERVICE.—The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates not to exceed the daily rate paid to a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(12) POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(13) PHYSICAL FACILITIES AND EQUIPMENT.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act. These administrative services may include human resource management, budget, leasing accounting, and payroll services.

(e) REPORT.—

(1) INTERIM REPORTS.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Commission first meets, and each 30-day period thereafter ending on the date on which the Commission submits the final report under paragraph (2), the Commission shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate and the President a report detailing the level of cooperation the Secretary of Veterans Affairs (and the heads of other departments or agencies of the Federal Government) has provided to the Commission.

(B) OTHER REPORTS.—In carrying out its duties, at times that the Commission determines appropriate, the Commission shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate and any other appropriate entities an interim report with respect to the findings identified by the Commission.

(2) FINAL REPORT.—Not later than 18 months after the first meeting of the Commission, the Commission shall submit to the Committee on Veterans' Affairs of the House of Representatives and the Senate, the President, and the Secretary of Veterans Affairs a final report on the findings of the Commission. Such report shall include the following:

(A) Recommendations to implement in a feasible, timely, and cost-efficient manner the solutions and remedies identified within the findings of the Commission pursuant to subsection (b).

(B) An analysis of the evidence-based therapy model used by the Secretary of Veterans Affairs for treating veterans with mental health care issues, and an examination of the prevalence and efficacy of prescription drugs as a means for treatment.

(C) The findings of the patient-centered survey conducted within each of the Veterans Integrated Service Networks pursuant to subsection (b)(2).

(D) An examination of complementary and integrative health treatments described in subsection (b)(3) and the potential benefits of incorporating such treatments in the therapy models used by the Secretary for treating veterans with mental health issues.

(3) PLAN.—Not later than 90 days after the date on which the Commission submits the final report under paragraph (2), the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the following:

(A) An action plan for implementing the recommendations established by the Commission on such solutions and remedies for improving wellness-based outcomes for veterans with mental health care issues.

(B) A feasible timeframe on when the complementary and integrative health treatments described in subsection (b)(3) can be implemented Department-wide.

(C) With respect to each recommendation established by the Commission, including any complementary and integrative health treatment, that the Secretary determines is not appropriate or feasible to implement, a justification for such determination and an alternative solution to improve the efficacy of the therapy models used by the Secretary for treating veterans with mental health issues.

(f) TERMINATION OF COMMISSION.—The Commission shall terminate 30 days after the Commission submits the final report under subsection (e)(2).

SEC. 932. EXPANSION OF RESEARCH AND EDUCATION ON AND DELIVERY OF COMPLEMENTARY AND INTEGRATIVE HEALTH TO VETERANS.

(a) DEVELOPMENT OF PLAN TO EXPAND RESEARCH, EDUCATION, AND DELIVERY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop a plan to expand materially and substantially the scope of the effectiveness of research and education on, and delivery and integration of, complementary and integrative health services into the health care services provided to veterans.

(b) ELEMENTS.—The plan required by subsection (a) shall provide for the following:

(1) Research on the following:

(A) The effectiveness of various complementary and integrative health services, including the effectiveness of such services integrated with clinical services.

(B) Approaches to integrating complementary and integrative health services into other health care services provided by the Department of Veterans Affairs.

(2) Education and training for health care professionals of the Department on the following:

(A) Complementary and integrative health services selected by the Secretary for purposes of the plan.

(B) Appropriate uses of such services.

(C) Integration of such services into the delivery of health care to veterans.

(3) Research, education, and clinical activities on complementary and integrative health at centers of innovation at medical centers of the Department.

(4) Identification or development of metrics and outcome measures to evaluate the effectiveness of the provision and integration of complementary and integrative health services into the delivery of health care to veterans.

(5) Integration and delivery of complementary and integrative health services with other health care services provided by the Department.

(c) CONSULTATION.—

(1) IN GENERAL.—In carrying out subsection (a), the Secretary shall consult with the following:

(A) The Director of the National Center for Complementary and Integrative Health of the National Institutes of Health.

(B) The Commissioner of Food and Drugs.

(C) Institutions of higher education, private research institutes, and individual researchers with extensive experience in complementary and integrative health and the integration of complementary and integrative health practices into the delivery of health care.

(D) Nationally recognized providers of complementary and integrative health.

(E) Such other officials, entities, and individuals with expertise on complementary and integrative health as the Secretary considers appropriate.

(2) SCOPE OF CONSULTATION.—The Secretary shall undertake consultation under paragraph (1) in carrying out subsection (a) with respect to the following:

(A) To develop the plan.

(B) To identify specific complementary and integrative health practices that, on the basis of research findings or promising clinical interventions, are appropriate to include as services to veterans.

(C) To identify barriers to the effective provision and integration of complementary and integrative health services into the delivery of health care to veterans, and to identify mechanisms for overcoming such barriers.

SEC. 933. PILOT PROGRAM ON INTEGRATION OF COMPLEMENTARY AND INTEGRATIVE HEALTH AND RELATED ISSUES FOR VETERANS AND FAMILY MEMBERS OF VETERANS.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date on which the Secretary of Veterans Affairs receives the final report under section 931(e)(2), the Secretary shall commence a pilot program to assess the feasibility and advisability of using complementary and integrative health and wellness-based programs (as defined by the Secretary) to complement the provision of pain management and related health care services, including mental health care services, to veterans.

(2) MATTERS ADDRESSED.—In carrying out the pilot program, the Secretary shall assess the following:

(A) Means of improving coordination between Federal, State, local, and community providers of health care in the provision of pain management and related health care services to veterans.

(B) Means of enhancing outreach, and coordination of outreach, by and among providers of health care referred to in subparagraph (A) on the pain management and related health care services available to veterans.

(C) Means of using complementary and integrative health and wellness-based programs of providers of health care referred to in subparagraph (A) as complements to the provision by the Department of Veterans Affairs of pain management and related health care services to veterans.

(D) Whether complementary and integrative health and wellness-based programs described in subparagraph (C)—

(i) are effective in enhancing the quality of life and well-being of veterans;

(ii) are effective in increasing the adherence of veterans to the primary pain management and related health care services provided such veterans by the Department;

(iii) have an effect on the sense of well-being of veterans who receive primary pain management and related health care services from the Department; and

(iv) are effective in encouraging veterans receiving health care from the Department to adopt a more healthy lifestyle.

(b) DURATION.—The Secretary shall carry out the pilot program under subsection (a)(1) for a period of three years.

(c) LOCATIONS.—

(1) FACILITIES.—The Secretary shall carry out the pilot program under subsection (a)(1) at facilities of the Department providing pain management and related health care services, including mental health care services, to veterans. In selecting such facilities to carry out the pilot program, the Secretary shall select not fewer than 15 geographically diverse medical centers of the Department, of which not fewer than two shall be polytrauma rehabilitation centers of the Department.

(2) MEDICAL CENTERS WITH PRESCRIPTION RATES OF OPIOIDS THAT CONFLICT WITH CARE STANDARDS.—In selecting the medical centers under paragraph (1), the Secretary shall give priority to medical centers of the Department at which there is a prescription rate of opioids that conflicts with or is otherwise inconsistent with the standards of appropriate and safe care.

(d) PROVISION OF SERVICES.—Under the pilot program under subsection (a)(1), the Secretary shall provide covered services to covered veterans by integrating complementary and integrative health services with other services provided by the Department at the medical centers selected under subsection (c).

(e) COVERED VETERANS.—For purposes of the pilot program under subsection (a)(1), a covered veteran is any veteran who—

(1) has a mental health condition diagnosed by a clinician of the Department;

(2) experiences chronic pain;

(3) has a chronic condition being treated by a clinician of the Department; or

(4) is not described in paragraph (1), (2), or (3) and requests to participate in the pilot program or is referred by a clinician of the Department who is treating the veteran.

(f) COVERED SERVICES.—

(1) IN GENERAL.—For purposes of the pilot program, covered services are services consisting of complementary and integrative health services as selected by the Secretary.

(2) ADMINISTRATION OF SERVICES.—Covered services shall be administered under the pilot program as follows:

(A) Covered services shall be administered by professionals or other instructors with appropriate training and expertise in complementary and integrative health services who are employees of the Department or with whom the Department enters into an agreement to provide such services.

(B) Covered services shall be included as part of the Patient Aligned Care Teams initiative of the Office of Patient Care Services, Primary Care Program Office, in coordination with the Office of Patient Centered Care and Cultural Transformation.

(C) Covered services shall be made available to—

(i) covered veterans who have received conventional treatments from the Department for the conditions for which the covered veteran seeks complementary and integrative health services under the pilot program; and

(ii) covered veterans who have not received conventional treatments from the Department for such conditions.

(g) REPORTS.—

(1) IN GENERAL.—Not later than 30 months after the date on which the Secretary commences the pilot program under subsection (a)(1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the pilot program.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) The findings and conclusions of the Secretary with respect to the pilot program under subsection (a)(1), including with respect to—

(i) the use and efficacy of the complementary and integrative health services established under the pilot program;

(ii) the outreach conducted by the Secretary to inform veterans and community organizations about the pilot program; and

(iii) an assessment of the benefit of the pilot program to covered veterans in mental health diagnoses, pain management, and treatment of chronic illness.

(B) Identification of any unresolved barriers that impede the ability of the Secretary to incorporate complementary and integrative health services with other health care services provided by the Department.

(C) Such recommendations for the continuation or expansion of the pilot program as the Secretary considers appropriate.

Subtitle D—Fitness of Health Care Providers

SEC. 941. ADDITIONAL REQUIREMENTS FOR HIRING OF HEALTH CARE PROVIDERS BY DEPARTMENT OF VETERANS AFFAIRS.

As part of the hiring process for each health care provider considered for a position at the Department of Veterans Affairs after the date of the enactment of the Act, the Secretary of Veterans Affairs shall require from the medical board of each State in which the health care provider has or had a medical license—

(1) information on any violation of the requirements of the medical license of the health care provider during the 20-year period preceding the consideration of the health care provider by the Department; and

(2) information on whether the health care provider has entered into any settlement agreement for a disciplinary charge relating to the practice of medicine by the health care provider.

SEC. 942. PROVISION OF INFORMATION ON HEALTH CARE PROVIDERS OF DEPARTMENT OF VETERANS AFFAIRS TO STATE MEDICAL BOARDS.

Notwithstanding section 552a of title 5, United States Code, with respect to each health care provider of the Department of Veterans Affairs who has violated a requirement of the medical license of the health care provider, the Secretary of Veterans Affairs shall provide to the medical board of each State in which the health care provider is licensed detailed information with respect to such violation, regardless of whether such board has formally requested such information.

SEC. 943. REPORT ON COMPLIANCE BY DEPARTMENT OF VETERANS AFFAIRS WITH REVIEWS OF HEALTH CARE PROVIDERS LEAVING THE DEPARTMENT OR TRANSFERRING TO OTHER FACILITIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the compliance by the Department of Veterans Affairs with the policy of the Department—

(1) to conduct a review of each health care provider of the Department who transfers to another medical facility of the Department, resigns, retires, or is terminated to determine whether there are any concerns, complaints, or allegations of violations relating to the medical practice of the health care provider; and

(2) to take appropriate action with respect to any such concern, complaint, or allegation.

Subtitle E—Other Matters

SEC. 951. MODIFICATION TO LIMITATION ON AWARDS AND BONUSES.

Section 705 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 703 note) is amended to read as follows:

''SEC. 705. LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

''(a) LIMITATION.—The Secretary of Veterans Affairs shall ensure that the aggregate amount of awards and bonuses paid by the Secretary in a fiscal year under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title or title 38, United States Code, does not exceed the following amounts:

''(1) With respect to each of fiscal years 2017 through 2018, $230,000,000.

''(2) With respect to each of fiscal years 2019 through 2021, $225,000,000.

''(3) With respect to each of fiscal years 2022 through 2024, $360,000,000.

''(b) SENSE OF CONGRESS.—It is the sense of Congress that the limitation under subsection (a) should not disproportionately impact lower-wage employees and that the Department of Veterans Affairs is encouraged to use bonuses to incentivize high-performing employees in areas in which retention is challenging.''.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment to the title of the bill, insert the following: ''An Act to authorize the Attorney General and Secretary of Health and Human Services to award grants to address the prescription opioid abuse and heroin use crisis, and for other purposes.''.

And the House agree to the same.

For consideration of the Senate bill and the House amendments, and modifications committed to conference:

FRED UPTON,
JOSEPH R. PITTS,
LEONARD LANCE,
BRETT GUTHRIE,
ADAM KINZINGER,
LARRY BUCSHON,
SUSAN W. BROOKS,
BOB GOODLATTE,
F. JAMES SENSENBRENNER, Jr.,
LAMAR SMITH,
TOM MARINO,
DOUG COLLINS,
DAVID A. TROTT,
MIKE BISHOP,
KEVIN MCCARTHY,

From the Committee on Education and the Workforce, for consideration of title VII of the House amendment, and modifications committed to conference:

LOU BARLETTA,
EARL L. ''BUDDY'' CARTER,

From the Committee on Veterans' Affairs, for consideration of title III of the House amendment, and modifications committed to conference:

GUS M. BILIRAKIS,
JACKIE WALORSKI,

From the Committee on Ways and Means, for consideration of sec. 705 of the Senate bill, and sec. 804 of the House amendment, and modifications committed to conference:

PATRICK MEEHAN,
ROBERT J. DOLD,
Managers on the Part of the House.

CHUCK GRASSLEY,
LAMAR ALEXANDER,
ORRIN G. HATCH,
JEFF SESSIONS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 524), to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and the House amendment. The difference between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

S. 524, the Comprehensive Addiction and Recovery Act (CARA), authorizes the Attorney General and the Secretary of Health and Human Services to award grants to address the national epidemics of addiction to heroin and prescription opioids, and makes various other changes to Federal law to combat opioid addiction and abuse.

TITLE I—PREVENTION AND EDUCATION

Section 101—Task force on pain management

S. 524 included a task force to review best practices for chronic and acute pain management and prescribing pain medication. It was unclear which best practices the task force would review, modify, and update. The task force would have been required to convene not later than December 14, 2018, and within 180 days, modify and update such best practices, as appropriate, and amend them further, if appropriate, after soliciting and taking into consideration public comment. Not later than 90 days after that, the task force would have been required to submit a report to Congress, including a strategy for disseminating best practices as reviewed, modified, or updated.

The House amendment included the same timeframes and underlying activities but added a number of participants to the task force. The House amendment also added considerations that the task force would have been required to take into account while reviewing, modifying, and updating best practices, several of which extended beyond the scope of chronic and acute pain management.

Section 101 of the conference report requires the Secretary of Health and Human Services (HHS), within two years of enactment, to convene a task force comprised of federal agencies and non-governmental stakeholders to identify, review, and as appropriate, determine whether there are gaps or inconsistencies between best practices for chronic and acute pain management that have been developed or adopted by Federal agencies. The task force is required to consider a number of factors, existing research, and related efforts, and, within one year of convening, propose any updates to such best practices and recommendations on addressing gaps or inconsistencies after providing the public with at least 90 days to submit comments. The task force would also develop a strategy for disseminating information about best practices prior to disbanding three years after enactment.

Section 102—Awareness campaigns

Section 102 requires that the Secretary of HHS, as appropriate, to advance education and awareness of issues related to opioid abuse. The Secretary is directed to carry out these activities through existing programs and activities. The awareness campaigns should address information on prevention and detection of opioid abuse. Section 102 of S. 524 included a similar provision.

Section 103—Community-based coalition enhancement grants to address local drug crises

Section 103 authorizes the Office of National Drug Control Policy (ONDCP) to award grants to implement community-wide prevention strategies for addressing the local drug crisis or emerging drug abuse issue in areas with high rates of opioid or methamphetamine abuse. The section authorizes the appropriation of $5 million for each of fiscal years 2017 through 2021, and allows ONDCP to delegate authority for carrying out the grant program. Section 103 of S. 524 included a similar provision.

Section 104—Information materials and resources to prevent addiction related to youth sports injuries

Section 104 directs the Secretary of HHS to make publically available a report determining the extent to which informational materials and resources are available with respect to youth sports injuries for which opioids are potentially prescribed. The Secretary may then facilitate the development of materials if gaps are found in resources that are currently available. Teenage athletes who are prescribed an opioid are uniquely susceptible to opioid addiction. The House amendment included similar language.

Section 105—Assisting veterans with military emergency medical training to meet requirements for becoming civilian health care professionals

Section 105 would award demonstration grants to states to streamline the licensure requirements for veterans who held military occupational specialties related to medical care or who completed certain military medical training to more easily meet civilian health care licensure requirements. The House amendment included similar language that applied only to military emergency medical technicians.

Section 106—FDA opioid action plan

Section 106 requires that the Food and Drug Administration (FDA) consult with advisory committees prior to approval or labeling of certain new opioids in pediatric populations. FDA must also issue final guidance for generic drugs that claim abuse deterrence within 18 months of the date of enactment, and develop recommendations regarding educational programs for prescribers of opioids. The House amendment included similar language.

Section 107—Improving access to overdose treatment

Currently, there are questions as to when co-prescribing or prescribing of opioid reversal drugs approved by the Federal Food, Drug and Cosmetic Act for emergency treatment of known or suspected opioid overdose is appropriate. Section 107 would allow the Secretary of HHS, the Secretary of Veterans Affairs (VA), and the Secretary of Defense, 180 days after enactment, to provide information to prescribers on co-prescribing or prescribing a drug or device for emergency treatment of known or suspected opioid overdose. It explicitly states that the best practices in this section are not to be construed as or to establish a medical standard of care. This section also establishes a grant program to increase access to opioid overdose treatment. The House amendment included similar language.

Section 108—NIH opioid research

Section 108 allows the National Institutes of Health (NIH) to intensify and coordinate fundamental, translational, and clinical research with respect to the understanding of pain, the discovery and development of therapies for chronic pain, and the development of alternatives to opioids for effective pain treatments in order to advance the discovery and development of novel, safe, non-addictive, effective, and affordable pharmaceuticals and other therapies for chronic pain.

Section 109—National All Schedules Prescription Electronic Reporting reauthorization

Section 109 reauthorizes the National All Schedules Prescription Electronic Reporting (NASPER) Act within HHS to provide grants to states to establish, implement, and improve state-based prescription drug monitoring programs (PDMPs). NASPER first became law in 2005 but expired in 2010. CARA will extend funding for NASPER for five years at $10 million a year for FY 2017 through FY 2021. The House amendment included similar language.

Section 110—Opioid overdose reversal medication access and education grant programs

Section 110 would allow the Secretary of HHS to make grants available for states to implement standing orders for opioid reversal drugs approved by the Federal Food, Drug and Cosmetic Act for emergency treatment of known or suspected opioid overdose. These grants may target states that have a significantly higher per-capita rate of opioid overdoses than the national average. Each state that is awarded a grant under this program must submit a report to the Secretary of HHS evaluating the grant and the services that were provided. The House amendment included similar language.

TITLE II—LAW ENFORCEMENT AND TREATMENT

Section 201—Comprehensive opioid abuse grant program

Section 201 includes the provisions of Title II of the House amendment to S. 524. It creates a comprehensive grant program at the Department of Justice (DOJ) to address the problems of opioid addiction and abuse. Though there is no corresponding provision in S. 524 as passed by the Senate, the program created by this section includes several ''allowable uses'' that are similar to provisions in that bill. Minor changes have been made to the conference provisions for clarity. The allowable uses of grant funds include:

(1) Alternatives to incarceration programs, which replaces Section 201 of the Senate bill. The list of allowable alternatives to incarceration programs is very similar to the programs in the Senate bill, including pre- and post-booking treatment programs such as drug courts and veterans treatment courts, and criminal justice training programs.

(2) Collaboration between criminal justice agencies and substance abuse systems, which is nearly identical to Section 201 of the Senate bill;

(3) Training for first responders in carrying and administering opioid overdose reversal drugs and purchasing such drugs for first responders who have received training;

(4) Investigative purposes related to the unlawful distribution of opioids;

(5) Medication-assisted treatment by criminal justice agencies, which is highlighted in Section 302 of the Senate bill;

(6) Prescription drug monitoring programs administered by states;

(7) Programs that address juvenile opioid abuse, which does not have a Senate companion;

(8) Initiatives to prevent pilfering of prescription opioids, which does not have a Senate companion;

(9) Prescription drug take-back programs; and

(10) Development of a jurisdiction's own comprehensive opioid abuse reduction program.

$103,000,000 is authorized to be appropriated for each of fiscal years 2017 through 2021 to carry out this grant program. This discretionary authorization is fully offset in accordance with the House's CUTGO protocol.

This section also allows grantees to make subawards to local or regional nonprofit organizations, including faith-based organizations, units of local government, and tribal organizations. This section would permit organizations that are private and nonprofit to receive subawards, including organizations that provide alternative complementary mental health services.

This section requires that the Attorney General ensure equitable distribution of funds, taking into consideration the needs of underserved populations such as rural and tribal communities, and the prevalence of opioid abuse in a community. It also ensures that entities that provide services to pregnant women are eligible for grants under the Family-Based Substance Abuse Grant Program.

Finally, this section directs the Government Accountability Office (GAO) to study and report on how federal agencies, including ONDCP, through grant programs, are addressing prevention, treatment, and recovery from substance abuse disorders on the part of adolescents and young adults.

Section 202—First responder training

Section 201 of the conference report codifies an existing grant program at the Substance Abuse and Mental Health Services Administration (SAMSHA) to expand access to life-saving opioid overdose reversal drugs by supporting the purchase and distribution of opioid overdose reversal drugs and training for first responders and other key community sectors. S. 524 included similar language.

Section 203—Prescription drug take-back expansion

This section, identical to Section 203 of the Senate bill, authorizes the Attorney General, in coordination with the Administrator of the Drug Enforcement Administration (DEA), the Secretary of HHS, and the Director of ONDCP, to coordinate with certain entities in expanding or making available disposal sites for unwanted prescription medications. These entities include state and local law enforcement agencies, manufacturers and distributors of prescription medications, retail pharmacies, narcotic treatment programs, hospitals with on-site pharmacies, and long-term care facilities.

TITLE III—TREATMENT AND RECOVERY

Section 301—Evidence-based prescription opioid and heroin treatment and interventions demonstration

Section 301 of the conference report codifies an existing grant program at SAMHSA to support states in expanding access to addiction treatment services for individuals with an opioid use disorder, including evidence-based medication assisted treatment. This program is targeted toward areas where there is a high rate or a rapid increase in the use of heroin or other opioids, including rural areas. S. 524 included this language.

Section 302—Building communities of recovery

Section 302 of the conference report allows HHS to provide grants to community organizations to develop, expand, and enhance recovery services and build connections between recovery networks, including physicians, the criminal justice system, employers, and other recovery support systems. Recovery services help individuals with a substance use disorder get and stay well and increase long-term recovery from substance use disorders. S. 524 included this language.

Section 303—Medication-assisted treatment for recovery from addiction

The House amendment included provisions amending the Controlled Substances Act to permit nurse practitioners and physician assistants (NPs and PAs) who meet certain criteria to receive a waiver from SAMHSA to dispense certain drugs for maintenance or detoxification treatment in an office-based setting to up to 30 patients in the first year and up to 100 patients after the first year and going forward. In states where NPs and PAs are required to practice in collaboration with, or under the supervision of a physician, such physician would also need to be a qualifying practitioner (i.e., have their own waiver from SAMHSA). This new authority for NPs and PAs would sunset three years after the date of enactment.

Section 303 of the conference report includes similar operative language to the House amendment, though it requires the implementing regulations to be updated no later than 18 months after the date of enactment and the new authority for NPs and PAs expires October 1, 2021. Further, this section would not preempt any state law that establishes a lower limit on the number of patients a qualifying practitioner can treat at any given time or requires a qualifying practitioner to comply with additional requirements relating to the dispensing of such drugs.

TITLE IV—ADDRESING COLLATORAL CONSEQUENCES

Section 401—GAO report on recovery and collateral consequences

This section directs GAO to submit a report to the Senate and House Judiciary Committees on recovery and the collateral consequences of drug-related criminal convictions within one year of the date of the Act's enactment. The report will study the collateral consequences for individuals with convictions for non-violent drug-related offenses and the effects of these collateral consequences on individuals in recovery on their ability to resume their personal and professional activities. The report will also discuss the policy bases and justifications for imposing these collateral consequences and provide perspectives on the potential for mitigating the effect of these collateral consequences on individuals in recovery.

TITLE V—ADDICTION AND TREATMENT SERVICES FOR WOMEN, FAMILIES, AND VETERANS

Section 501—Improving treatment for pregnant and postpartum women

Section 501 reauthorizes a grant program for residential treatment for pregnant and postpartum women who have an opioid use disorder. This program also provides services for the children of such women, including those who may be born with neonatal abstinence syndrome. It creates a new pilot program to enhance the flexibility of the funds so states can more broadly support family-based services for pregnant and postpartum women and their children. S. 524 included language to reauthorize this program and create a pilot program but at a lower authorized level than the language included in the House amendment.

Section 502—Veterans treatment courts

The language in this section is drawn from the House amendment to S. 524, and replaces the language from Section 503 of the Senate

bill. However, consistent with the Senate bill, this section defines ''qualified veterans'' for purposes of the DOJ grant program as those who have served on active duty in any branch of the Armed Services and have been discharged under conditions other than dishonorable, unless the reason for the dishonorable discharge was attributable to a substance abuse disorder.

Additionally, this section provides a definitional framework for ''peer-to peer'' programs, ''veterans treatment court'' programs, and ''veterans assistance'' programs that are eligible under this section. This section is cross-referenced in the ''alternatives to incarceration'' piece of section 201 of the conference report, and should provide guidance on how grantees are to use grant funds received for veterans courts.

Section 503.—Infant plan of safe care

Section 503 incorporates text originally passed as part of the House amendment to S. 524 and responds to concerns about the increased number of infants born suffering from opioid withdrawal symptoms and ensures states are in compliance with the *Child Abuse Prevention and Treatment Act (CAPTA).* No corresponding provision was included in S. 524. This section requires the Department of HHS to review and confirm states have CAPTA policies in place as required under the law, strengthens protections for infants born with substance exposure by clarifying the intent of safe care plans, and requires the HHS Secretary to share best practices for developing plans to keep infants and their caregivers safe and healthy. It also improves accountability related to the care of infants and their families by requiring additional information be shared on incidents of infants exposed and their subsequent care. Additionally, it encourages the use of information made available through other child welfare laws in verifying CAPTA compliance. Finally, section 503 prevents HHS from adding new requirements to state assurances and plans.

Section 504—GAO report on Neonatal Abstinence Syndrome (NAS)

Section 504 requires the Comptroller General of the United States to, one year after enactment, issue a report on neonatal abstinence syndrome (NAS), including information on the treatment for infants with NAS under Medicaid. Specifically, the report will examine what is known about the prevalence of NAS in the country; the Medicaid-reimbursable services available to treat NAS; the types of, and reimbursement for care settings in which infants with NAS receive care; and any federal policy barriers for treating infants with NAS and what is known about best practices for caring for infants with NAS. Similar language was included in the House amendment.

TITLE VI—INCENTIVIZING STATE COMPREHENSIVE INITIATIVES TO ADDRESS PRESCRIPTION OPIOID ABUSE

Section 601—State demonstration grants for comprehensive opioid abuse response

Section 601 of the conference report supports State efforts to combat opioid abuse by authorizing HHS to award grants to States and combinations of States to carry out a comprehensive opioid abuse response, including education, treatment, and recovery efforts, maintaining prescription drug monitoring programs, and efforts to prevent overdose deaths. S. 524 included this language; there was no corresponding legislation in the House amendment.

TITLE VII—MISCELLANEOUS

Section 701—Grant accountability and evaluations

This section combines language that originated in both the House and Senate on grant oversight. It requires the DOJ Inspector General, at his or her discretion, to conduct audits of covered grantees to prevent waste, fraud, and abuse of funds. This section prohibits grantees with unresolved audit findings from receiving grants in the following fiscal year, and prioritizes grantees that do not have unresolved audit findings. If a grantee nevertheless receives funds inappropriately, this section also compels DOJ to reimburse the Department of the Treasury for the amount awarded, and to seek to recoup the funds from the grantee.

With respect to nonprofit organizations, this section prohibits nonprofits that hold money in offshore accounts for the purpose of avoiding certain federal taxes from receiving subawards from grant recipients. It also requires nonprofit organizations to disclose, in a grant application, the compensation of its board of directors. Finally, this section limits the use of grant funds for conference expenditures, and prevents the awarding of duplicative grants.

This section also contains the provisions applicable to DOJ from Title VI of the House amendment to S. 524, the Opioid Program Evaluation (OPEN) Act, which did not have a Senate companion. It requires the Attorney General to complete an evaluation of the effectiveness of the Comprehensive Opioid Abuse Grant Program based upon the information reported by grantees not later than 5 years after the enactment of the Act. It requires the Attorney General to identify outcomes to be achieved under the Comprehensive Opioid Grant Abuse Program, and the metrics by which the achievement of such outcomes shall be determined, not later than 180 days after the enactment of the Act.

This section provides that the Attorney General must require grantees and those receiving subawards to collect and annually report data on the activities conducted using their grant funding. It requires that the Attorney General publish the outcomes and metrics to be used to evaluate the program not later than 30 days after identifying such outcomes and metrics, and that the entity conducting the evaluation publish the results and issue a report to the House and Senate Judiciary Committees not later than 90 days after completion of the evaluation. It further requires the data collected from grantees to be published along with the report.

Finally, this section requires that the Attorney General enter into an arrangement with the National Academy of Sciences—or another non-government entity with expertise in conducting and evaluating research pertaining to opioid use and abuse and drawing conclusions about overall opioid use and abuse on the basis of that research—to identify the outcomes to be achieved, the metrics by which performance will be evaluated, and the evaluation of the Comprehensive Opioid Abuse Grant Program.

Section 701 also authorizes HHS to evaluate grants authorized within the Comprehensive Addiction Recovery Act and identify outcomes to be achieved by the programs, and metrics by which to measure those outcomes.

This section also places restrictions on conference expenditures using funding under a grant program in this Act.

Section 702—Partial fill of Schedule II controlled substances

Section 702 clarifies that if a doctor or patient requests a prescription for a Schedule II substance (such as an opioid) not be filled in its entirety, in accordance with state law; pharmacists are permitted to dispense only part of the prescription. This change could lead to fewer opioids being dispensed. The House amendment to CARA permitted more flexibility in filling Schedule II prescriptions such as opioids.

Section 703—Good Samaritan Assessment

This section includes the provisions of Title V of the House amendment to S. 524, the Good Samaritan Assessment Act, which did not have a Senate companion. It directs the GAO to issue a report to the House and Senate Judiciary Committees, the House Oversight and Government Reform Committee, and the Senate Homeland Security and Governmental Affairs Committee, on the extent to which ONDCP has reviewed Good Samaritan laws and the findings from such a review; efforts by the ONDCP Director to encourage the enactment of Good Samaritan laws; and a compilation of Good Samaritan laws in effect in the States, the territories, and the District of Columbia.

Currently, more than half the states and the District of Columbia have some form of Good Samaritan law on the books, to protect citizens who render help to someone in need—or, in the context of opioids, to exempt from criminal or civil liability someone who administers an opioid overdose reversal drug or device, such as naloxone, or who calls 911 to report an overdose.

Given the widespread activity in state legislatures on this issue, and the differences between individual state statutes, this section directs GAO to study and report to Congress on the effects of the various Good Samaritan laws at the state level, and efforts by ONDCP to address the issue.

Section 704—Programs to prevent prescription drug abuse under Medicare Parts C and D

Section 704 would allow prescription drug plans in Medicare, including Medicare Part D plans as well as standalone Medicare Advantage Prescription Drug Plans, to develop a safe prescribing and dispensing program for beneficiaries that are at risk of abuse or diversion of drugs that are frequently abused or diverted. The provision allows the Secretary of HHS to work with private drug plan sponsors to facilitate the creation and management of ''lock-in'' programs to curb identified fraud, abuse, and misuse of prescribed medications while at the same time ensuring that legitimate beneficiary access to needed medications is not impeded.

Such controls would prevent doctor/pharmacy shopping as well as duplicative and inappropriate drug therapies that can lead to prescription drug abuse. The conference report gives the Secretary responsibility to define an at-risk beneficiary using clinical guidelines developed in consultation with stakeholders. Plans would be able to identify enrolled Medicare beneficiaries deemed at high risk of abusing prescription drugs, and to limit such beneficiaries' choice of prescribers or pharmacies in order to better monitor their use of these medications. For example, restrictions might be placed on beneficiaries suspected of abusing or reselling certain controlled substances, but not placed on beneficiaries with cancer or other conditions for which those drugs are considered appropriate. Plan sponsors, under the conference report, would have to take into consideration where an at-risk beneficiary lives and works, as well as other relevant factors when assigning providers and pharmacies and would also consider the beneficiary's preferences unless it is deemed the cause of potential abuse. Plan sponsors also will have to comply with a number of beneficiary protections including ensuring access, notifications and disclosure requirements, as well as appeal rights. S. 524 included similar language.

Sections 705–707—Exempting abuse-deterrent formulations of prescription drugs from the Medicaid additional rebate requirement for new formulations of prescription drugs; limiting disclosure of predictive modeling and other analytics technologies to identify and prevent fraud, waste, and abuse; and Medicaid improvement fund

Sections 705–707 would exempt abuse deterrent formulations of opioid drugs (ADFs) from the definition of ''line extension'' for the purpose of calculating Medicaid rebates. In its Opioids Action Plan, FDA said its goal is to ''expand access to abuse deterrent formulations to discourage abuse.'' And in its ADF guidance to manufacturers, the agency has said it ''considers the development of these products a high public health priority.'' This policy was also included in the President's FY 2017 Budget, which noted that this statutory change would ''incentivize continued development of abuse deterrent formulations.''

The budgetary impact of the ADF policy is being offset by a policy from the President's budget that prevents the public disclosure of program integrity algorithms used to identify and predict waste, fraud, and abuse in Medicare, Medicaid, and the Children's Health Insurance Program (CHIP) and places the remaining savings in a Medicaid Improvement Fund. The mathematical algorithms and predictive technologies the Centers for Medicare and Medicaid Services (CMS) uses in Medicare, Medicaid, and CHIP are vital to uncovering fraud, waste, and abuse. However, if various aspects of these algorithms were to become publicly known, fraudsters could utilize the information to re-direct their schemes to other areas of the Medicare, Medicaid, and CHIP programs or adjust their schemes to avoid detection. This policy would simply prevent the disclosure of these anti-fraud tools through FOIA-related laws while still allowing CMS and state Medicaid and CHIP programs to freely share algorithms and other predictive analytical tools.

The conference provision is the same as the provision included in the House amendment.

Section 708—Sense of Congress regarding treatment of substance abuse epidemics

This section includes a Sense of Congress that decades of experience and research have demonstrated that a fiscally responsible approach to addressing the opioid abuse epidemic and other substance abuse epidemics requires treating such epidemics as a public health emergency emphasizing prevention, treatment, and recovery.

TITLE VIII—KINGPIN DESIGNATION IMPROVEMENT

Section 801—Protection of classified information

This section incorporates the provisions of Title IV of the House amendment to S. 524, which passed the House on May 10, 2016, and its Senate companion, S. 2914, the ''Kingpin Designation Improvement Act.'' The section amends Section 804 of the Foreign Narcotics Kingpin Designation Act to include language to protect classified information from disclosure during a federal court challenge by a designee.

Under current law, the Treasury Department's Office of Foreign Assets Control (OFAC) uses the International Emergency Economic Powers Act (IEEPA) and the Foreign Narcotics Kingpin Designation Act (the ''Kingpin Act'') to target and apply sanctions to international narcotics traffickers and their organizations. The Kingpin Act is the principal mechanism by which OFAC sanctions foreign persons tied to global narcotics trafficking.

OFAC's designations are often based upon classified information. Unlike in a related federal statute, the Kingpin Act does not contain such a mechanism to protect classified information from release during a ''delisting'' process. That means OFAC may lose the opportunity to designate a high-level drug kingpin because it cannot risk the disclosure of classified information.

This section clarifies that OFAC can submit classified information to defend its designations ex parte and in camera in the relevant U.S. district court, thereby ensuring classified information can be protected from disclosure.

TITLE IX—DEPARTMENT OF VETERANS AFFAIRS

Section 901—Short title

Includes the title ''Jason Simcakoski Memorial and Promise Act.''

Section 902—Definitions

This section includes various definitions of terms used throughout Title IX.

Section 911—Improvement of opioid safety measures by the Department of Veterans Affairs

This provision requires the Secretary to expand the Opioid Safety Initiative to include all VA medical facilities within 180 days of enactment of this act, and would require that all VA employees who prescribe opioids receive education and training on pain management and safe opioid prescribing practices. The Secretary would also be required to establish enhanced standards with respect to the use of routine and random drug tests for all patients before and during opioid therapy. Directors of each medical facility will be required to designate a pain management team of health care professionals responsible for coordinating and overseeing pain management therapy and will provide an annual report identifying the members of the facility's pain management team, certification as to education and training, and compliance with the stepped-care model or other pain management policies. This provision also requires participation in state prescription drug monitoring programs; a report on the feasibility and advisability of advanced real-time tracking of opioid use data in the Opioid Therapy Risk Report tool; an increase in the availability of opioid receptor antagonists such as naloxone and a report on compliance; inclusion in the Opioid Therapy Risk Report tool of information identifying when health care providers access the tool and the most recent urine drug test for each veteran; and notification of opioid abuse risk in the computerized patient record system.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 912—Strengthening of joint working group on pain management of the Department of Veterans Affairs and the Department of Defense

H.R. 4063 and S. 2921, as reported, require that VA and the Department of Defense (DOD) ensure that the Health Executive Committee's Pain Management Working Group (PMWG) includes a focus on the opioid prescribing practices of health care providers of each Department; the ability of each Department to manage acute and chronic pain, including training health care providers with respect to pain management; the use by each Department of complementary and integrative health; the concurrent use by health care providers of each Department of opioids and prescription drugs to treat mental health disorders, including benzodiazepines; the use of care transition plans by health care providers of each Department to address case management issues for patients receiving opioid therapy who transition between inpatient and outpatient settings; coordination in coverage of and consistent access to medications prescribed for patients transitioning from receiving health care from DOD to VA; and the ability of each Department to screen, identify, and treat patients with substance use disorders who are seeking treatment for acute and chronic pain.

This provision also ensures the PMWG coordinates its activities with other relevant working groups; consults with other relevant federal agencies, including the Centers for Disease Control and Prevention; consults with the VA and DOD with respect to the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain; and reviews and comments on the guideline before any update to such guideline is released.

This provision requires VA and DOD to jointly update the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain within 180 days of enactment. This provision requires that the PMWG, in coordination with the Clinical Practice Guideline VA/DOD Management of Opioid Therapy for Chronic Pain Working Group, examine whether the guidelines should include numerous elements. The elements to be considered include, but are not limited to, enhanced guidance with respect to: opioid and other drug prescription practices; treatment of patients with behaviors or comorbidities that require co-management of opioid therapy; patient status assessments conducted by providers; governance of the methodologies used by VA and DOD providers to taper opioid therapy; appropriate case management for opioid patients transitioning from an inpatient setting to an outpatient setting; appropriate case management for opioid patients transitioning from active duty to post-military health care networks; how providers should discuss with patients options for pain management therapies before initiating opioid therapy; provision of evidence-based non-opioid treatments within VA and DOD; and consideration of guidelines developed by CDC for safely prescribing opioids.

Section 913—Review, investigation, and report on use of opioids in treatment by Department of Veterans Affairs

This provision requires GAO, not later than 2 years after enactment, to submit a report on the Opioid Safety Initiative and the opioid prescribing practices of VA health care providers. This provision also requires semi-annual progress reports on the implementation of any GAO recommendations generated by this report. The Secretary must also review and report annually on the patient population receiving opioid therapy and the prescription rates of each medical facility and conduct investigations, through the Office of the Medical Inspector, on prescription rates that conflict with or are otherwise inconsistent with the standards of appropriate and safe care.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 914—Mandatory disclosure of certain veteran information to state controlled substance monitoring programs

This provision includes the H.R. 4063, as reported, language requiring that VA providers shall disclose certain veteran information to state controlled substance monitoring programs.

Section 915—Elimination of copayment requirement for veterans receiving opioid antagonists or education on use of opioid antagonists

This provision includes the S. 2921, as reported, language that would eliminate the copayment requirement for veterans receiving opioid antagonists or education on the use of opioid antagonists.

Section 921—Community meetings on improving care furnished by Department of Veterans Affairs

This provision requires that, within 90 days of the enactment of this act, and quarterly thereafter, each VA medical facility hosts a public community meeting on improving VA health care; and within one year of the enactment of this act, and at least annually thereafter, that each community-based outpatient clinic (CBOC) hosts such a community meeting. These meetings will require regular senior leadership attendance and notice will be given to the Committees on Veterans' Affairs of the House and of the Senate and the Members of Congress who represent the area in which the facility is located at least ten days in advance.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 922—Improvement of awareness of Patient Advocacy Program and Patient Bill of Rights of Department of Veterans Affairs

This provision would require, within 90 days of the enactment of this act, the display of, in as many prominent locations as the Secretary determines appropriate to be seen by the largest percentage of patients at each VA medical facility: (1) the purposes of the VA Patient Advocacy Program and the contact information for the patient advocate at each medical facility; and (2) the rights and responsibilities of patients and family members and, with respect to community living centers and other VA residential facilities.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 923—Comptroller General report on Patient Advocacy Programs of Department of Veterans Affairs

Both H.R. 4063 and S. 2921 require that, within two years of the enactment of this act, GAO submit a report on the VA Patient Advocacy Program to the Committees on Veterans' Affairs of the House and of the Senate. The report will include: (1) a description of the Program, including the Program's purpose, activities, and sufficiency in achieving its purpose; (2) an assessment of the sufficiency of the Program's staffing; (3) an assessment of the Program's employee training; (4) an assessment of veterans' and family members' awareness of and utilization of the Program; (5) recommendations for improving the Program; and (6) any other information the GAO considers appropriate.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 924—Establishment of office of patient advocacy of the Department of Veterans Affairs

This section establishes an office of patient advocacy within the Office of the Undersecretary for Health of the Department of Veterans Affairs. This office will ensure patient advocates appropriately advocate for veteran patients and are trained in their responsibilities.

Section 931—Expansion of research and education on and delivery of complementary and integrative health to veterans

H.R. 4063, as reported, establishes a Commission to examine the evidence-based therapy treatment model used by VA for treating mental health conditions of veterans and the potential benefits of incorporating complementary and integrative health as standard practice throughout the Department. The Commission would: (1) examine the efficacy of the evidence-based therapy model used by VA to treat mental health illnesses and identify areas of improvement; (2) conduct a patient-centered survey within each VISN to examine: the experiences of veterans with VA facilities regarding mental health care, the experiences of veterans with non-VA facilities regarding mental health care, the preferences of veterans regarding available treatment for mental health issues and which methods the veterans believe to be most effective, the experience, if any, of veterans with respect to the complementary and integrative health treatment therapies, the prevalence of prescribing medication to veterans seeking treatment for mental health disorders through VA, and the outreach efforts of VA regarding the availability of benefits and treatments for veterans for addressing mental health issues; (3) examine available research on complementary and integrative health for mental health disorders in areas of therapy including: music therapy, equine therapy, training and caring for service dogs, yoga therapy, acupuncture therapy, meditation therapy, outdoor sports therapy, hyperbaric oxygen therapy, accelerated resolution therapy, art therapy, magnetic resonance therapy, and others; (4) study the sufficiency of VA resources to deliver quality mental health care; and (5) study the current treatments and resources available within VA and assess: the effectiveness of such treatments and resources in decreasing the number of suicides per day by veterans, the number of veterans who have been diagnosed with mental health issues, the percentage of veterans who have completed VA counseling sessions, and the efforts of VA to expand complementary and integrative health treatments viable to the recovery of veterans with mental health issues as determined by the Secretary to improve the effectiveness of treatments offered by VA.

Section 932—Pilot program on integration of complementary and integrative health and related issues for veterans and family members of veterans

The provision requires that the Secretary, informed by the Commission's findings, commence a pilot program to assess the feasibility and advisability of using wellness-based programs to complement pain management and related health care services. The pilot program would last for three years and be carried out at no fewer than 15 VA facilities providing pain management, two of which must be polytrauma centers. The Secretary should prioritize medical centers at which there is a prescription rate that is inconsistent with the standards of appropriate care when selecting medical centers for the pilot. The Secretary will report on findings and conclusions regarding the use and efficacy of complementary and integrative health services established under the pilot program, the outreach conducted by VA about the pilot, and an assessment of the benefit of the pilot program to covered veterans, as well as identify any unresolved barriers to VA's use of complementary and integrative medicine, and make recommendations for the continuation or expansion of the pilot program.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 941—Additional requirements for hiring of health care providers by Department of Veterans Affairs

This provision would require that, as part of the hiring process for all heath care providers considered for a position after the date of the enactment of this act, that the Secretary require from the medical board of the State in which the applicant is licensed: (1) information on any violations of the requirements of medical license over the previous 20 years; and (2) information on whether the provider has entered into any settlement agreements for disciplinary charges related to the practice of medicine.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 942—Provision of information on health care providers of Department of Veterans Affairs to state medical boards

This provision would require that VA provide to the medical board of each State in which the provider is licensed information regarding violations, regardless of whether the board has requested such information.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 943—Report on compliance by Department of Veterans Affairs with reviews of health care providers leaving the department or transferring to other facilities

This provision would require that, within 180 days of the enactment of this act, that the Secretary submit to the Committees on Veterans' Affairs of the House and of the Senate a report on VA's compliance with VA policy to conduct a review of each provider who transfers from another VA medical facility, retires, or is terminated, and to take appropriate actions with respect to any concerns, complaints, or allegations against the provider.

Both H.R. 4063 and S. 2921, as reported, included similar language.

Section 951—Modification to limitation on bonus and awards

This provision limits the amounts of funds available for payment as bonuses and awards and directs those amounts now available within the budget toward the payment for the programs and services directed in this title.

This section also includes a Sense of Congress that states the limitation under this subsection should not disproportionately impact lower-wage employees within the VA.

EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9(e), 9(f), and 9(g) of Rule XXI of the Rules of the House of Representatives, the conference report and joint explanatory statement contain no earmarks, limited tax benefits, or limited tariff benefits.

CONSTITUTIONAL STATEMENT OF AUTHORITY

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 of the United States Constitution.

For consideration of the Senate bill and the House amendments, and modifications committed to conference:

FRED UPTON,
JOSEPH R. PITTS,
LEONARD LANCE,
BRETT GUTHRIE,
ADAM KINZINGER,
LARRY BUCSHON,
SUSAN W. BROOKS,
BOB GOODLATTE,
F. JAMES SENSENBRENNER, Jr.,
LAMAR SMITH,
TOM MARINO,
DOUG COLLINS,
DAVID A. TROTT,
MIKE BISHOP,
KEVIN MCCARTHY,

From the Committee on Education and the Workforce, for consideration of title VII of the House amendment, and modifications committed to conference:

LOU BARLETTA,
EARL L. ''BUDDY'' CARTER,

From the Committee on Veterans' Affairs, for consideration of title III of the House amendment, and modifications committed to conference:

GUS M. BILIRAKIS,
JACKIE WALORSKI,

From the Committee on Ways and Means, for consideration of sec. 705 of the Senate bill, and sec. 804 of the House amendment, and modifications committed to conference:

PATRICK MEEHAN,
ROBERT J. DOLD,
Managers on the Part of the House.

CHUCK GRASSLEY,
LAMAR ALEXANDER,
ORRIN G. HATCH,
JEFF SESSIONS,
Managers on the Part of the Senate.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore (Mr. LAMALFA). Pursuant to House Resolution 794 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. 5485.

Will the gentleman from California (Mr. MCCLINTOCK) kindly resume the chair.

□ 1914

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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, with Mr. MCCLINTOCK (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, a ruling of the Chair on a point of order raised by the gentleman from Utah (Mr. CHAFFETZ) had been sustained.

No amendment to the bill shall be in order except those printed in House Report 114–639, amendments en bloc described in section 3 of House Resolution 794, and pro forma amendments described in section 4 of that resolution.

Each amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as provided by section 4 of House Resolution 794, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of House Resolution 794, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate.

□ 1915

Mr. SERRANO. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chair, I yield to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to say a few words about the fiscal year 2017 Financial Services Appropriations Act.

I have been privileged to serve on the subcommittee since the beginning of the 114th Congress. I first want to commend the excellent work of Chairman CRENSHAW, who will be retiring at the end of this Congress, Ranking Member SERRANO, as well as the staffs of both the majority and the minority.

Unfortunately, I will have to oppose this bill on final passage for a number of reasons. For example, I know that it is not the most popular or even the most politically wise thing to defend the Internal Revenue Service, but it does not make any sense to complain about the work of the IRS and then slash its ability to function by cutting its budget $246 million below the FY 2016 level and $1.4 billion below the President's budget request.

Severe budget cuts have led to fewer audits, longer appeals, delayed refunds, and poorer service for the American people. It has also led to billions of dollars in lost tax revenue, money that could be used to repair our Nation's infrastructure or reduce the deficit. Instead, the cuts have only served to line the pockets of tax cheats, people who can't be audited and have collection by the Internal Revenue Service.

Taxpayer Services, however, does get funding at the amount requested, which is a positive step for turning around the IRS' customer service issues. At the very least, it is encouraging to see the Congress taking the first steps to improving customer service and tax compliance—resulting from unfair and unnecessary political attacks on the agency—but now they are taking it seriously.

I am also concerned that the FY 2017 Financial Services Appropriations Act contains a number of contentious policy riders that will hinder the government's ability to do its job. First of all, the bill unnecessarily micromanages the District of Columbia's budget and its laws, restricting home rule and the ability of the District of Columbia to manage its own finances.

Also, the Federal Communications Commission is prohibited from implementing its popular net neutrality rules until all lawsuits contesting the rules have been resolved. The Commission has carefully tailored these rules to ensure approval by the courts, and the provision simply delays the implementation of consumer and small business protection from unscrupulous business practices.

The bill severely undermines the Affordable Care Act by prohibiting funds to implement the individual mandate and the transfer of funds to the IRS for the use of implementing the Affordable Care Act.

Additionally, the bill inhibits corporate transparency by blocking the Securities and Exchange Commission from requesting information on political contributions by corporations.

Finally, it continues to prohibit individuals traveling to Cuba for educational exchanges outside of a degree program. That policy is a relic of the last century, and it has absolutely no part in today's globalized economy.

As I said, I cannot support the FY 2017 Financial Services Appropriations Act as it currently stands. While we are still in tough economic times, this bill contains too many harmful policies and does not allocate the resources in a way to grow our Nation's economy.

Mr. SERRANO. Mr. Chair, I yield back the balance of my time.

AMENDMENT NO. 1 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–639.

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 22, after the dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, we can raise living standards for working families across the country if we use Federal dollars to create good jobs.

My amendment would reprogram funds to create an Office of Good Jobs in the Treasury Department that would help ensure the Department's procurement, grant making, and regulatory decisions to encourage the creation of good, decently paid jobs, collective bargaining rights, and responsible employment practices.

Mr. Chairman, I am actually a little bit shocked to know that right now the U.S. Government is America's leading low-wage job creator, funding over 2 million poverty jobs through contracts, loans, and grants with corporate America. That is more than the total number of low-wage workers employed by Walmart and McDonald's combined.

U.S. contract workers earn so little, Mr. Chairman, that nearly 40 percent of them use public assistance, like food stamps, Section 8, and Medicaid, to feed and shelter their families. To add insult to injury, many of these low-wage U.S. contract workers are driven deeper into poverty because their employers steal their wages and break other Federal employment and labor laws.

It is intended that the appropriation for salaries and expenses at the United States Treasury Department be used to establish an Office of Good Jobs in the Department aimed at ensuring that the Department's procurement, grant-making, and regulatory decisions encourage the creation of decently paid jobs, collective bargaining rights, and responsible employment practices. The office's structure shall be substantially similar to the Centers for Faith-Based and Neighborhood Partnerships located within the Department of Education, Department of Housing and Urban Development, Department of Homeland Security, Department of Health and Human Services, Department of Labor, Department of Agriculture, and Department of Commerce, Department of Veterans Affairs, U.S. Department of State, Small Business Administration, Environmental Protection Agency, the Corporation for National and Community Service, and U.S. Agency for International Development.

Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. SERRANO), the ranking member.

Mr. SERRANO. Mr. Chair, I support the amendment.

The aim of this amendment is to create an Office of Good Jobs within the Department of the Treasury. This office would help ensure that the Treasury makes contracting and employment decisions encouraging the creation of decently paid jobs, implementation of fair labor practices, and responsible employment practices.

The Federal Government ought to be setting an example for the Nation when it comes to contracting decisions. Members of Congress who are committed to creating good-paying jobs and supporting workers have a chance with this amendment to see those values reflected throughout our government.

This office will help guide the Treasury to make responsible contracting and employment decisions and do right by the countless men and women who help us perform the Nation's business each and every day.

I urge adoption of the amendment.

Mr. ELLISON. Mr. Chairman, I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the gentleman's amendment.

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

Mr. CRENSHAW. Mr. Chairman, this amendment is duplicative and ignores the existing contractor award system that we already have in place. Contracting officers must already consult the system for award management to ensure a contractor can be awarded a contract.

Businesses on the excluded parties list systems have been suspended or debarred through a due process system and may not be eligible to receive or renew Federal contracts for cited offenses. So the best way to ensure that the government contracts provide grants to the best employers is to enforce the existing suspension and debarment system.

Bad actors who are in violation of the basic worker protections should not be awarded Federal contracts. Everybody agrees with that. That is why the Federal Government has already got a system in place to deny Federal contracts to bad actors. If a contractor fails to maintain high standards of integrity and business ethics, agencies already have the authority to suspend or debar the employer from government contracting.

In 2014, for instance, Federal agencies issued more than 1,000 suspensions and nearly 2,000 debarments to employees who bid on Federal contracts. This amendment is just going to delay the procurement process, with harmful consequences. On numerous occasions, the nonpartisan Government Accountability Office has highlighted costly litigation stemming from the complex regulatory rules, including from the Fair Labor Standards Act.

So this amendment simply punishes employers who may unknowingly or unwillingly get caught in the Federal Government's maze of bureaucratic rules and reporting requirements. The procurement process is already plagued by delays and beneficiaries.

I urge my colleagues to oppose this amendment.

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

Mr. ELLISON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 2½ minutes remaining.

Mr. ELLISON. Mr. Chairman, this is not duplicative. This amendment actually is not about debarment. Debarment says that, if you are the worst actor, you are going to get a sanction. This amendment says we are going to prioritize contractors who have good employment practices.

Imagine yourself being a businessperson with a government contract and you are over here trying to make sure that you are respecting the union that the workers may have. You are making sure you never get hit with wage theft. You are making sure that you have a good benefits program for your employers. You are a good employer, the kind that we want to have working for the Federal Government, yet you are competing with somebody who does the bare minimum they can do to avoid debarment.

That is the mistake that the gentleman from Florida is making. The Office of Good Jobs would prioritize good employers who make it a priority to say that we value our employees, we are not going to pay them the very least we can get by with, we are not going to try to force them on government benefits by not paying them a fair wage.

It should be compelling to all of us that 40 percent of contract workers make so little that they are eligible for government welfare programs. These are people who work. They are people who work a job. They might be working at McDonald's, they might be doing cleanup in a Federal building, or they might be doing any number of jobs; but if somebody is making meals for our heroes at the Pentagon, I think they ought to be able to get a fair, decent job, and there ought to be somebody out there who makes sure that it happens. If there is no one to make sure that it happens, it won't happen. That is why our government, today, funds more low-wage jobs than Walmart or McDonald's combined.

It is time to end this race to the bottom. It is time to say that the biggest buyer of goods and services in the world, the United States, should use its power to promote good jobs, not get-by jobs, not substandard jobs that barely eke past debarment, but good jobs.

I would think that everybody in this body would want to use the dollar that way. I think the American taxpayer would want to use the dollar that way. What if the American taxpayer knew that the Federal contractors are paying 40 percent of the workers so little that these workers actually are eligible for welfare programs though they work hard every single day?

Mr. Chairman, we ask for a ''yes'' vote on this amendment, because I think that everybody in this body wants to see good jobs for the American people.

Mr. Chair, 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 ayes appeared to have it.

Mr. ELLISON. Mr. 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.

□ 1930

AMENDMENT NO. 2 OFFERED BY MR. DUFFY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–639.

Mr. DUFFY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 21, after the dollar amount, insert ''(reduced by $20,748,545)''.

Page 8, line 23, after the dollar amount, insert ''(reduced by $15,270,929)''.

Page 9, line 3, after the dollar amount, insert ''(reduced by $239,231)''.

Page 9, line 11, after the dollar amount, insert ''(reduced by $497,965)''.

Page 9, line 19, after the dollar amount, insert ''(reduced by $1,327,907)''.

Page 10, line 6, after the dollar amount, insert ''(reduced by $1,576,889)''.

Page 10, line 9, after the dollar amount, insert ''(reduced by $2,074,855)''.

Page 10, line 12, after the dollar amount, insert ''(reduced by $165,988)''.

Page 10, line 15, after the dollar amount, insert ''(reduced by $24,898)''.

Page 265, line 9, after the dollar amount, insert ''(increased by $20,748,545)''.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

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

The House Financial Services Committee, in conjunction with the Judiciary Committee, has been engaging in an investigation in regard to bank settlement agreements that were reached that created a slush fund to drive money to third-party organizations.

Now, that is offensive because, if we look at our Constitution, it is the Congress that is supposed to appropriate, not the administration, not the DOJ, but the Congress. In these bank settlement agreements, you have the administration, along with approval from the judiciary, actually appropriating money to groups that this institution did not approve.

So, to be clear, we are looking at funding for CDFI. My amendment will reduce that funding by $20.7 million. So before you are all shocked, let's actually talk about the numbers. The committee has increased funding by $16.5 million, bringing the number from $233.5 million to $250 million. That is an over 7 percent increase in funding for CDFI.

But if you add in the money that came from the bank settlements, the $45 billion from bank settlements, this is a $62 million increase or, as a percentage, it is 26 percent of an increase for CDFI. It is huge. If we want to increase that funding by 26 percent, that is our decision, in this House, not the DOJ, not the President, not the judiciary. It is our decision.

So all I do is say: Hey, let's bring this back by $20 million. That is all. And still, if you include the $16 million that is currently in the bill, and then the $25 million that they got from the slush fund, it is still a 17 percent increase.

This makes sense. I ask you all to join my amendment, join in a little effort to stand up for Article I of the Constitution, and do what is right.

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

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. CRENSHAW. This happens to be one of the most bipartisan accounts in the bill, and it is a lean program; it fills a niche that provides capital and credit in areas where often it is difficult. These are competitive grants and it is complicated to a certain extent. It is not as simple as just kind of flowing money back and forth. So I just want to urge people, to say: We don't want to reduce the funding in these areas.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. SERRANO), the ranking member.

Mr. SERRANO. I thank the chairman.

I was going to open up by saying the same thing: This is probably the most bipartisan account that we have in this bill and it has been for years.

I rise in strong opposition to this amendment. This amendment would slash funding for the Community Development Financial Institutions Fund, or CDFI Fund, by $20.7 million. This is a harmful and totally misguided cut.

The fact is that the CDFI Fund helps generate economic growth and opportunity in some of our Nation's most distressed communities. The Fund supports financial institutions recognized for their expertise in providing services and support to distressed communities. These institutions leverage Federal funds to draw in new or increase sources of private funding.

According to the description provided to the Rules Committee, the gentleman's amendment says: to ''offset an inappropriate augmentation of this account outside the appropriations process by the Department of Justice through settlement agreements, which required banks to donate $20.7 million to certified CDFI entities.''

But the fact is that the Fund is not receiving money from DOJ or from any bank. It is completely inaccurate and inappropriate to reduce the CDFI Fund in any amount as a result of the gentleman's assertion.

Any settlement with banks for fraudulent activity during or leading up to the financial crisis was delivered by banks directly to CDFIs. At no point has the Fund benefited or seen an increase in funding as a result.

The fact that some of our large banks have entered into civil settlements with the Department of Justice should not even enter into this discussion. The fact is that the need for investment in these communities is far greater than the resources that have been provided.

The passage of this amendment would do a great deal of harm. We are not just talking about cutting $20.7 million from the Fund. Because of the leveraging of private sector investment, we are actually talking about an amendment that would effectively cut many times that number of investment in job creation, community facilities, and housing.

I strongly urge a ''no'' vote.

Mr. DUFFY. Mr. Chairman, I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong opposition to Mr. DUFFY's amendment. I have listened to his arguments very closely. My interest in this is the American Indian and Alaska Native and Hawaiian Native. My interest is because this program, the CDFI, is the one program where they have access to moneys, and they cannot get it from the standard lending institutions for their businesses that they are trying to create. And it has worked successfully in Alaska and in the lower 48, too.

I would suggest, respectfully, that a lot of people don't understand, we don't have a road system. Most of our—in fact, all of our villages don't have banks, and this program can work and does work very well to try to improve their lot. And I say they have been successful at creating new jobs that create money.

Mr. Chairman, I would like to suggest one thing. I listened to these arguments about the money we are appropriating, and I wish everybody would understand in this body we cannot create jobs by creating government jobs. That is not real money. That is money that is being consumed. And this body has been neglectful in creating jobs from resources and manufacturing from, have not supported, nor have they made the suggestion that this should be done.

So we talk about these programs, we need to have money available to create jobs that create real money, and a lot of this is done in the rural communities in my State of Alaska and the Indian country in the lower 48.

So I suggest the gentleman has a point, but not a strong enough point to have me vote for his amendment.

Mr. CRENSHAW. Mr. Chairman, I reserve the balance of my time.

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

I heard the gentleman from across the aisle talk about harmful cuts. When you look at the money that is going to this program, CDFI, even with my reduction, there is a $41 billion increase, or a 17 percent increase in funding. You can't disregard the money that went from the bank settlements. That is money that we should have appropriated. That has been taken from us, but we have to consider it. You can't not consider it.

I listened to the debate in this Chamber among my colleagues, especially on the right, and they talk about: Oh, my goodness, we need to regain congressional authority, we want to start an Article I movement where we actually control spending. Well, hey, here is your opportunity.

When the Department of Justice and the administration circumvent the Congress, we should take it seriously, and we should take into account the money that they appropriated through a bank settlement.

I also hear my colleagues talk about: Oh, my gosh, we have a really big debt, $19 trillion in debt is going to tank our economy. And I agree. If you care about $19 trillion in debt, we can reduce this fund by $20 million, and still have it $41 million more than it was last year.

And, oh, by the way, this appropriations is $3 million more than the President's request, so we are not harming the Fund. We are not harming people. More money is going to CDFI. It is just that we are considering the amount of money that came through bank settlements that circumvented Congress, and I think that is only appropriate.

I would ask all of my colleagues to join with me and do what is right by this institution, and do what is right by way of our debt and our next generation, and make sure that we consider those bank settlements, and reduce this fund by $20.7 million.

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

Mr. CRENSHAW. Mr. Chairman, I wish it were as simple as the gentleman suggests. But it is important to realize this amendment would literally reduce almost every program in the CDFI. And remember, these funding cuts would devastate some of our Nation's most distressed populations, including Native Americans and people with disabilities, people in rural communities. So I urge my colleagues to vote ''no.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DUFFY. Mr. Chairman, 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 Wisconsin will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BECERRA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–639.

Mr. BECERRA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 127.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from California (Mr. BECERRA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Secret money is killing our democracy. More and more, our elections are being driven by organizations that are receiving hundreds of millions of dollars in secret donations. We don't know and can't find out who is giving all this money.

These secret organizations use the Tax Code to hide the source of their money by operating under a law meant for not-for-profit social welfare organizations. These organizations get tax-exempt treatment and don't have to report the donors of their dollars.

The result is this: What was meant to be for a social welfare organization, organizations we would recognize, like voluntary fire departments or the NAACP, all those organizations are now being used as cover by other organizations which are using the Tax Code to be able to spend hundreds of millions of dollars driving our elections every year now; so much so that, today, those organizations that are so-called social welfare organizations are spending more money than the political parties, the Democratic political party and the Republican political party, spend combined.

In 2006, these so-called social welfare organizations spent about $1.5 million campaigning, politicking. In 2012, our last Presidential election, these so-called social welfare organizations spent more than $257 million, more than the two political parties spent in 2012 for the Presidential elections.

Mr. Chairman, there is a provision in this bill that would prevent the IRS from giving guidance to make sure that no one is abusing the Tax Code to influence our politics, and I simply have an amendment that would strike that provision, so that the IRS could tell us what is a social welfare organization and what is really a political organization, so we don't give special tax treatment to these so-called social welfare organizations that are really politicking and we don't let them hide behind that particular tax provision to hide the names of their donors.

We have no idea who is giving this money and, Mr. Chairman, it is time for us to have transparency and openness in our election system, not hide this. Secret money is killing our elections.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. CRENSHAW. Mr. Chairman, first, let me say that the IRS made a real mess of this 501(c)(4). You remember, that was the section of the Code that they used to single out individuals and groups of individuals based on their political philosophy, then they went around to intimidate them, to bully them, to put extra scrutiny on them, and they made a real mess of it.

But let me interrupt my opposition to yield 1 minute to the gentleman from New York (Mr. SERRANO), my good friend, the ranking member, to speak in support, and then I will continue.

Mr. SERRANO. That will confuse some people.

Mr. Chairman, I urge support of the amendment. This amendment would strike language that prevents reform of the 501(c)(4) rules that have caused confusion and abuse in the campaign financial field.

We have heard from a number of charities and foundations that these rules governing electoral campaign activity must be made more clear and be effectively enforced. The language in the underlying bill prevents that and should be stricken.

I urge support for the amendment, and I thank my chairman for the minute.

Mr. CRENSHAW. Mr. Chairman, I reserve the balance of my time.

Mr. BECERRA. Can the Chairman let me know how much time remains?

The Acting CHAIR. The gentleman from New York has 2½ minutes remaining.

Mr. BECERRA. Mr. Chairman, I yield 45 seconds to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I thank my distinguished colleague from California for yielding time.

Mr. Chairman, in the 2012 Presidential election, dark money groups such as these spent over a quarter billion dollars on partisan political campaign activities. In 2014, we saw the greatest wave of secret special interest money ever raised in a congressional election.

□ 1945

In 2016, dark money groups have spent nearly 10 times what they did at the same point last year.

We must ensure that social welfare groups exclusively spend their money on their social welfare mission like early childhood education or veterans' assistance.

Mr. Chairman, I urge my colleagues to vote for this sensible amendment to help ensure that our elections are transparent.

Mr. BECERRA. Mr. Chairman, I yield 45 seconds to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I rise in support of the amendment offered by Mr. BECERRA.

Special interest groups have increasingly been raising dark money for political campaigns by exploiting loopholes in IRS regulations. These groups designate themselves as 501(c)(4) or social welfare organizations, which allows them to operate tax exempt and raise unlimited money completely anonymously.

Tax-exempt status was intended to be limited to social welfare organizations that focus on just that—the social welfare—not political activity. But IRS audits of these organization can take years, and at that point, the damage is already done.

The announcement that the IRS would release clearer guidelines on what constitutes candidate-related political activity should have been welcomed, not blocked by a rider.

Real campaign finance reform is still needed, and passing this amendment striking the rider would be an important step to help the IRS clamp down on organizations illegally funneling anonymous, unregulated money in our elections.

Mr. CRENSHAW. Mr. Chairman, I reserve the balance of my time to close.

Mr. BECERRA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, when you make a contribution to the local volunteer fire department, you know what the money will be used for. When you make a contribution to the League of Women Voters, you know what the contribution will be used for. When you make a contribution to the NAACP, you know what the contribution will be used for.

There are a whole bunch of organizations that we don't understand why they are using their money for something other than social welfare. They are influencing our elections. It has to stop. We can't even find out what the source of the money is. It could be money laundered from some drug sale. It could be money from some foreign government. We don't know where the money from some of these organizations is coming from to influence our elections.

It is time for us to have clarity. This provision in this bill has no reason, no purpose, to be here. It simply keeps secret the dark money that influences our elections. My amendment simply strikes that provision so that the IRS can give us clarity on who can and who cannot use tax-exempt laws to try to be a social welfare organization. It is time for us to have clarity in the law. Get rid of secret money.

Mr. Chairman, I urge Members to vote for this amendment.

I yield back the balance of my time.

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

Mr. Chairman, as I said, the IRS made an incredible mess of this section of the IRS code, the 501(c)(4). After they messed it up and they intimidated people and they bullied folks, then they said: Well, let's just write a new regulation.

So in 2013 they came along and said: Here is how we are going to determine tax-exempt status.

A lot of people said: Well, here is an effort to just kind of shut down freedom of speech.

What is interesting is, instead of clearing the air, the IRS generated this incredible firestorm of criticism from all across the political spectrum. Not surprisingly, the American Center for Law and Justice, which represents Tea Party organizations targeted by the IRS, described the regulation as an attack on free speech.

But among the other 160,000 comments that came, the American Civil Liberties Union said: ''The proposed rule threatens to discourage or sterilize an enormous amount of political discourse in America.''

The IRS has got plenty to do. They always complain they don't have enough money. They don't need to go out and try to write a new rule to kind of clear the air of what they messed up a couple of years ago. The only thing this new regulation did was it just kind of united liberals and conservatives. So the best thing to do is leave it like it is and reject this amendment.

Mr. Chairman, I urge a ''no'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. BECERRA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BECERRA. Mr. Chairman, 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 NO. 4 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–639.

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 84, beginning on line 13, strike section 506.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Chairman, I am pleased to join with Ranking Member JOHNSON to strike section 506 of this appropriations bill. This is another anti-consumer provision inserted into a funding bill. It actually doesn't belong here.

The language I ask my colleagues to remove restricts the Consumer Financial Protection Bureau's ability to curb mandatory arbitration in consumer contracts. Last month, the CFPB proposed prohibitions on class action lawsuits and mandatory pre-dispute mandatory arbitration in financial contracts.

I strongly supported the CFPB's actions. We must limit this well-known scourge on the rights of everyday Americans: forced arbitration clauses. People talk about how the rules are rigged. They say the deck is stacked in favor of powerful interests. Forced arbitration clauses are a perfect example of an unfair system. Powerful corporations rig the rules to make it more difficult for people to hold companies accountable for wrongdoing.

Mr. Chairman, I yield 2½ minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in support of the Ellison amendment, which strikes section 506 from the bill, a deeply flawed provision that would restrict the Consumer Financial Protection Bureau's ability to fulfill its statutory mandate to regulate pre-dispute mandatory arbitration clauses in contracts for financial products and services.

Over the past several decades, forced arbitration clauses have proliferated in countless consumer, employment, and small-business contracts depriving countless Americans of their right to a jury trial in a court of law while insulating corporations from public accountability. That is why when Congress passed the Dodd-Frank Act in 2010, we explicitly empowered the CFPB to study pre-dispute forced arbitration, and then based on the study's results, ban or limit the practice through regulation.

In March 2015, the CFPB issued a seminal report finding that forced arbitration agreements restrict consumers' access to relief in disputes involving financial services and products. As overwhelmingly and methodically documented in this report, the CFPB confirmed what we already knew, that forced arbitration clauses blocked consumers from suing wrongdoers in court individually or in class action lawsuits.

Now it is time for the CFPB to ensure that consumers have their day in court by adopting a strong rule banning forced arbitration clauses in contracts for financial services and products. This amendment ensures that the CFPB can do just that.

Mr. Chairman, I urge my colleagues to support the Ellison amendment.

Mr. ELLISON. Mr. Chairman, I reserve the balance of my time.

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

The Acting CHAIR (Mr. WOODALL). The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas (Mr. WOMACK), a valued member of our subcommittee.

Mr. WOMACK. Mr. Chairman, I thank the gentleman for the time and also his great work as chairman of the subcommittee. As a proud member of the subcommittee, we are going to miss Mr. CRENSHAW. It has been a delight to work with him as well as the ranking member, Mr. SERRANO, for his tireless effort on behalf of these issues.

Mr. Chairman, for 90 years—for 90 years—Federal law has protected the enforceability of arbitration agreements because arbitration provides an alternative method of resolving disputes that is quicker and cheaper than the expensive, overburdened court system.

Hundreds of millions of contracts are based on this principle: credit card contracts, checking accounts, Internet agreements, cell phones, and cable TV. There are dozens of contracts that have this provision.

Don't let my colleagues across the aisle fool you on this subject. Arbitration empowers individuals. Injured parties can obtain fair resolution of disputes without the need of an attorney. But many oppose this approach, particularly plaintiffs' attorneys, because arbitration proceedings can't be used to bring lawyer-driven class actions that provide millions in legal fees but little or no benefit to the consumer.

Dodd-Frank authorized the CFPB to conduct a study of arbitration and at the same time granted CFPB authority to promulgate a regulation for related products or services within the bureau's jurisdiction. However, this authority was caveated, Mr. Chairman, with the requirement that any rule be in the public interest and for protection of consumers while remaining consistent with the results of the bureau's arbitration study.

Mr. Chairman, Congress wanted any regulation to be based on a fair, complete study of real-world implications of regulating or banning arbitration. Yet, CFPB's study—which led to its May, 2016, proposed regulation effectively eliminating arbitration—fell far short of the requirements set by Congress.

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

Mr. CRENSHAW. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. WOMACK. So, Mr. Chairman, that is why the Appropriations Committee approved language in our bill to address this issue, and we did so unanimously. Now Congress has to step in again to restore basic fairness to the effort to regulate arbitration.

Section 506 of this bill simply ensures that no rule issued by the bureau shall be effective until the bureau evaluates the costs and benefits to consumers associated with conditioning or limiting the use of arbitration and specifically, Mr. Chairman, finds that the demonstrable benefits of the rule outweigh the costs to consumers.

Any attempt to strike it would be misguided.

So, Mr. Chairman, I urge a ''no'' vote on the amendment by the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 2 minutes remaining.

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

Mr. Chairman, if you live in Minnesota and you get into a dispute with a bank over a bank account, a credit card or a cell phone company, well, that might just be too bad because the arbitration court is in Delaware. You can pack up and move to a hotel for a week. You don't have any other option. Instead of an impartial judge, your case is going to be decided by an arbitrator chosen and paid for by the firm.

What if the arbitrator makes a mistake in ruling?

We have appellate courts for a reason. If you have forced arbitration and the arbiter makes a mistake, that is too bad for you. The ruling likely cannot be repealed or reversed.

Do you want to know what happened to other people who may have had the same problem with the company?

You are out of luck there, too, because the documents and the arbitrator's decisions are not publicly available.

This is unfair, and it is wrong. It is no way to treat consumers in our country. We should strike this improper provision. We should accord the CFPB with the respect it really does deserve because they examine this issue carefully in the public interests.

Strike section 506 of this appropriations bill. It doesn't belong there. It is anticonsumer, and both Republicans and Democrats have consumers in our districts, and I hope that they are following this debate. Because when they find that a financial product with a forced arbitration clause is hurting them and their family, they are going to know who stood up for them. I hope all Members, as they choose their vote on this particular bill, think carefully about who is on their side and who isn't.

□ 2000

I would just like to add, as I close, that we should split the CFPB's efforts to allow Americans to join our claims together and hold financial companies accountable when they make mistakes and when they break the law. We should encourage, not prevent, a fair financial marketplace. If you want a fair system, if you want greater economic freedom, then those mandatory arbitration clauses need to stop.

Please support the Ellison-Johnson amendment.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, for 9 years arbitration agreements have been legal, and they have been upheld by the courts. They provide an alternative method of resolving disputes. They are quicker and cheaper than the slow, more expensive court system. The provision in our bill before you merely requires the CFPB to stop and further study the use of arbitration before moving forward with this arbitration rule.

In their own study, it is noted that consumers didn't select financial products like credit cards or cell phones based on whether they were subject to dispute resolution clauses or may require arbitration. And actually, studies have shown that consumers receive more compensation in arbitration than they do in class action. So you have to ask yourself: Why is the CFPB trying to go after something consumers say they don't care about but actually financially benefit from?

I urge rejection of this amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. MCCLINTOCK). 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 ayes appeared to have it.

Mr. CRENSHAW. Mr. Chairman, 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.

It is now in order to consider amendment No. 5 printed in House Report 114–639.

PERMISSION TO CONSIDER AMENDMENT NOS. 5, 6, AND 7 OFFERED BY MS. MOORE OF WISCONSIN EN BLOC

Mr. CRENSHAW. Mr. Chairman, I ask unanimous consent that amendment Nos. 5, 6, and 7, printed in House Report 114–639, be considered en bloc.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENTS EN BLOC OFFERED BY MS. MOORE OF WISCONSIN

Ms. MOORE. Mr. Chairman, I offer amendment Nos. 5, 6, and 7 made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendments.

The text of the amendments is as follows:

AMENDMENT NO. 5 OFFERED BY MS. MOORE OF WISCONSIN

Strike section 501.

AMENDMENT NO. 6 OFFERED BY MS. MOORE OF WISCONSIN

Strike section 503.

AMENDMENT NO. 7 OFFERED BY MS. MOORE OF WISCONSIN

Strike section 505.

The Acting CHAIR. Pursuant to House Resolution 794, 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. Chairman, I would like to thank the chair and the ranking member for agreeing to this en bloc amendment request.

These three amendments, offered with Financial Services ranking member Ms. WATERS, Mrs. MALONEY of New York, and Mr. ELLISON of Minnesota, address Republican attacks on the Consumer Financial Protection Bureau, the CFPB.

The Consumer Financial Protection Bureau is one of the central pillars of the Wall Street reform, the Dodd-Frank Act. To date, the Bureau has returned more than $11.4 billion to 25 million consumers that have been harmed by predatory financial practices.

Let me repeat that for you, Mr. Chairman. $11.4 billion has been returned to our constituents, 25 million of them, as a result of the work of the CFPB.

Yet our colleagues on the other side of the aisle want to again side with

foes of the Bureau, with the predatory and other unscrupulous lenders. Our amendment seeks to preserve the independence and efficacy of this watchdog agency.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON), a member of the Financial Services Committee.

Mr. ELLISON. Mr. Chairman, I thank the gentlewoman for yielding.

That is right, Mr. Chairman, $11.4 billion to over 25 million consumers. The CFPB has been working on behalf of consumers.

How many households are stronger, better off because of the CFPB? How much justice has been accorded by the CFPB? And yet here we are, after being so successful with the CFPB, and our friends on the other side of the aisle want to weaken it, water it down, snarl it up, and entangle it up in a bureaucratic mess.

It is a good thing, Mr. Chairman, that the CFPB is independent. It is good that they don't have to worry about the political pressures. It is good that they can have a single-minded focus on one thing, and one thing only: what is good for the American consumer.

By the way, we have plenty of oversight. Just ask Richard Cordray. He must be the most frequent visitor to the Financial Services Committee in the whole of the United States Government. He comes all of the time and has to answer question after question all day long, day in and day out, from our Republican colleagues, and he answers the questions as well as anybody possibly could.

There is accountability. There is a letter writing process. There are questions he has to answer. There are all types of oversight.

But do you know what? There is not the ability for the Republicans to say: We are going to snatch your money if you don't do it our way. We are going to take away your independence and tie down the CFPB in an unwieldy five-person commission if you don't do things our way.

Right now, the consumers have an advocate on their side, and that is the way it should stay. I support and urge support for the Moore amendments.

Mr. CRENSHAW. Mr. Chairman, I claim the time in opposition to the amendments.

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

Mr. CRENSHAW. Mr. Chairman, this amendment would strike one of the very best and most important provisions of the bill, that is, putting the CFPB under the appropriations process. That is number one.

It also would strike a provision of the current law, which merely requires the CFPB to notify Congress whenever they request money from the Federal Reserve. That is the law today.

And the third thing it does is it strikes the provision that changes this CFPB, the Director, to a five-member commission.

Now, the combination of these provisions introduces ordinary and customary congressional checks that most every other agency abides by. We are not asking the CFPB to do anything the Department of Defense or the State Department or the Department of Justice or the Treasury Department doesn't already do. I think it is truly ironic that the agency responsible for making consumer financial products more transparent and financial institutions more accountable is nontransparent to the Congress and to the American people.

The Dodd-Frank authorizes the CFPB to fund itself by drawing money from the Federal Reserve to the extent their Director deems ''necessary.'' Now, the Federal Reserve doesn't oversee the agency. It doesn't exercise any authority over it. But the Federal Reserve must transfer the CFPB whatever funds the Director requests without asking any questions.

So the Bureau has already diverted over $2 billion from the Treasury's general fund and, therefore, increased the Federal debt by $2 billion without any congressional input or approval of its activities.

Now, other consumer protection agencies, such as the Consumer Product Safety Commission or the Federal Trade Commission, they are both funded through the appropriations process. Why not the CFPB?

With regard to the five-member commission structure, I think some more diverse viewpoints would help the CFPB understand stakeholder concerns and would make the direction of the agency a little bit more accountable. Other consumer investor protection agencies, such as the Consumer Product Safety Commission, the Federal Trade Commission, or the Securities and Exchange Commission, they are all funded through the appropriations process, and they are all led by five-member commissions. Why not the CFPB?

So this provision in the bill neither abolishes the Bureau; they don't eliminate the Bureau's funding. Instead, they will increase the Bureau's transparency and leadership, allow us to understand what it is that they are doing and how they are going about it.

Let's just make the CFPB a little more transparent and a little more accountable. I urge a ''no'' vote on this amendment.

I yield back the balance of my time.

Ms. MOORE. Mr. Chairman, could the Chair inform me about how much time I have remaining?

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

Ms. MOORE. Mr. Chairman, I appreciate the concern that the gentleman has about maintaining the budgetary constraints, but that is the very problem that agencies like the FDIC and others have had. They have had the authority, but they have not had the independence. The appropriation process ties the hands of these agencies. The one bright star is the CFPB, which is independent, and it supports consumers.

I just want to point out that changing the structure of the CFPB to a commission would add $66 million to our deficit.

I look forward to my friends on the other side of the aisle's vote on my amendment since it not only preserves the independence of the CFPB, but it continues to ensure that U.S. markets are the fairest and most robust in the world, and it protects consumers from mischief in this appropriations process.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentlewoman from Wisconsin (Ms. MOORE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. MOORE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments offered by the gentlewoman from Wisconsin will be postponed.

It is now in order to consider amendment No. 8 printed in House Report 114–639. Does any Member wish to take up this amendment?

The Chair understands that amendment No. 9 printed in House Report 114–639 will not be offered.

AMENDMENT NO. 10 OFFERED BY MR. HIMES

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114–639.

Mr. HIMES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 114, line 10, after the dollar amount, insert ''(increased by $50,000,000)''.

Page 115, line 7, after the dollar amount, insert ''(increased by $50,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Connecticut (Mr. HIMES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. HIMES. Mr. Chairman, my amendment does one very simple thing, which is to increase the funding for the Securities and Exchange Commission by $50 million, bringing the funding in this bill for the Securities and Exchange Commission to the level of funding for the SEC in 2016.

I would point out, Mr. Chairman, that this level of funding is still significantly lower than the President's request of $1.78 billion.

I would further point out, Mr. Chairman, that the work of the SEC, at its core, is about protecting investors who are essential to the functioning of our capital markets and to protecting the

long-term sustainability of the U.S. financial system.

Mr. Chairman, as I think this body knows, the Dodd-Frank Act—which I understand is controversial in this Chamber, but which has gone a very long way to avoiding the kind of meltdown that we had in 2008 and which destroyed $17 trillion in American asset value at its worst—as well as the JOBS Act, which attracted strong bipartisan support in this Chamber, those two bills required the SEC to write some 70 new regulations. And yet despite that requirement and all of the advocacy that we saw, particularly from my friends on the Republican side of the aisle for more alacrity in the writing of the rules for the JOBS Act, we are now seeing a real cut in the budget for the SEC.

Just to give you a sense of what the SEC does, it is now responsible for overseeing some 26,000 market participants and over 9,000 public companies. The assets managed by SEC-registered investment advisers have increased 210 percent since 2005 to almost $70 trillion. That is a lot of money. That is a lot of investment.

This is an organization which is really essential to one of the chief competitive advantages that the United States has, which is the liquidity and the respect that the world has for our capital markets. Again, $50 million bringing the SEC up to the level of funding that it had last year.

And as a final point, let me point out that the SEC is funded not by taxes, but by fees that it collects.

□ 2015

So this would not have the effect of cutting another program or of raising anybody's taxes; but it would, in fact, simply authorize $50 million in fees that would be used for the SEC's budget.

I would like to thank the chairman and the ranking member for the opportunity to offer this amendment, and I would like to thank the cosponsors of this amendment, Representatives MALONEY, HINOJOSA, PERLMUTTER, and SEWELL.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chair, I rise in opposition to the gentleman's amendment.

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

Mr. CRENSHAW. Mr. Chair, the bill before us today takes a measured approach to the Securities and Exchange Commission. A lot of people don't realize that that agency has received some of the largest increases over the last decade that a lot of agencies wish they had received.

Today, we cut the SEC's funding by $50 million from the 2016 because the Commission estimates that $50 million is carryover funding from last year. In addition, we rescind money from the SEC's reserve fund, which was set up kind of like a slush fund under Dodd-Frank. That is totally outside congressional oversight.

Because the Commission has been using the reserve fund for important information technology projects, we have increased funding for the IT in the bill. Now, I believe that, if we upgrade information technology, the Commission will be better able to leverage its resources, catch bad actors, and provide the quality of review that security filings deserve.

To that end, the bill targets funding for another area of need within the Commission, and that is the economic analysis. I believe continuing to set aside funding to fully fund the SEC's Division of Economic and Risk Analysis is going to help the SEC's work withstand any kind of judicial review.

I happen to believe that the current Chair, Mary Jo White, is steering the SEC towards prioritizing enforcement and investor protection and not so much the politically charged rulemakings. Because of that, we have kept the SEC's funding at a reasonable level. The level of funding included in this bill is more than fair and does not need to be adjusted in any way.

The fact that this agency is fee-based in no way diminishes the need for congressional oversight over the Commission's funding. I would say the SEC is not starved for resources, and I urge a ''no'' vote on this amendment.

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

Mr. HIMES. Mr. Chair, I appreciate the gentleman's perspective, but I disagree. He is correct that, in fact, the funding for the SEC has risen in the last 8 years, but so has the dramatic amount of work that is required of it.

Mr. Chair, I will close with just one important point, which is that we saw over the course of the last 2 weeks the dramatic market volatility that was introduced by Great Britain's decision to remove itself from the EU. There was not a stock market or an asset market anywhere on the globe that didn't suffer a significant jolt. These are moments of uncertainty—maybe even of chaos—in the capital markets.

We have a fairly significant election coming up this November. We are not looking at a moment in which the capital markets are likely to experience smooth sailing off into the foreseeable future.

We saw, in the last 2 weeks, precisely the volatility that warrants the need to have a cop on the beat to watch. This is not the moment to cut the SEC's funding. I would urge my colleagues in this Chamber to pass this amendment and to fully fund the cop that we need on this beat.

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

Mr. CRENSHAW. Mr. Chair, I just want to reiterate that we are treating the SEC very fairly. We want to make sure that the markets are safe and that they are orderly, and they are. Just giving more money to the SEC is not necessarily going to make things better.

Over the years, as my colleague understands, we have increased their funding, and they still miss an occasional Madoff scandal and things like that. You don't just buy the regulation. You spend the money where you ought to spend it—cost-benefit, help them keep the markets orderly—and that is what we do in this bill.

I urge the rejection of this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Connecticut (Mr. HIMES).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. HIMES. Mr. 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 Connecticut will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 114–639.

Mr. DEFAZIO. Mr. 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:

Page 115, line 24, after the dollar amount, insert ''(reduced by $22,703,000)''.

Page 265, line 9, after the dollar amount, insert ''(increased by $22,703,000)''.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chair, I yield myself 90 seconds.

This bipartisan amendment would zero out funding for an obsolete, archaic system—the so-called Selective Service.

Thirty-nine years ago, the Russians invaded Afghanistan. Jimmy Carter, in one of the moments of his rather pathetic Presidency, decided that we would send two symbols to the Russians: we wouldn't go to the Olympics, and we would reinstate registration for the draft despite the fact that his own Selective Service had just come up with a report showing that the need for Selective Service was obsolete and unnecessary.

They tried to recall all of the reports. They didn't. Senator Mark Hatfield obtained one, and it was printed in the CONGRESSIONAL RECORD. The Selective Service, itself, decided its time was gone, but we reinstated it as a symbol of our opposition to the Russians.

So here we are today, 39 years later, wasting $23 million a year in making every male American, at the age of 18, register for a draft that will never, ever again happen, under penalty of felony of law, of the deprivation of Federal assistance, of Federal jobs, and of other

things—for life—if they fail to register. Yet we are still here tonight to defend it.

The chairman will say: Well, we are going to study this. We are going to study it and decide whether or not we might still need this someday. Yet, of course, the Department of Defense, itself, says: We do not want a draft. We like to select highly qualified people for our all-volunteer military.

In fact, in March, Secretary of Defense Ashton Carter said: ''The thing I'd like to say about the Selective Service System and the draft, generally, is this: We want to pick our own people. We don't want people to be forced to serve us.'' Yet the chairman of the committee will rise in a vain attempt to defend this wasteful system.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chair, I rise in opposition to the gentleman's amendment.

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

Mr. CRENSHAW. Mr. Chair, I think most of us would hope that we won't ever need to use the draft again, but I think the agency is an important insurance policy that we can use against unforeseen threats. In an emergency, in a wartime situation, the effects of this amendment could be disastrous. This is a small price to pay for an agency that has the potential to avert a crisis should the draft ever need to be reinstated.

The voluntary military we have maintained for 40 years is, certainly, the preferred method of defending our Nation. We have got the best-trained and the best-equipped military in the world. But the decision on the issue to support and to maintain the Selective Service System is a decision that should be made by the Department of Defense. I believe that this is a small price to pay to make sure that we have this ability should we ever need it.

I urge a ''no'' vote on this amendment.

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

Mr. DEFAZIO. Mr. Chair, I yield 1½ minutes to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Chair, I rise in support of the DeFazio amendment, and I am a proud cosponsor of the amendment.

As the gentleman from Oregon mentioned, the draft ended in 1973. Conscription ended. Then the Selective Service System was put on the shelf, inactivated, and was only activated when, in a show of resolve, President Jimmy Carter, in the aftermath of the December 1979 Soviet invasion of Afghanistan, reinstituted conscription. He reinstituted signing up for the Selective Service System. I think he suspended wheat sales to the Soviet Union as well as our participation in the Olympic Games, which were scheduled to be in Moscow.

It has never been used. During the height of Iraq and Afghanistan, there has never even been a discussion within the Department of Defense, even with personnel shortages, about using the draft.

In a recent study by the Army Recruiting Command, it determined that something like 75 percent of young people—military-aged people—are ineligible to serve in the United States Army. Either they are overweight; they don't have high school or have high school but don't have a high enough score on the Armed Forces Entrance Exam; they have had altercations with the law; or they have drug and alcohol issues.

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

Mr. DEFAZIO. I yield the gentleman an additional 30 seconds.

Mr. COFFMAN. We have extremely high standards today. I think, in my having served in the United States Army when there was a draft, that having conscription—having people being forced to serve—compromises the extraordinary, I think, capability of our military. This is about putting it back on the shelf, as it was in 1973, and if the President, as Commander in Chief, ever felt it needed to come off the shelf, he or she could do so.

Mr. CRENSHAW. Mr. Chair, I reserve the balance of my time to close.

Mr. DEFAZIO. Mr. Chair, I yield myself such time as I may consume.

For those who persist in the fantasy that, someday, we will need to reinstate the draft, this legislation allows the President the authority to restore funding should he believe that such actions are in the interest of the national defense. Beyond that, the report, actually, from 1979, from the Selective Service, itself, said: We do not have the training capacity of the old days of training, with broomsticks, the young troops to go into war.

Today, we have a professional military—the best in the world. If you believe in our military and if you believe in an all-volunteer force, then you will vote for this amendment. If you want to send a message that, someday, we are going to conscript young men, involuntarily, to go into the military, into a training capacity that doesn't exist, and have hundreds or thousands or millions of bodies, untrained, go into a massive land war, unlike the way wars are fought today with the professional military and much more targeted with drones and air strikes, then vote for this, say that we are going to go back to Korea, that we are going to go back to the way it was in World War II, that we are going to go back to World War I.

If you believe we have entered into the 21st century and that we are never going to involuntarily conscript Americans to serve in the military again, the all-volunteer force is the best in the world. Yes, it needs to be the best trained and the best equipped. Let's focus on that. Let's spend $23 million on their training and on their equipment instead of wasting it on an obsolete system that penalizes young Americans under felony penalty if they don't register and register their changes of address. By the way, the Selective Service doesn't know where most people live. Their computers are obsolete, and they don't work.

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

Mr. CRENSHAW. Mr. Chair, I just want to note that the overwhelming ''fantasy'' that the gentleman refers to was shared on a bipartisan basis, overwhelmingly, in rejecting this amendment a couple of years ago. This is not a brand new idea. And we appreciate the gentleman's bringing it before us, but in the military, they talk about things that you don't know. You do not know what you do not know.

I believe that this is a small price to pay to make sure that we have this ability, should a crisis occur, in that we might save thousands—if not millions—of lives.

I urge a ''no'' vote on this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. 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 Oregon will be postponed.

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AMENDMENT NO. 12 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114–639.

Mr. GRAYSON. Mr. 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:

Strike section 613.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this language strikes the anti-abortion language in section 613, which restricts abortion coverage for those who participate in Federal Employees Health Benefit plans. In other words, Federal employees.

Singling out abortion care and requiring its exclusion from health insurance plans is discrimination. Federal employees commit their lives to public service, and they should not be penalized because of the source of their health insurance and who their employer happens to be. Government employees contribute to the cost of their

coverage, and they pay their out-of-pocket expenses. They deserve the same benefits and access to comprehensive health care as those in the private sector. This ban separates public servants from private-sector employees and treats them as unequal.

All Federal employees should have equal access to health care that other employees receive in the private sector. Here, we are saying that one employer, the government, is free to deny care to its employees, something that we would generally not allow in the private sector.

We are also prohibiting these Federal employee plans from covering abortions, and that constitutes political interference in a woman's personal decisionmaking. Restricting abortion coverage in these plans is a bad policy that harms women. Sometime during the course of pregnancy, for instance, one might find out that the fetus is abnormal. That is a personal decision whether to terminate that pregnancy or not that should be made personally, and the government should not weigh in in one way or another in making that decision.

If a woman does decide—either because her life is threatened or because of fetal abnormalities or some other reason—that she wants to terminate the pregnancy, she could be looking at tens of thousands or hundreds of thousands of dollars of unreimbursed health expenses. We shouldn't pretend that we are covering people's health coverage needs while allowing them to fall subject to a bill that could be tens or hundreds of thousands of dollars.

Now, lifting this ban does not mandate abortion coverage. It simply permits the Federal Employees Health Benefit plans to cover abortions.

I think we need to get to the heart of the matter, which is this: the most fundamental right of anyone, a man or a woman, is the right to control your own body, and that includes a womb. If liberty means anything, if freedom means anything, that is what it means. That is true for me and it is true for you. It is true for men, and it is true for women; and that includes pregnant women and women who happen to be Federal employees.

Abortion has to be fully legal or women are not fully equal. I urge my colleagues to support this amendment.

I reserve the balance of my time.

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

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

Mr. CRENSHAW. Mr. Chair, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), one of the great champions of innocent unborn life.

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman from Florida for his extraordinary leadership on this bill and on the life issue.

Mr. Chairman, on June 8, 1983, 33 years ago, I sponsored the amendment to ban the use of taxpayer funds to subsidize abortion in the Federal Employees Health Benefits Program. The Smith amendment passed 226 to 182, and has been in effect almost continuously ever since.

Today, more Americans oppose taxpayer funding for abortions than ever before. A January 2016 Marist poll found a supermajority of Americans—68 percent of all respondents and 69 percent of women—oppose taxpayer funding for abortion.

Why do Americans continue to trend pro-life?

First, the pro-life movement is comprised of millions of selfless, compassionate human rights defenders, women and men, filled with deep faith in God, hope, love, and indomitable spirits.

Second, post-abortive women are silent no more, courageously speaking to the extraordinary harm they have endured from abortion. As the NGO Feminists for Life have reminded us, women deserve better than abortion.

Third, sonograms, ultrasound imagery, is a game changer. Countless parents have watched with awe and wonder as their child appears on the screen, moving about, even sucking his or her thumb. First baby pictures today are of the child before birth. That first picture is a powerful confirmation that their child exists and that they are parents now and that birth is merely an event in the life of a child.

Ultrasounds have also been an effective tool in helping to diagnose and to treat disease and disability for these young patients. Some unborn children indeed are the youngest patients in need of benign interventions.

I would note to my colleagues that for the past several years, there has been a global movement called The First Thousand Days of Life, providing for nutrition and supplementation to bolster the health and wellness of children and women from conception until the second birthday. The consequences of caring for children before birth is absolutely revolutionary and breathtaking, boosting their immunity as well as their cognitive abilities throughout their entire lifetime.

Abortion, on the other hand, is the polar opposite of life. It is violence against children. Abortion methods dismember, decapitate, or chemically poison innocent babies to death. Late-term abortions inflict excruciating pain and suffering on the child, especially during the dismemberment procedure.

The Grayson amendment would reverse over three decades of prudent public policy that ensures that taxpayers do not subsidize abortion. I would note parenthetically that the law governing the Federal Employees Health Benefits Program specifies that the Federal Government contributes at least 72 percent of the average premium cost for all plans, so it is taxpayers who are footing the bill.

Vote ''no'' on the Grayson amendment.

Mr. GRAYSON. Mr. Chairman, I yield for a moment to my friend from New Jersey, if he will answer a single question. And the question is this: Does the gentlemen believe that women who have abortions should be incarcerated?

Mr. SMITH of New Jersey. Absolutely not. Thank you for the question.

Let me point out that every bill we have brought—the Partial-Birth Abortion Ban, the Born Alive Act, every single piece of legislation that would seek to protect the lives of unborn children—has a specific clause that women are held harmless; that there could be no prosecutions against them.

Mr. GRAYSON. Mr. Chairman, reclaiming my time, again, addressing a question to the gentleman from New Jersey: If you maintain that abortion is murder—which is pretty much what you just said—then why do you not believe that the women who have these abortions should be incarcerated? Why do you not believe that?

Mr. SMITH of New Jersey. Will the gentleman yield?

Mr. GRAYSON. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, it is the gentleman who called it murder. I call it the taking of human life.

We need to hold the abortionists liable. We, in the pro-life movement, look at the women as co-victims. I have worked—I say to my friend from Florida—with well over 100 women, many of whom were part of the Silent No More Awareness Campaign, all of whom have had abortions, including the niece of Dr. Martin Luther King, Alvita King, who has had two abortions. She has said very, very strongly that in every abortion there was a co-victim, and that is the mother.

Mr. GRAYSON. Reclaiming my time, I appreciate my friend from New Jersey answering those questions.

I would maintain that the simpler answer is that abortion is not murder; it is not the taking of human life.

I yield 1 minute to my colleague from New York (Mr. SERRANO).

The Acting CHAIR. The gentleman from Florida has 45 seconds remaining.

Mr. GRAYSON. I yield the balance of my time to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chair, the problem with this argument is that it has become an abortion argument and it isn't a debate about abortion. It is an issue about a doctor and a woman and her healthcare decision and an insurance where one person can have certain rights under their insurance plan and another one cannot.

Let's remember that there are some Federal dollars in this plan, but there are also personal dollars, but no rights according to some people.

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

Mr. CRENSHAW. Mr. Chairman, it is very clear that our policy is the taxpayers' fund should not be used to fund abortions and, therefore, we have continued this prohibition. Not only has

this prohibition been in place since 1981, it was also requested by the administration as part of its 2017 budget request.

So I urge a ''no'' vote on this amendment.

I yield back the balance of my time.

Ms. DEGETTE. Mr. Chair, I rise in support of Grayson Amendment Number 12.

This amendment would finally remove a longstanding, harmful appropriations rider that deprives federal employees of coverage for the full range of reproductive health care.

As co-chair of the House Pro-Choice Caucus, I'm routinely dismayed by the repeated inclusion in legislation of divisive riders that interfere with women's health care decisions. Why must important bills that get the people's business done be misused by politicians to limit women's reproductive rights and choices?

For too long, Congress has interfered with women's health decisions through bans on insurance coverage for reproductive health care. I applaud Mr. GRAYSON for taking action to lift these unnecessary and harmful restrictions in the Federal Employees Health Benefits Program. However, these restrictions exist in many other places throughout federal law. We should do away with them all.

Every single year, my Republican colleagues feel the need to include provisions attacking women's health in the Financial Services Appropriations bill. This year is no exception. As usual this year's bill is riddled with such provisions.

But this time, Republicans have taken it one step further. An amendment filed by Rep. PALMER has also been made in order on this appropriations bill.

Mr. PALMER's amendment would prohibit Washington, DC from enforcing the Reproductive Health Non-Discrimination Act, which the city enacted to help protect women and their families from employment discrimination based on reproductive health choices.

Preventing DC from enforcing this law is egregious. It is beyond inappropriate for Congress to strike down state laws that help protect women from employment discrimination based on choices such as using birth control, undergoing in vitro fertilization, or having an abortion.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRAYSON. Mr. 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. 13 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 114–639.

Mr. KILDEE. Mr. 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:

Strike section 625.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chair, this amendment offered by myself and my colleagues would strike section 625 of this bill and, if adopted, would allow the SEC to write regulations requiring corporations to disclose their political contributions. This amendment would not require the SEC to regulate political disclosure. It would simply allow them to do so if they deem it something that would be necessary or important so that investors and citizens and voters know where the tens of thousands, hundreds of thousands, millions of dollars spent by corporations are going to affect the outcome of elections.

The Supreme Court decision in Citizens United has opened the floodgate for corporations to spend an unlimited amount of money, affecting our democracy in ways that we, as citizens, can never find out about, that we can never determine, dramatically affecting the outcome of elections, often spending more money than any other candidate or any other political party.

Knowledge is power, and the American citizens have the right to know how corporations are spending money to affect the outcome of elections. This amendment would allow the SEC to write regulations that would allow for that kind of disclosure.

This democracy should not be for sale. Transparency is the key. The citizens of this country have a right to know and to understand how money is affecting the outcome of their elections.

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

Mr. CRENSHAW. Mr. Chairman, I claim the time in opposition.

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

Mr. CRENSHAW. Mr. Chairman, this is the law today that he is trying to remove.

The SEC doesn't need to be engaged in politically charged, unmandated rulemakings. The language included in this bill just keeps the SEC on track. It prevents them from developing or proposing or issuing a rule that would require disclosure of political contributions in the SEC filings.

Let's call the amendment what it is. It is an end-run around the Supreme Court's Citizens United decision.

The SEC has got bigger priorities to focus on, and thank goodness they have been focusing on those. They have been going after people that profit from insider trading. They are trying to stop the fraud that goes on. And the bill continues to support the SEC doing its job; protecting investors, encouraging capital formation.

I urge a ''no'' vote on this amendment.

I reserve the balance of my time.

Mr. KILDEE. Mr. Chair, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Michigan has 3½ minutes remaining.

Mr. KILDEE. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Chair, this is a simple amendment. It strikes a highly partisan policy rider that would bar the SEC from requiring disclosure of political spending by corporations.

Since the Supreme Court's decision in Citizens United, we have seen an explosive growth in corporate political spending. Even under the twisted interpretation of the First Amendment in that case, disclosure would at least mean some level of accountability.

In that case, the Court decided that corporations get the same free speech rights as people; and now these corporations are taking advantage by funneling unlimited funds through tax-exempt groups to secretly influence our elections.

Section 625 of this bill would completely bar any funds from being used to develop a rule to require disclosure of political contributions to tax-exempt organizations. This represents a behind-closed-doors trick to block the administration from requiring corporations to simply stand behind their political spending.

Corporations shouldn't be able to hide their political motivations behind complex webs of so-called social welfare groups, not when these groups are little more than P.O. boxes in Virginia.

We have to get money out of politics, but until then, let's have some disclosure.

I urge my colleagues to support this amendment.

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Mr. CRENSHAW. Mr. Chairman, I reserve the balance of my time.

Mr. KILDEE. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank the gentleman for yielding.

Mr. Chairman, I want to commend Mr. KILDEE for this amendment, which promotes more accountability and transparency and disclosure at a time when that is what people are asking for. They want to know where the secret money is coming from, and they want to know where it is going. They say sunshine is the best disinfectant, but yet again, this House is acting to shield corporate and big money donors from the light of day.

It is this Russian doll technique. You open the Russian doll because you think you can see what is inside, and then when you open it, there is another doll inside; and then you open that one, and there is another doll inside that one. You can never get to where the money really is. You can never find out who is actually bankrolling these huge expenditures, these TV commercials

that are coming in, this megaphone that is taking over our politics from secret interests.

All Mr. KILDEE is seeking is that we provide the transparency, the disclosure, the information that the American people are seeking. We need more of that. We need more disclosure. We need more accountability. We need more transparency. That is what the American people are demanding. That is what this amendment would do. Let's pass this amendment and ensure that accountability in our politics.

Mr. CRENSHAW. Mr. Chairman, I reserve the balance of my time.

Mr. KILDEE. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. SERRANO), the ranking member of the subcommittee.

Mr. SERRANO. Mr. Chairman, if I didn't know better, I would be confused. On one hand, we cut money from the SEC because they shouldn't be the cop on Wall Street that it should be, but then on the other hand we want to continue to cut money and prevent them from telling us where the other money is coming from, which is the one that funds elections.

What is the problem with the American people knowing that such a candidate or such a committee got money from such a corporation? I want to know. They want to know.

So, sure, our ratings are low. You know why our ratings are low? Because there is so much secrecy in what we do, and it shouldn't be. This is a great amendment, and it is one that should be accepted on a bipartisan basis.

Let's stop trying to tell the SEC that they don't exist. They exist.

And I will tell you one last point that is very short. When I was chairman of this committee, they came to us and said: We don't want any more money; we are fine. Then we found out years later why they didn't want more money, because they didn't want to enforce anything. We fell through into a big hole.

Mr. CRENSHAW. Mr. Chairman, I reserve the balance of my time.

Mr. KILDEE. Mr. Chairman, fundamentally, this amendment is simply about the right of the American people to know who is influencing the elections that determine the leadership in this country.

This legislation, as presented, would actually prohibit the SEC from requiring that kind of disclosure. The American people deserve a democracy that is transparent. This amendment would provide the SEC with the tools to make rules that would provide that. I urge my colleagues to support my amendment.

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

Mr. CRENSHAW. Mr. Chairman, as I pointed out earlier, this is existing law. This is the law today, and they want to strike that law. I would encourage them to look up something called the Federal Election Commission. That is a place where people disclose their political contributions, and it is right there for everybody to see. So they want to take existing law that says that is not the role of the SEC; it is the role of the FEC. They want to change the law that basically, today, says the SEC has got better things to do than require——

Mr. KILDEE. Will the gentleman yield?

Mr. CRENSHAW. I yield to the gentleman from Michigan.

Mr. KILDEE. Are the corporate contributions made under the provisions that we are speaking of disclosed to the Federal Election Commission? Corporate spending under the Citizens United case, for example; are those disclosed by corporations to the FEC?

Mr. CRENSHAW. Reclaiming my time, as I pointed out, I understand this is an end run about that lawsuit, but there is disclosure that takes place. And again, the law today that was added last year, part of the omnibus bill, the SEC ought to be trying to find tax cheats, they ought to be trying to find people doing insider trading, and, quite frankly, they really don't have it high on their list of things to do because right now the law prevents them from doing that.

I think it is just better to keep the law just like it is today. Reject this amendment, and vote ''no.''

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KILDEE. Mr. Chairman, 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 Michigan will be postponed.

AMENDMENT NO. 14 OFFERED BY MS. ESHOO

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 114–639.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 632.

The Acting CHAIR. Pursuant to House Resolution 794, the gentlewoman from California (Ms. ESHOO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. ESHOO. I yield myself such time as I may consume.

Mr. Chairman, this amendment strikes what I believe is an unnecessary provision in the bill that would block the FCC's net neutrality rules until the court took final action to determine their legality. The provision my amendment strikes was written before the court announced its decision.

On Tuesday, June 14, the Federal appeals court issued its long-awaited ruling in this case, and the decision could not be clearer. The court fully upheld the FCC's net neutrality rules, and that is why I am offering the amendment. It found that the FCC acted within its authority, acted consistent with Supreme Court precedent, consistent with the Administrative Procedure Act, and consistent with the Constitution. Every issue raised by opponents in court was rejected, whether it was procedural or substantive.

Following this clear and decisive ruling, there is simply no reason for Congress to be blocking the FCC's rules. The courts have spoken, and legal scholars agree.

I think the American people also spoke very clearly. Over 4 million offered their comments by filing them at the FCC during the rulemaking process, and the vast majority of them were in support of strong rules. This level of public input broke records at the FCC.

The late Justice Antonin Scalia's dissent in the 2005 Brand X case reflects the same commonsense view the American people expressed in their public comments. Justice Scalia said: ''After all is said and done, after all the regulatory cant has been translated, and the smoke of agency expertise blown away, it remains perfectly clear that someone who sells cable-modem service is 'offering' telecommunications.''

So Congress need not block these rules now in the hopes that an appeal to the Supreme Court will overturn this clear ruling, and that is why I am offering the amendment. I urge my colleagues to support it and strike what now is an unnecessary section from the bill.

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

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. CRENSHAW. Mr. Chairman, this language is merely a legislative stay on the FCC's net neutrality order, and it is the same language that was in last year's bill. This net neutrality rule was very, very controversial. She mentioned there were 4 million, I guess, inputs under the proposed rule. Some were for, some were against.

Let me be clear. There is no dispute about the desire for a free and open Internet, but I think, when you look at the consumers, you look at the businesses, you look at government, they have benefited greatly from the absence of regulatory restrictions on the Internet. At the end of the day, this is an issue for the courts to decide.

Even in light of recent circuit court decisions, litigation on this rule is no way finished. I think it is just fair in a controversial rule like this to wait until its legality has been finally determined before we implement the rule. So I urge a ''no'' vote.

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

Ms. ESHOO. Mr. Chairman, the gentleman really offers a lack of response to the amendment because the Federal appeals court issued a very broad decision, and it really couldn't be clearer. I understand that this language was written before the court came out with its decision, but now that the court has, I think that this language really doesn't mean anything unless the majority simply wants to leapfrog over the decision, even though they don't like it and have fought it.

I just don't think that this belongs in the legislation anymore. It was put in before the court spoke, and I believe that it is appropriate to remove the language now.

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

Mr. CRENSHAW. Mr. Chairman, I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this amendment. It strikes section 632 of the underlying bill, a controversial FCC rider that prohibits the FCC from implementing its order on net neutrality until three court cases are resolved.

Yet again the majority is trying to hijack the regulatory process for its own ends. This rule went into effect almost a year ago, and none of the fears that were raised about the net neutrality rule have come to pass. There has been increased investment and profits for Internet service providers. There is no reason to continue the crusade against this rule.

Although section 632 sets out to only last as long as the lawsuits are ongoing, the actual text encourages the plaintiffs in these lawsuits to do everything in their power to delay a resolution to the cases in question.

Four million people wrote in about the rule that this committee is now trying to stop. The normal process of objecting to a rule would be that you go to the courts, and that already happened here. The U.S. Court of Appeals for the District of Columbia Circuit denied a petition by several telecom companies and industry trade groups to delay implementation of the Federal Communications Commission, FCC, net neutrality rules.

Organizations like the Consumers Union have pointed out that there was plenty of public notice with the net neutrality rules. There was an initial notice of proposed rulemaking, an extensive description released before the FCC vote, and waiting 2 months after the Federal Register publication before the rules took effect. Throwing in an additional hurdle departs from established rulemaking practice and simply isn't needed.

Ironically, just last week, the U.S. Court of Appeals for the District of Columbia upheld the FCC's 2015 net neutrality rules in these cases, giving the agency unquestionable authority to regulate the Internet.

□ 2100

Of course, they could still appeal, which demonstrates how harmful this rider is. It would delay net neutrality while the court process plays out.

Blocking net neutrality means blocking an open Internet. It allows a broadband provider to block any Web site or application it wants and would allow pay-for-priority schemes, where all traffic is slowed down to make the way for the content of deep-pocketed giants who can pay for preferential treatment.

It seems to me that Republicans are trying to give corporations more freedom and options to do whatever they want while trying to place more restrictions and burdens on individual citizens, like denying them access to a free and open Internet. Section 632 is harmful to our economy, our democracy, and should be stricken from the bill.

I thank the gentlewoman for her amendment, and I urge support for the amendment.

Ms. ESHOO. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 1½ minutes remaining.

Ms. ESHOO. I will close with these comments, Mr. Chairman. I often say to my constituents that we love our history once it has been made, but we don't always appreciate it when we are making history.

I think that this issue relative to the Internet and its entire future will be now, because of the court decision, totally uninterrupted. No company, no ISP, not anyone can block or throttle online traffic or have paid prioritization agreements that would create fast and slow lanes.

Imagine if private companies owned all of the freeways in California, and every time there is an exit or an on ramp, you end up having to pay—pay for something.

The court made very, very clear that the way the FCC drew up its rules is for the protection of the consumer, which is at the heart of this. I think that June 14 was a day of great history made in our country and for the betterment of it, for consumers, for competition, and for our national economy.

It is with all of that in mind that I offer this amendment, and I urge my colleagues to support it. I think it makes sense. What was in the bill was drawn up before the court spoke. The court has spoken very clearly.

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

Mr. CRENSHAW. Mr. Chairman, we are not here to debate the merits of the net neutrality rule. Everybody knows how controversial it was.

It has been pointed out there are 4 million objections or supporters. I don't know how they were split, but there were millions for, millions against. It just tells you how controversial it is.

So all this provision says is: let's wait until it is finally resolved. We all know that it is going to end up in the United States Supreme Court. And once it has been determined yes or no, then the FCC ought to enforce it. But until that time, it ought to be stayed through the legislative process. That is what this bill does. That is what the amendment attempts to undo.

So I urge a ''no'' vote on this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. ESHOO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESHOO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 15 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 114–639.

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 143, beginning on line 10, strike section 637.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, my amendment would repeal an effort to undermine the Dodd-Frank Wall Street Reform Act and an effort to eliminate consumer protections for some of the country's most vulnerable borrowers and invite a return to the kind of predatory mortgage practices that helped fuel the financial crisis of 2008 in the first place.

The manufactured housing industry is growing and highly profitable. In fact, according to its trade association, manufactured housing—what some people might call trailer homes, but actually is accurately called manufactured housing—is an industry that has recorded shipment increases in every month since 2014. Manufactured Housing for Regulatory Reform found that 2014 marked the fifth consecutive year of annual industry productions increases.

Even one of the world's most respected investors, Berkshire Hathaway chairman Warren Buffet, has been touting the profitability of manufactured housing. In a letter to shareholders, he pointed out that Clayton

Homes, Berkshire Hathaway's profitable manufactured housing business subsidiary, earned a total of $585 million in 2014, an increase of 34 percent over 2013. This is despite the fact that Dodd-Frank protections that this bill seeks to roll back were in place in 2014.

Unfortunately, this is the same Clayton Homes that was the subject of a BuzzFeed and The Seattle Times and Center for Public Integrity investigation that found that this manufactured housing empire profits in every way imaginable from producing to selling, to housing, to the loans that take advantage of vulnerable consumers and leave them with virtually no way to refinance.

The investigation details a story of disabled Army veteran and Clayton Homes customer, Dorothy Mansfield. Ms. Mansfield's monthly income was less than $700, but Clayton approved her for a $60,000, 20-year loan at more than 10 percent interest. The monthly payment of $673 consumed much of Ms. Mansfield's only income—her Army disability benefit—and within 18 months of purchase, she was behind on payments and Clayton was attempting to foreclose on her home.

This is precisely the kind of predatory practices that Dodd-Frank was enacted to stop. But today, we consider legislation that would pave the way for its return.

I urge my colleagues to support this amendment and oppose the predatory manufactured housing loans.

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

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. CRENSHAW. First, just let me say that the provision the gentleman would like to strike is a provision that gives every American the opportunity to pursue what we call the American Dream—that of home ownership.

I yield 3 minutes to the gentleman from Tennessee (Mr. FLEISCHMANN) to tell us a little bit more about why we ought to oppose this amendment.

Mr. FLEISCHMANN. Mr. Chair, I rise in opposition to the gentleman's amendment, and I thank the chairman for the opportunity to address that.

Mr. Chair, I represent a wonderful area of east Tennessee. A lot of folks purchase manufactured homes. It is a great American industry. It is a booming industry. It is a good industry. But more important than that, that great industry is the great American Dream—that dream of home ownership.

Manufactured homes offer an opportunity to men and women, many times, to purchase their first home. These are not the most affluent people in America. These are people who are pursuing the American Dream—or part of it—of home ownership.

What this amendment seeks to do is unfortunate. That is why I oppose it. There is no more fervent opponent to the Dodd-Frank rule in this house than me, but it protects the Dodd-Frank provisions that were in the law.

This does not violate Dodd-Frank. This is more of an indication of how a bad law spews more bad law. And what this does is it hurts those precious consumers, those poor Americans who are trying desperately to get credit. What it does, Mr. Chairman, is create a situation where, if someone is a loan originator or a salesman, it makes them subject to the constrictions of Dodd-Frank. This was never intended on its worst day—and there are many worst days of Dodd-Frank—to do this.

I ask this House to reject the gentleman's amendment, uphold a great American industry—the manufactured home industry—but even more importantly, to uphold that special precious American Dream, that chance of home ownership.

Mr. ELLISON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. WOODALL). The gentleman from Minnesota has 2½ minutes remaining.

Mr. ELLISON. Mr. Chairman, let me just be clear. This is not a matter of whether manufactured housing is good or bad. Manufactured housing is obviously an option that Americans should have available to them.

This amendment is about protecting consumers and making sure that they don't get hit on all sides of the bargain: the sale of the home, the loan, the origination, the insurance, and all over. It is making sure that the mortgage originator is operating in the interests that they are supposed to operate in—under the definition of loan originator or mortgage originator.

This requirement prevents salespeople from being incentivized to steer buyers to higher-cost loans. It is one thing to stand up and say: Hey, we are trying to help people reach the great American Dream, but it is quite another to say: Hey, look, yeah, great American Dream at a fair and affordable price, great American Dream at a price that people can actually afford and that is fair to the consumer.

So that is what we are talking about here. I absolutely believe that if people want to live in manufactured housing, they should. Let me tell you, in my district in Minnesota, I have a lot of people who live in manufactured housing.

There are a lot of success stories, too, Mr. Chairman. I can tell you about people who lived on property owned by somebody else. They bought that property that their manufactured homes were on and now it is theirs. And now they are living in much more security than they ever have. And they got a good deal.

They need people who are going to be looking out after them. This is a very, very important issue, because a lot of these folks don't have that many advocates looking out for them. We should make sure that the requirement that prevents salespeople from being able to steer buyers to high-cost loans is something that we should not tolerate. It robs families who don't have that many resources of the precious resources they have.

So this is another one looking out for consumers, affirming people's right to live in a manufactured home, if that is choice, recognizing that that is a good choice for many families, but at the same time recognizing that these same families need to be treated fairly.

Mr. Chairman, I ask for a ''yes'' vote.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, if the gentleman really wants people to have access to manufactured housing, then I don't think he would be proposing this amendment. If you adopt this amendment and take out the language we have in the bill, then you are going to limit access to quality, affordable housing for an awful lot of people.

That is what happens when the CFPB tries to overregulate an industry. What happens is they limit access to financing and you limit options for manufactured housing.

You have got to understand that these new regulations don't reflect the unique nature of manufactured homes; the sales process, the lenders. The lenders can't offer small balanced loans anymore because of these regulations, and that is what they used to purchase affordable housing.

So if you really care about folks and you want them to be able to access the housing market, if you really want them to be able to pursue the American Dream of owning a home someday, then you will reject this amendment and allow the provision that we put in this bill to stand.

Let me once again urge that my colleagues vote ''no'' on this amendment.

Mr. Chairman, 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. Mr. Chairman, 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. 16 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 114–639.

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 143, beginning on line 21, strike section 638.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, this is another amendment protecting consumers in manufactured housing. It strikes section 638.

Section 638 weakens rules protecting buyers of mobile homes—or manufactured homes—from being sold products that can ruin them financially. It strikes language that prevents staff at the Consumer Financial Protection Bureau from protecting buyers of manufactured homes from high-cost financing.

New manufactured homes are of good quality. However, the financing of these homes has a long and sordid history of abuse.

If a site-built homeowner can get a mortgage for 5 percent, why should a manufactured home buyer need to pay 15 percent?

If a home buyer is offered a loan of 15 percent, I think they should receive counseling that lower-cost options might be available.

Two years ago, I wrote letters to the heads of the major financing firms for manufactured homes. I asked them for information on their default rates.

□ 2115

Why should a buyer of a manufactured home be charged three times more than a buyer of a site-built home?

I was told by their trade association that they could share that information, but only if I promised confidentiality. I declined that because I wasn't going to be an aider and abetter to their conspiracy.

This is a paradox. The manufactured housing industry wants permission to charge consumers 10 percent above prime, so 14 or 15 percent, but they are unwilling to say why. But they say it is because that is the only way to attract lenders to the market.

Why do they need to charge manufactured home buyers an interest rate three times as high as that of other buyers? Manufactured home buyers deserve financing that lets them build equity in their home.

Last year, the Seattle Times ran a series of articles on how the financing industry used to prey on manufactured home buyers. I am glad the Democrats created the Consumer Financial Protection Bureau. Democrats gave the CFPB the authority to protect home buyers, including 17 million people who live in manufactured homes.

We have already voted on the majority's goal to stop the Consumer Financial Protection Bureau from protecting manufactured home buyers. Last year, the majority brought forward H.R. 650 with this same language; 162 Members voted against it. President Obama issued a veto threat.

The majority needs 290 votes to override a veto, and the bill only got 263. So people who want to sell buyers high fee and interest loans are trying another tack: authorizing in an appropriations bill. We should oppose their efforts on procedural grounds, but also on principle grounds.

I urge support of my amendment because absolutely everybody should get a fair shot at being able to get a piece of the American Dream, which is to own their own home, including a manufactured home. But they shouldn't have to pay three times what site-built homeowners have to pay just because they might be in a slightly different situation.

I know that colleagues might say: Oh, we are just standing up for the American Dream here; we are just trying to make sure people can get into a home.

Well, at what price, Mr. Chairman? At what price? Three times what average site-built homeowners have to pay? Three times what your average mortgage holder of a site-built home might pay? I don't think that is right.

I think that we should strike the language in section 638 and should stand up for consumer justice for those people who my colleagues agree are just trying to get a piece of the American Dream. They are just trying to get a piece of the American Dream; but, as they are doing so, there are some mortgage lenders, some lenders that are taking money out of their pockets as they are trying do that. I think the Congress of the United States should stand with those consumers and not with the big companies that make out so much, that make such an exorbitant profit at their expense.

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

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

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

Mr. CRENSHAW. Mr. Chairman, we just had a discussion earlier about access to affordable housing, manufactured homes. Manufactured homes are a little bit different, and a lot of times folks that can't afford a house try to buy a manufactured home. And if you put some of these provisions that the CFPB has tried to put in, what you do, you end up denying those folks access to that kind of housing, and I think that is wrong.

I urge Members to reject this amendment like they rejected the last amendment.

I yield 3 minutes to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Mr. Chairman, I rise in opposition to the gentleman from Minnesota's amendment, and I thank the chairman for this time.

Perhaps the only thing the gentleman from Minnesota and I agree on is that this amendment is akin to his first amendment which I vigorously opposed and I asked the House to oppose.

Let me reiterate. The manufactured housing industry is a great American industry. The dream of owning a home is part of the American Dream. Manufactured housing offers an opportunity to those who are less affluent to get part of that American Dream, to buy a house.

Now, what has happened—and again, Dodd-Frank itself, a law which, if I was in this House, I would have voted against. I wasn't here then, but I have vigorously opposed since then—Dodd-Frank actually allows what this gentleman is trying to oppose with his amendment.

So as bad as this law is, and as bad as the law that has come from this very bad law is, and this amendment is indicative of that, I want to talk about what happens when we do this.

This is a miscalculation in a formula by those proponents of the rules of Dodd-Frank, and what it does, it scares away lenders. It scares away those who want to give credit because it opens them up to liability.

Therefore, what does it do? It squeezes the poor American consumer and deprives them of the opportunity to get credit; therefore, it deprives them of the opportunity to get a home; therefore, it deprives them of a part of the American Dream.

If the gentleman would listen to me, I have seen this. Who will profit? Those who are vultures, who actually have capital, who have cash, who are liquid.

When these mobile homes now will not sell, there will be a glut on the market, and what will happen? They will swoop in, and those people who want to see their precious home, their first home, appreciate in value, now it will depreciate in value, and they will be harmed.

This is a perfect example of government overreach. Dodd-Frank is a bad law, and this is an attempt to try to construe Dodd-Frank with CFPB rules that are detrimental to the American consumer.

So do not let it hurt the American Dream. Do not let it hurt this great American industry. I respectfully urge a ''no'' vote on this gentleman's amendment.

Mr. ELLISON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 45 seconds remaining.

Mr. ELLISON. Mr. Chairman, the manufactured home industry is a growing industry that is highly profitable. There are loans to be had in this space. There is no need to allow consumers to have to pay three times—three times—what people pay for a mortgage for a site-built home. This is just ringing the dinner bell on people who already are economically vulnerable.

I demanded, Mr. Chairman, information that might justify these higher interest rates for manufactured home buyers, and no information was forthcoming because there is none. This is just a chance to take advantage of people who don't have as much money as some other people.

So American Dream, by all means; consumer predation, no way. I urge a ''yes'' vote.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, just finally, let me say once again, we all appreciate the effort that we have to protect consumers. But you can go so far as basically to regulate people out of the opportunity to own a home, and that is what is happening with this overzealous consumer protection agency, and all we are trying to do is bring some common sense back into that.

So I would urge folks to reject this amendment. Leave the bill as it is, providing an opportunity for people who maybe can't own a great big house, but they can buy a manufactured home that might be less expensive. It might incur a little more risk since it is a mobile home, to a certain extent.

Take all that into consideration, and leave the bill as it is. Reject this amendment. I urge people to vote ''no.''

Mr. Chairman, 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. Mr. Chairman, 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. 17 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 114–639.

Ms. SEWELL of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 144, beginning on line 12, strike section 639.

The Acting CHAIR. Pursuant to House Resolution 794, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Mr. Chairman, today I rise in support of the CFPB's recent efforts to rein in predatory practices utilized by payday lenders across this country.

I am opposed to any congressional efforts to weaken or prohibit regulations of these actors. That is why I have offered an amendment striking section 639 of the underlying bill, which prohibits funds from being used by the CFPB to enforce any regulations or rules with respect to payday loans, vehicle title loans, or other similar loans during the fiscal year 2017.

I am proud to be joined by my colleagues, Representatives WATERS, ELLISON, and HINOJOSA, in offering this simple yet critically important amendment.

President Obama's visit to Birmingham, Alabama, in the heart of my district in March 2015 to announce CFPB's efforts to address predatory lending practices was something that was very important to my constituency. During his speech, he noted that there were four times as many payday lenders in Alabama as there were McDonald's. Additionally, there are more title loan lenders per capita in Alabama than any other State.

This stark contrast not only illustrates the pervasiveness of this industry participant but, rather, underscores the critical need for stronger consumer protections to fight against unfair and abusive lending practices.

Oftentimes, African Americans, Latinos, and other minority communities are especially disproportionately impacted by the cycle of long-term debt resulting from payday loans, vehicle title loans, as well as check advance loans. These lenders target our most vulnerable, fiscally underserved communities, including low-income and elderly, while residents with limited access to traditional bank loans or credit are attracted to promises of easy access to fast cash.

Predatory lending compromises the financial security of millions of Americans. It is a problem that is too big to ignore, and the CFPB's efforts to protect these communities should be applauded rather than restricted.

The CFPB's proposed rules are not unduly burdensome. Rather, the majority of payday loans and title lenders who do not ask for any proof of income or whether the borrower has the ability to repay, that, to me, seems to be commonsense regulation. Lenders should be able to make loans to those who have the ability to repay, and asking that question doesn't seem overly burdensome.

Studies show that 69 percent of the borrowers use payday loans to meet everyday expenses such as rent, bills, medicine, and groceries. These CFPB rules would require lenders to make sure borrowers can afford to pay back the loans before giving a loan, in the same way that traditional banks do when they prepare loans. The payday lending industry should be subject to the same regulations as traditional banks when it comes to making sure that people who they are lending money to have the ability to repay.

The rule would also limit the ability of lenders to access borrowers' credit account information through automatic debiting if there are not sufficient funds initially in their checking accounts.

Borrowers should not be at the mercy of predatory lending practices. CFPB's proposed rules would strengthen consumer protections and make it harder to prey on vulnerable communities. CFPB's proposed rules have bipartisan support and empower consumers to make better financial decisions.

I understand that there are needs for short-term cash and for small-dollar-amount loans that provide consumers with this necessary access. I will continue to work with the CFPB and stakeholders to perfect this rule and create incentives for traditional and responsible lenders to enter this short-term lending space; however, it is unconscionable for any Members of this body to support legislation designed to thwart efforts to protect consumers and the most vulnerable Americans.

I strongly support the adoption of these proposed regulations and would continue to fight for greater consumer protections. I urge my colleagues to support this amendment which would allow for resources to be available to the CFPB to enforce these new regulations against payday lenders. I urge my colleagues to support this amendment.

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

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

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

Mr. CRENSHAW. First, just let me say the provision in question that they are trying to eliminate merely puts a pause on the CFPB's rule until it submits a detailed report. To tell us other good reasons why we ought to reject this amendment, I yield 2 minutes to my good friend from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank the chairman. I thank him for his great work on this bill that he has produced tonight. And I have enormous respect for my colleague from Alabama and her concerns.

At risk with this amendment is cutting off access to credit for millions of Americans. Under the plan the CFPB is considering, not only would their regulation eliminate small-dollar loans, but it could also introduce significant new underwriting expenses on every loan. The result? The very consumers that need the money the most will ultimately be left in the dark.

Payday lending needs to be studied, deserves to be studied, should be considered, and carefully considered. Instead, this amendment wants the CFPB to go full bore, full steam ahead, without having thoughtfully answered the question: Where will consumers that need these loans go next?

□ 2130

That is the deeper, harder issue. Outrage is easy. It is. But the tough part, indeed, the most important part for us as policymakers is to make sure that we get this right for those Americans—those millions of Americans—that actually need short-term lending.

Ms. SEWELL of Alabama. Mr. Chairman, I yield 40 seconds to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chairman, I thank the gentlewoman.

The way that payday loans work is that they rely on the fact that you will borrow the money, and then you have

an exorbitant interest rate, and then you are going to have to borrow money to repay the last loan plus a fee and the interest rate. You roll it over and you roll it over, so before you know it, your whole check is going to pay this loan. No one has ever asked you whether you could afford it. They just took advantage of your desperate situation.

It makes sense for the CFPB to make sure people don't get caught in this cycle of debt. It is the way Americans are going to get back to financial health and not be taken advantage of when they are in a vulnerable financial state.

There are many alternatives. We need to be exploring those, not just doing it for payday lending.

Ms. SEWELL of Alabama. Mr. Chairman, I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. Mr. Chairman, I would like to thank the chairman for yielding me time and for his great work on the underlying bill, including the provisions that are in the bill as we stand.

I rise in strong opposition to this amendment. While I have great respect for my colleague from Alabama, the language that is proposed would strip bipartisan language that was inserted into the bill that merely puts a pause on the CFPB short-term lending rule, and the result of passing this amendment would hurt millions of consumers having any access to capital.

In fact, the Independent Community Bankers of America and the National Credit Union Association—who don't agree on much—recently wrote a letter to the CFPB voicing their strong opposition to the current rule that is being proposed because they believe that it will drive them out of the short-term credit making market and stop them from serving consumers in their local communities.

In fact, even the CFPB admits that 84 percent of short-term loan volumes will disappear as a result of this rule. That will leave millions of Americans without access to money that they might need to get emergency medical assistance, to pay for unexpected automobile repairs, or to heat or cool their home. This amendment is a problem.

We need to allow the language in the bill to last. All it does is require the CFPB to provide documentation for what they are doing and show where consumers will be able to turn to meet their financial needs. This is a bipartisan amendment that is in the bill now. We should reject the Sewell-Waters amendment.

I urge members to vote ''no'' on the amendment and urge them to vote ''yes'' on the underlying bill.

Ms. SEWELL of Alabama. Mr. Chairman, I want to say that I think it is really important that we not reward bad actors. I think that the fact of the matter is that lots of payday lenders—while access to credit is critically important, to reward bad behavior is not something that I think this House should be about, and I ask Members to support this amendment.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, nobody wants to reward bad actors. Let me just say that payday lending today is regulated at the State level. My home State of Florida has one of the most progressive and effective small-dollar-lending loan statutes in the country. It has become somewhat of a national example of the successful compromise between strong consumer protection and increased access to capital.

So I hope that when the CFPB exercises the pause that we ask for in this bill, that they will take a look at some of the progressive laws that are around the country and they can balance that without denying folks access, as was pointed out.

So I urge a ''no'' vote on this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. SEWELL of Alabama. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Alabama will be postponed.

The Chair understands that amendment No. 18 will not be offered.

AMENDMENT NO. 19 OFFERED BY MS. NORTON

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 114–639.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 193, beginning on line 23, strike section 817.

The Acting CHAIR. Pursuant to House Resolution 794, the gentlewoman from the District of Columbia (Ms. NORTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

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

Mr. Chairman, my amendment strikes the repeal of the District of Columbia budget autonomy referendum, which allows D.C. to spend its own local funds, consisting of local taxes and local fees, after a 30-day congressional review period.

Astonishingly, House Republicans appear to be so afraid of a local jurisdiction spending its local funds without the approval of a Federal body, the U.S. Congress, that they will be voting for a second time in a little over a month to repeal the referendum.

D.C.'s budget autonomy referendum is in effect as I speak. The D.C. Council recently passed its first local budget pursuant to the referendum. Therefore, the repeal would be the most significant reduction in the District of Columbia's authority to govern itself since Congress granted the city limited home rule in 1973.

Smart lawyers differed about the validity of the referendum when D.C. enacted it. However, the referendum has been litigated, and there is only one judicial opinion in effect. In March, the D.C. Superior Court upheld the referendum, no appeal was filed, and the court ordered D.C. employees to implement it.

Some House Republicans had either been disguising or simply mistaken in their opposition to the referendum because they are using legalistic arguments. For example, the Speaker revealed a reason that some may oppose the referendum. He said: ''There are real consequences. The D.C. government wants to use revenues to fund abortions in the District. House Republicans will not stand for that.''

Well, the Speaker was wrong about the effect of the budget autonomy referendum. Congress loses nothing under budget autonomy. Congress retains the authority to legislate on any D.C. matter, including its local budgets at any time.

Mr. Chairman, this is not statehood, I am here to tell the floor this evening. The referendum is a modest attempt by a local jurisdiction to get enough control of its local funds to be able to implement its own budget soon after it is passed, like other American jurisdictions, instead of having it caught up into congressional delays that have nothing to do with our local budget.

Indeed, the riders in this bill prohibiting D.C. from spending its local funds on marijuana commercialization and abortion services for low-income women were changed from those in prior appropriations bills to apply whether or not D.C. has budget autonomy. Historically, D.C. riders applied only to funds included in appropriations bills because only appropriations bills authorized D.C. spending. In this bill, the riders apply to any D.C. funds, however authorized, including those in budgets passed pursuant to budget autonomy. The riders Congress places in D.C. appropriations bills will be untouched by budget autonomy.

Local control over local dollars raised by local taxpayers is a principle much-cited by congressional Republicans and is central, if I may say so, to the American people form of government. Beyond this core principle, budget autonomy has practical benefits for the District, including lower borrowing costs, more accurate revenue and expenditure forecasts, improved agency operations, and the removal of the threat of D.C. government shutdowns because the Federal Government shuts down.

D.C.'s budget is bigger than the budgets of 14 States, Mr. Chairman. It raises more than $7 billion in local

funds. While D.C. is in a better financial position than most cities and States, with a rainy-day fund of $2.17 billion on a total budget of $13.4 billion, budget autonomy would make the district economy even stronger.

Why would anybody in this House oppose that possibility?

The repeal of the referendum is not only bad policy, it is a blight on this country's most revered principle—local control.

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

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. CRENSHAW. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Chairman, I would like to thank the gentleman from Florida, the chairman of the committee, for his fine work, for his friendship, and I just want to say: You will be missed.

I rise in opposition to the gentlewoman's amendment. This is something that we have debated for many, many hours. She knows full well what is the issue and what is not the issue, Mr. Chairman. I am here tonight to clear the record once again.

To suggest that this is all just about local control and local budget autonomy missed the foundational principles of where they have this limited right in D.C. already. It goes back to our Founding Fathers and the principles found in the Constitution. It goes back to when this was debated and actually signed into law where Democrats and Republicans came together to say that we are going to give D.C. the ability to have local control over local issues with one major exception, and that major exception had to do with the appropriation of funds, and truly the power that rests and resides in this esteemed body.

So to suggest that anything nefarious is happening would be to ignore not only history, but to ignore debate that has happened in this very Chamber before.

The gentlewoman from D.C. has offered a number of times a bill to actually repeal this very right. So to suggest that D.C. automatically has this right to be able to have budget autonomy would go against previous arguments that the gentlewoman has made.

So I am here tonight to say that not only am I in strong opposition, but this is something that we must stand up to for the integrity of this body and certainly because of the principles that our Founding Fathers laid at this incredible city that we call our Nation's Capital, Washington, D.C. It was to preserve it in a way that allowed for this body to not only manage and appropriate, but to oversee what is the Nation's city.

Mr. CRENSHAW. Mr. Chairman, just very briefly, I think Mr. MEADOWS said it well. The bill before us right here continues to appropriate D.C. local funds just like it has been doing for the last 43 years under Democratic and Republican majorities and Democratic and Republican administrations. So this bill is no radical departure from the past.

Mr. Chairman, I urge a ''no'' vote on the gentlewoman's amendment.

I yield back the balance of my time.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

□ 2145

Mr. SERRANO. Mr. Chairman, when I became chairman of this committee in the past, I think I was the first chairman ever to say that I wanted less power rather than more power. The reason I said that was because I didn't want to oversee the District of Columbia as chairman of the committee as one overseeing a colony.

For me, that was very important, since I was born in the colony of Puerto Rico and I now represent the Bronx, New York, in Congress. So it is very personal for me that I should not do to others what I don't like people doing to my birthplace.

Let's understand something. This is not a constitutional question any longer. In my opinion, and I have been saying this for years, this is about the ability to say that you stand for things that you really don't stand for in your own districts. So people who can't control the budget in their district go to the newspapers and say: I am very strong on controlling spending. And when you ask them where, they say: Oh, in the District of Columbia.

And then they will tell you: I oppose the needle exchange programs.

And they say: Where? We have one here.

They say: Oh, but I do it in the District of Columbia.

And they say: And I stop women from getting their health services in order and getting abortions.

They say: But it is legal here.

They say: No, but I did it in the District of Columbia.

What has happened is that D.C. has become this playground for Members of Congress to say ''I stand strong on these issues,'' when, in fact, they don't stand strong on those issues. They only stand strong on the issues of the abuse of the District of Columbia.

And we will continue to do this. We will probably see it again and again and again. I mean, just look at this, and I don't want her to feel any worse than she feels already, but she can't vote on her own amendment today because she doesn't have a vote. The gentleman from Puerto Rico is in a similar situation. He can't vote on his own amendment. He sponsored a bill with Mr. DUFFY that he can't vote on. That is the situation we have.

How can we, as the greatest country on Earth—and I don't say that in jest. I believe it. How can we go and tell countries in Latin America and the Caribbean and the Middle East to be democratic, to be supportive of democracy, and then we don't practice it on a place down the block from us—not down the block, the place where we are situated. How can we tell Puerto Rico that it can't deal with its own situation and yet tell Latin America that it must change its ways, and the Middle East that it must change its ways? We continuously have this contradiction, and we have to take care of it.

This one is a simple one. This one is they passed a referendum, the courts spoke, Congress had an opportunity to say something stronger, it didn't, and now it is trying to come back and make up for it by putting language in the bill where it doesn't belong.

Please, ladies and gentlemen, think of this vote not as a vote that can score you points back home, but a vote that can give people in the District of Columbia the ability to take their own money and spend it as they see fit, no different than North Carolina, than the Bronx, New York, or than any other community. Even Florida does it that way, too.

I ask that you support Ms. NORTON's amendment. I probably can predict the outcome of it, but we will continue to fight this fight because it is right. And the same Constitution that may have said some things about D.C. that we are expanding on and overusing is the same Constitution that guarantees all of us the right to govern ourselves and to govern our resources and to govern how we behave.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from the District of Columbia will be postponed.

AMENDMENT NO. 20 OFFERED BY MR. AMODEI

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 114–639.

Mr. AMODEI. Mr. Chairman, 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 to enforce the requirements in section 316(b)(4)(D) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30118(b)(4)(D)) that the solicitation of contributions from member corporations' stockholders and executive or administrative personnel, and the families of such stockholders or personnel, by trade associations must be separately and specifically approved by the

member corporation involved prior to such solicitation, and that such member corporation does not approve any such solicitation by more than one such trade association in any calendar year.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Nevada (Mr. AMODEI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. AMODEI. Mr. Chairman, my amendment would prohibit funds being used by the FEC to enforce the prior approval requirement for trade associations. The prior approval requirement is the requirement that trade associations must acquire written approval for Member corporations to solicit PAC donations. They must further require stockholders and member companies to only contribute to one trade association. It is a requirement in the FEC laws that is unique amongst all PACs only to those that are trade association-related PACs.

So, therefore, the objective of the amendment is to say, out of all of the PACs out there, we do not need to treat trade associations specially. We should treat everybody the same, all PACs, including trade associations. It was a result of a law that was passed in 1978 which, I would submit to you, for the last 38 years, has been a solution in search of a problem.

Mr. CRENSHAW. Will the gentleman yield?

Mr. AMODEI. I yield to the gentleman from Florida.

Mr. CRENSHAW. Mr. Chairman, I think it is a very good amendment that the gentleman has brought before us. It basically levels the playing field. It is not a partisan issue that is going to impact Democrats or Republicans. I would join him in urging adoption of this amendment.

Mr. AMODEI. Mr. Chairman, I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, to quote a great American Republican, Ronald Reagan, ''there you go again'' trying not to allow things to be out in the open when they should be in the open. This is a new effort to funnel unlimited money into politics.

Current law limits trade association PACs from soliciting member corporations, their stockholders, and their executives without permission from the corporation and limits these solicitations to a single trade association PAC each year. This amendment would remove these solicitation restrictions and expand the number of solicitations a stockholder or corporate executive could get.

I don't know about you, but I think most Americans are pretty sick of politically motivated fundraising emails. This would expand the number of emails that many people would get.

This is just another way to empower groups, like the Chamber of Commerce, over the needs of ordinary Americans. That is not right.

Last I heard, most trade association PACs were not lacking for money, and most corporations, millionaires, and billionaires had plenty of loopholes in our campaign finance system. But the gentleman from Nevada seems to think differently on both counts.

This bill is not the right place to change campaign finance law, let alone to change it in a way that hurts American voters. I oppose the amendment.

I reserve the balance of my time.

Mr. AMODEI. Mr. Chairman, to quote the same Ronald Reagan, ''facts are stubborn things.'' Let's take a look at the facts here.

Trade associations may give 2–1 to Republicans, since we brought up the P word for politics; however, the ones that aren't regulated, which are labor PACs, give 9–1 to Democrats. We are not asking you to pick one or the other; we are asking you to treat them all the same.

Oh, and by the way, on this very floor earlier tonight, I believe there was some discussion about we are not hiding anything. If you want to see who gave to whom, you go to the FEC Web site. So it is not a question of are we hiding something.

I want to just give you a couple of more stubborn things, and then I will reserve.

The top 20 PACs in the 2014 cycle were all outside the prior approval rule. The top three are EMILY's List, SEIU, and the National Rifle Association. This is probably the first time those three outfits have been mentioned in the same sentence, but they are not required to do this.

By the way, Independent Electrical Contractors and the Rural Broadband Association should enjoy the same First Amendment rights to participate, which are now prohibited by this rule.

I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, first of all, I think my Reagan quote was better than the other Reagan quote, and I stand by that comment.

I reserve the balance of my time.

Mr. AMODEI. Mr. Chairman, I will concede the point that maybe your Reagan quote was better, and I want to welcome you to the Reagan quote club. We are glad to have you on board.

Let me just say this. This seeks a level playing field. I think we have a 38-year history. I provided some facts that I think are relevant. Nobody is seeking advantage here. It is to treat everybody the same. I believe the word is the E word, which is equality.

I yield back the balance of my time.

Mr. SERRANO. Mr. Chairman, I think that this is one of those opportunities to insert language into an appropriations bill that doesn't belong there.

I think the gentleman, who is a very nice guy, should rethink it. Maybe he can invite us all to his home State and we can discuss it at length, or at least to the chairman's State and we can discuss it at length, or to the Bronx to a Yankee game and we can discuss it at length.

But I think that we are spending too much time here putting things in this bill that don't belong in this bill. And we are reaching a point where we may never again see what I saw when I got here, which is the ability to see a bill stand alone and pass and get signed by the President, or, rather, what we have now where we get these omnibus bills or these continuing resolutions.

We should look at that. We should look at what we are doing to the committee, what we are doing to ourselves, and what we are doing to the Nation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nevada (Mr. AMODEI).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SERRANO. Mr. Chairman, 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 Nevada will be postponed.

AMENDMENT NO. 21 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 114–639.

Mrs. BLACKBURN. Mr. Chairman, 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 to implement, administer, or enforce any of the rules proposed pursuant to section 222 of the Communications Act of 1934 (47 U.S.C. 222) and other statutory provisions in the Notice of Proposed Rulemaking that was adopted by the Federal Communications Commission on March 31, 2016 (FCC 16–39).

The Acting CHAIR. Pursuant to House Resolution 794, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, this amendment would prohibit funds made available by the act from being used to implement, administer, or enforce any of the rules proposed in the Notice of Proposed Rulemaking adopted by the FCC on March 31, 2016. That is order FEC 16–39. It is intended to regulate ISP consumer privacy obligations.

□ 2200

Mr. Chair, there are two problems with the FCC's actions that warrant a delay in the adoption of rules by the agency.

First, the FCC's proposed rules are extreme and go well beyond anything they should be doing in this space, and it is a bipartisan concern. In May, Democrats BOBBY RUSH, GENE GREEN, and KURT SCHRADER joined several Republicans in a letter to all of the FCC Commissioners and voiced strong concerns that the FCC's proposed privacy rulemaking ''intends to go well beyond'' the traditional framework that has guarded consumers from data practices of Internet service providers and ''ill-serves consumers who seek and expect consistency in how their personal data is protected.''

The FTC has traditionally been our government's sole Internet privacy regulator. A dual privacy enforcement model will create confusion within the existing Internet ecosystem. The FCC simply doesn't have the requisite technical expertise to regulate privacy.

Former FTC Commissioner Joshua Wright testified before the House Judiciary Committee that the FTC has ''unique expertise'' in ''enforcing broadband service providers' obligations to protect the privacy and security of consumer data.''

The FCC's proposed rule would create economic harm. Former FTC Commissioner Joshua Wright, a GMU economist, recently said that there has been no economic analysis on the rule's impact. He said, ''That's a bad thing, to be clear.''

Let me tell you something. The fact that we have an agency that is not studying and working on the economic impact and reviewing what this is going to do to the economy is absolutely unbelievable, especially when you look at the fact that the FCC does not have the authority and expertise to move into privacy. That is the FTC's domain and a place where they work. This new rule has caused the FTC to bring forward two dozen additional questions; the stakeholders have proposed 500 questions; and the rule is a 147-page rule.

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

Mr. MCNERNEY. Mr. Chair, I claim the time in opposition to the amendment.

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

Mr. MCNERNEY. Mr. Chair, Americans overwhelmingly agree that online privacy is a fundamental right. According to the Pew Research Center, a large majority of Americans wants the government to do more to protect their privacy. Consumers want a voice in how their data is shared and sold. Despite this loud cry from the American people that we in Congress do more, this amendment would do less. It would make it harder for consumers to decide how their data is treated.

Let me reread the amendment:

''None of the funds made available by this Act can be used to implement, administer, or enforce any of the rules proposed pursuant to section 222 of the Communications Act.''

These are privacy protection rules. These are rules that are meant to protect consumers' privacy. If this amendment becomes law, consumers will have little or no choice as to how their Internet service providers sell our most personal data.

We need strong rules to protect consumers' most sensitive information, and we need those rules to be enforced. American consumers need to choose for themselves whether their locations, their search histories, or their purchasing habits, including medical equipment, should be sold, traded, or otherwise used without their permission. I believe that consumers who consistently demand greater privacy protection online would oppose this amendment, which takes away their protections.

My Republican colleagues claim that the FCC's proposed rules for privacy protection will confuse consumers, but let's be clear. The data shows that consumers are already confused when it comes to privacy. Just a few weeks ago, Georgetown law professor Paul Ohm testified before the Communications and Technology Subcommittee of the Energy and Commerce Committee that privacy in the U.S. has never been uniformly controlled. For example, there are sector-specific privacy laws for consumers' health, credit, and educational information. This is not to mention the 50–State patchwork of State privacy laws all across this country.

Consumers want to be heard. They want more privacy. We have an obligation to respond to their requests by opposing this amendment. I urge my colleagues to oppose this amendment.

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

Mrs. BLACKBURN. Mr. Chair, a couple of points here.

We have a privacy regulator. It is the Federal Trade Commission. The FTC has that jurisdiction. To add the FCC is going to cause confusion as to who is in charge of what. Everyone knows that. Do we need to pass a privacy bill? Absolutely. Do we need to pass a data security bill? Absolutely. That is the responsibility of this body. It is not the responsibility of unelected bureaucrats, who are sitting down at the FCC, who come up with a 147-page rule, and then they are not even looking, necessarily, at where the problem is with privacy. They are going to focus on the ISPs. They are out in front of their skis, if you will, on this one.

We have a privacy regulator. It deserves to keep that authority because it has expertise in that area.

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

Mr. MCNERNEY. Mr. Chair, I warned my colleagues that the other side would say that this is going to be confusing to consumers, but consumers are already pretty confused about their privacy protection. In fact, I will bet that everyone in this room is confused about his privacy protection.

We need a body that can put privacy protection up front and create rules that make sense and that can be enforced uniformly across the country. That is going to make customers more confident that their data is being protected. That is what we need.

Mr. Chair, prohibiting the FCC from using funds to enforce any proposed privacy rules would have the effect of leaving the FCC with very little room to protect consumer privacy. I don't think that is what Americans want. Americans want their privacy protected. If we remove all funds for enforcement capabilities from the FCC we are going to be left with no privacy protection.

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

Mrs. BLACKBURN. Mr. Chair, what we have is an issue of jurisdiction. The jurisdiction is with the FTC, and they have the funds, and they do a good job of this. Let them do their job. Preemption—yes, that is something that we should discuss and pass in a privacy and data security bill within this body. It should not be done by the FCC, which is saying, Hey, just trust us; just trust a Federal agency, and we will come in here and do this through the rules.

It is a Big Government power grab. I think people have had enough of that. It is expensive. It is confusing. I urge support for my amendment.

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

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

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MCNERNEY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–639 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. ELLISON of Minnesota.

Amendment No. 2 by Mr. DUFFY of Wisconsin.

Amendment No. 3 by Mr. BECERRA of California.

Amendment No. 4 by Mr. ELLISON of Minnesota.

Amendments En Bloc by Ms. MOORE of Wisconsin.

Amendment No. 10 by Mr. HIMES of Connecticut.

Amendment No. 11 by Mr. DEFAZIO of Oregon.

Amendment No. 12 by Mr. GRAYSON of Florida.

Amendment No. 13 by Mr. KILDEE of Michigan.

Amendment No. 14 by Ms. ESHOO of California.

Amendment No. 15 by Mr. ELLISON of Minnesota.

Amendment No. 16 by Mr. ELLISON of Minnesota.

Amendment No. 17 by Ms. SEWELL of Alabama.

Amendment No. 19 by Ms. NORTON of the District of Columbia.

Amendment No. 20 by Mr. AMODEI of Nevada.

Amendment No. 21 by Mrs. BLACKBURN of Tennessee.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 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 vote was taken by electronic device, and there were—ayes 173, noes 245, not voting 15, as follows:

[Roll No. 357]

AYES—173

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Frankel (FL)
Fudge
Gabbard
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
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)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
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—245

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Castor (FL)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
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
Himes
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)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
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
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
Salmon
Sanford
Scalise
Schrader
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—15

Bost
Brooks (IN)
Buchanan
Clarke (NY)
Delaney
Ellmers (NC)
Gallego
Hastings
Luján, Ben Ray (NM)
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

□ 2231

Mr. REED, Mrs. BLACK, Messrs. PALAZZO, HOLDING, WALDEN, CARTER of Georgia, and HUNTER changed their vote from ''aye'' to ''no.''

Mr. CONYERS changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. BROOKS of Indiana. Mr. Chair, on roll-call No. 357, I was unavoidably detained. Had I been present, I would have voted "nay."

AMENDMENT NO. 2 OFFERED BY MR. DUFFY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY) 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 166, noes 254, not voting 13, as follows:

[Roll No. 358]

AYES—166

Abraham
Allen
Amash
Amodei
Babin
Barletta
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Davidson
Davis, Rodney
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hanna
Harris
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
Kelly (PA)
King (IA)
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Mulvaney
Neugebauer
Newhouse
Olson
Palmer
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rohrabacher
Rokita
Ros-Lehtinen
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford

Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Trott
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Williams
Wilson (SC)
Wittman
Woodall
Yoho
Zeldin
Zinke

NOES—254

Adams
Aderholt
Aguilar
Ashford
Barr
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaHood
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Noem
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Roskam
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Tiberi
Titus
Tonko
Torres
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westerman
Wilson (FL)
Womack
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)

NOT VOTING—13

Bost
Buchanan
Cole
Delaney
Ellmers (NC)
Gallego
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

□ 2236

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. BECERRA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. BECERRA) 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 183, noes 239, not voting 11, as follows:

[Roll No. 359]

AYES—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
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)
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—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
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
LaHood
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
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2240

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 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 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 181, noes 236, not voting 16, as follows:

[Roll No. 360]

AYES—181

Adams
Aguilar
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
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
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
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
Rush
Russell
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)
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—236

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
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 (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
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
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Bass
Bost
Buchanan
Delaney
Ellmers (NC)
Griffith
Grijalva
Hastings
LaMalfa
Nadler
Nugent
Ruppersberger
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2243

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENTS EN BLOC OFFERED BY MS. MOORE OF WISCONSIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendments en bloc offered by the gentlewoman from Wisconsin (Ms. MOORE) 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 179, noes 243, not voting 11, as follows:

[Roll No. 361]

AYES—179

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
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)
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
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
LaHood
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2247

So the en bloc amendments were rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. HIMES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Mr. HIMES) 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 183, noes 238, not voting 12, as follows:

[Roll No. 362]

AYES—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
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)
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—238

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
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
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—12

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Palazzo
Takai
Turner
Westmoreland
Whitfield

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 NO. 11 OFFERED BY MR. DEFAZIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) 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 128, noes 294, not voting 11, as follows:

[Roll No. 363]

AYES—128

Amash
Beyer
Bishop (UT)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Burgess
Capps
Capuano
Carney
Carson (IN)
Cartwright
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (GA)
Courtney
Crowley
Cummings
Davidson
Davis, Danny
DeFazio
DeLauro
Deutch
Doggett
Doyle, Michael F.
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fudge
Gabbard
Garrett
Gohmert
Gosar
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hanna
Harris
Hensarling
Herrera Beutler
Hudson
Huffman
Jones
Kaptur
Kelly (IL)
Kildee
Kirkpatrick
Labrador
Lance
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Massie
McCollum
McDermott
McGovern
Meadows
Meeks
Mica
Mulvaney
Neal
Nolan
Norcross
Pallone
Palmer
Payne
Perlmutter
Perry
Peterson
Pingree
Pocan
Polis
Rangel
Ribble
Rice (SC)
Richmond
Rohrabacher
Rokita
Ruppersberger
Rush
Sánchez, Linda T.
Sanford
Sarbanes
Schrader
Schweikert
Sensenbrenner
Sessions
Sires
Slaughter
Stewart
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Upton
Vargas
Veasey
Vela
Velázquez
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOES—294

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Cárdenas
Carter (GA)
Carter (TX)
Castor (FL)
Castro (TX)
Chabot
Cicilline
Clawson (FL)
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeGette
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Emmer (MN)
Engel
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hahn
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Langevin
Latta
Lawrence
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neugebauer
Newhouse
Noem
Nunes
O'Rourke
Olson
Palazzo
Pascrell
Paulsen
Pearce
Pelosi
Peters
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sanchez, Loretta
Scalise
Schakowsky
Schiff
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Tsongas
Valadao
Van Hollen
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2255

Ms. VELÁZQUEZ changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. GRAYSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. GRAYSON) 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 177, noes 245, not voting 11, as follows:

[Roll No. 364]

AYES—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
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)
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—245

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Burgess
Byrne
Calvert

Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
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
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Latta
Lipinski
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2258

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. KILDEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. KILDEE) 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 186, noes 236, not voting 11, as follows:

[Roll No. 365]

AYES—186

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rigell
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)
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—236

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
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
LaHood
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

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 NO. 14 OFFERED BY MS. ESHOO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. ESHOO) 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 238, not voting 13, as follows:

[Roll No. 366]

AYES—182

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Rigell
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
Slaughter
Smith (WA)
Speier
Swalwell (CA)
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—238

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
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
LaHood
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOT VOTING—13

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Sires
Takai
Turner
Westmoreland
Whitfield
Zeldin

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2304

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 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 167, noes 255, not voting 11, as follows:

[Roll No. 367]

AYES—167

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—255

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buck
Bucshon
Burgess
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
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)
Moulton
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
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
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Tsongas
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2308

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 16 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 162, noes 255, not voting 16, as follows:

[Roll No. 368]

AYES—162

Adams
Aguilar
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Posey
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—255

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buck
Bucshon
Burgess
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
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)
Moulton
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
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
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Tsongas
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Becerra
Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Lee
Love
Meeks
Nadler
Nugent
Takai
Turner
Van Hollen
Westmoreland
Whitfield

□ 2310

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL) 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 240, not voting 11, as follows:

[Roll No. 369]

AYES—182

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Gutiérrez
Hahn
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
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poliquin
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
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—240

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
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 (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
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
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
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2313

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MS. NORTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) 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 238, not voting 13, as follows:

[Roll No. 370]

AYES—182

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
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)
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—238

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
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
Jackson Lee
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
LaHood
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
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—13

Bost
Brat
Buchanan
Buck
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair (during the vote). There is 1 minute remaining.

□ 2316

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. COMSTOCK. Mr. Chair, on rollcall No. 370, I mistakenly voted "yes," when I intended to vote "no."

AMENDMENT NO. 20 OFFERED BY MR. AMODEI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada (Mr. AMODEI) 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 235, noes 185, not voting 13, as follows:

[Roll No. 371]

AYES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
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
LaHood
LaMalfa
Lamborn
Lance
Latta
Lipinski
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
Nunes
Olson
Palazzo
Palmer
Paulsen
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)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—185

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
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
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pearce
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)
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—13

Bost
Buchanan
Crawford
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Rigell
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair (during the vote). There is 1 minute remaining.

□ 2319

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 21 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 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 232, noes 187, not voting 14, as follows:

[Roll No. 372]

AYES—232

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
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
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
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)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin

NOES—187

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Graves (LA)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
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
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rigell
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
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—14

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Hurt (VA)
Issa
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield
Zinke

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2322

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. CRENSHAW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER of Georgia) having assumed the chair, Mr. WOODALL, 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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

FEDERAL INFORMATION SYSTEMS SAFEGUARDS ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 803 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. 4361.

Will the gentleman from Georgia (Mr. COLLINS) kindly take the chair.

□ 2325

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. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, with Mr. COLLINS of Georgia (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, a request for a recorded vote on amendment No. 5 printed in House Report 114–666 offered by the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–666 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Ms. NORTON of the District of Columbia.

Amendment No. 5 by Mrs. WATSON COLEMAN of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 3 OFFERED BY MS. NORTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) 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 183, noes 239, not voting 11, as follows:

[Roll No. 373]

AYES—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)

Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
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)
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—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
LaHood
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
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2328

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MRS. WATSON COLEMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) 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 179, noes 243, not voting 11, as follows:

[Roll No. 374]

AYES—179

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
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)
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
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)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
LaHood
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2331

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. COLLINS of Georgia, 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. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, and, pursuant to House Resolution 803, 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.

MOTION TO RECOMMIT

Mr. THOMPSON of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of California. I am, in its current form.

Mr. CHAFFETZ. Mr. Speaker, I reserve a point of order on the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of California moves to recommit the bill H.R. 4361 to the Committee on Oversight and Government Reform with instructions to report the same to the House forthwith with the following amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Rule of construction.
Sec. 4. Severability.
TITLE I—ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM
Sec. 101. Reauthorization of the National Criminal History Records Improvement Program.
Sec. 102. Improvement of metrics and incentives.
Sec. 103. Grants to States for improvement of coordination and automation of NICS record reporting.
Sec. 104. Relief from disabilities program.
Sec. 105. Additional protections for veterans.
Sec. 106. Clarification that Federal court information is to be made available to the National Instant Criminal Background Check System.
Sec. 107. Clarification that submission of mental health records to the National Instant Criminal Background Check System is not prohibited by the Health Insurance Portability and Accountability Act.
Sec. 108. Publication of NICS index statistics.
Sec. 109. Effective date.
TITLE II—PROVIDING A RESPONSIBLE AND CONSISTENT BACKGROUND CHECK PROCESS
Sec. 201. Purpose.
Sec. 202. Firearms transfers.
Sec. 203. Penalties.
Sec. 204. Firearms dispositions.
Sec. 205. Firearm dealer access to law enforcement information.
Sec. 206. Dealer location.
Sec. 207. Residence of United States officers.
Sec. 208. Interstate transportation of firearms or ammunition.
Sec. 209. Rule of construction.
Sec. 210. Effective date.
TITLE III—NATIONAL COMMISSION ON MASS VIOLENCE
Sec. 301. Short title.
Sec. 302. National Commission on Mass Violence.
Sec. 303. Duties of the Commission.
Sec. 304. Powers of the Commission.
Sec. 305. Commission personnel matters.
Sec. 306. Authorization of appropriations.
Sec. 307. Termination of the Commission.
TITLE IV—DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS
Sec. 401. Granting the Attorney General the authority to deny the sale, delivery, or transfer of a firearm or the issuance of a firearms or explosives license or permit to dangerous terrorists.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress supports, respects, and defends the fundamental, individual right to keep and bear arms guaranteed by the Second Amendment to the Constitution of the United States.

(2) Congress supports and reaffirms the existing prohibition on a national firearms registry.

(3) Congress believes the Department of Justice should prosecute violations of background check requirements to the maximum extent of the law.

(4) There are deficits in the background check system in existence prior to the date of enactment of this Act and the Department of Justice should make it a top priority to work with States to swiftly input missing records, including mental health records.

(5) Congress and the citizens of the United States agree that in order to promote safe and responsible gun ownership, dangerous criminals and the seriously mentally ill should be prohibited from possessing firearms; therefore, it should be incumbent upon all citizens to ensure weapons are not being transferred to such people.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act, or any amendment made by this Act, shall be construed to—

(1) expand in any way the enforcement authority or jurisdiction of the Bureau of Alcohol, Tobacco, Firearms, and Explosives; or

(2) allow the establishment, directly or indirectly, of a Federal firearms registry.

SEC. 4. SEVERABILITY.

If any provision of this Act or an amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid for any reason in any court of competent jurisdiction, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any other person or circumstance, shall not be affected.

TITLE I—ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

SEC. 101. REAUTHORIZATION OF THE NATIONAL CRIMINAL HISTORY RECORDS IMPROVEMENT PROGRAM.

Section 106(b) of Public Law 103–159 (18 U.S.C. 922 note) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''of this Act'' and inserting ''of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016''; and

(2) by striking paragraph (2) and inserting the following:

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this subsection $100,000,000 for each of fiscal years 2016 through 2019.''.

SEC. 102. IMPROVEMENT OF METRICS AND INCENTIVES.

Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended to read as follows:

''(b) IMPLEMENTATION PLAN.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Denying

Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Attorney General, in coordination with the States, shall establish, for each State or Indian tribal government applying for a grant under section 103, a 4-year implementation plan to ensure maximum coordination and automation of the reporting of records or making of records available to the National Instant Criminal Background Check System.

''(2) BENCHMARK REQUIREMENTS.—Each 4-year plan established under paragraph (1) shall include annual benchmarks, including both qualitative goals and quantitative measures, to enable the Attorney General to assess implementation of the 4-year plan.

''(3) PENALTIES FOR NON-COMPLIANCE.—

''(A) IN GENERAL.—During the 4-year period covered by a 4-year plan established under paragraph (1), the Attorney General shall withhold—

''(i) 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the first year in the 4-year period;

''(ii) 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the second year in the 4-year period;

''(iii) 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the third year in the 4-year period; and

''(iv) 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the fourth year in the 4-year period.

''(B) FAILURE TO ESTABLISH A PLAN.—A State that fails to establish a plan under paragraph (1) shall be treated as having not met any benchmark established under paragraph (2).''.

SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

(a) IN GENERAL.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking section 103 and inserting the following:

''SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

''(a) AUTHORIZATION.—From amounts made available to carry out this section, the Attorney General shall make grants to States, Indian Tribal governments, and State court systems, in a manner consistent with the National Criminal History Improvement Program and consistent with State plans for integration, automation, and accessibility of criminal history records, for use by the State, or units of local government of the State, Indian Tribal government, or State court system to improve the automation and transmittal of mental health records and criminal history dispositions, records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence, court orders, and mental health adjudications or commitments to Federal and State record repositories in accordance with section 102 and the National Criminal History Improvement Program.

''(b) USE OF GRANT AMOUNTS.—Grants awarded to States, Indian Tribal governments, or State court systems under this section may only be used to—

''(1) carry out, as necessary, assessments of the capabilities of the courts of the State or Indian Tribal government for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

''(2) implement policies, systems, and procedures for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

''(3) create electronic systems that provide accurate and up-to-date information which is directly related to checks under the National Instant Criminal Background Check System, including court disposition and corrections records;

''(4) assist States or Indian Tribal governments in establishing or enhancing their own capacities to perform background checks using the National Instant Criminal Background Check System; and

''(5) develop and maintain the relief from disabilities program in accordance with section 105.

''(c) ELIGIBILITY.—

''(1) IN GENERAL.—To be eligible for a grant under this section, a State, Indian Tribal government, or State court system shall certify, to the satisfaction of the Attorney General, that the State, Indian Tribal government, or State court system—

''(A) is not prohibited by State law or court order from submitting mental health records to the National Instant Criminal Background Check System; and

''(B) subject to paragraph (2), has implemented a relief from disabilities program in accordance with section 105.

''(2) RELIEF FROM DISABILITIES PROGRAM.—For purposes of obtaining a grant under this section, a State, Indian Tribal government, or State court system shall not be required to meet the eligibility requirement described in paragraph (1)(B) until the date that is 2 years after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016.

''(d) FEDERAL SHARE.—

''(1) STUDIES, ASSESSMENTS, NON-MATERIAL ACTIVITIES.—The Federal share of a study, assessment, creation of a task force, or other non-material activity, as determined by the Attorney General, carried out with a grant under this section shall be not more than 25 percent.

''(2) INFRASTRUCTURE OR SYSTEM DEVELOPMENT.—The Federal share of an activity involving infrastructure or system development, including labor-related costs, for the purpose of improving State or Indian Tribal government record reporting to the National Instant Criminal Background Check System carried out with a grant under this section may amount to 100 percent of the cost of the activity.

''(e) GRANTS TO INDIAN TRIBES.—Up to 5 percent of the grant funding available under this section may be reserved for Indian tribal governments for use by Indian tribal judicial systems.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2016 through 2019.'';

(2) by striking title III; and

(3) in section 401(b), by inserting after ''of this Act'' the following: ''and 18 months after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections in section 1(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking the item relating to section 103 and inserting the following:

''Sec. 103. Grants to States for improvement of coordination and automation of NICS record reporting.''.

SEC. 104. RELIEF FROM DISABILITIES PROGRAM.

Section 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by adding at the end the following:

''(c) PENALTIES FOR NON-COMPLIANCE.—

''(1) 10 PERCENT REDUCTION.—During the 1-year period beginning 2 years after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(2) 11 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (1), the Attorney General shall withhold 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(3) 13 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (2), the Attorney General shall withhold 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(4) 15 PERCENT REDUCTION.—After the expiration of the 1-year period described in paragraph (3), the Attorney General shall withhold 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(5) REALLOCATION.—Amounts not allocated under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) to a State for failure to implement a relief from disabilities program shall be reallocated to States that are in compliance.''.

SEC. 105. ADDITIONAL PROTECTIONS FOR VETERANS.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''(a) IN GENERAL.—In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is determined by the Secretary to be mentally incompetent shall not be considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 until—

''(1) in the case in which the person does not request a review as described in subsection (c)(1), the end of the 30-day period beginning on the date on which the person receives notice submitted under subsection (b); or

''(2) in the case in which the person requests a review as described in paragraph (1) of subsection (c), upon an assessment by the board designated or established under paragraph (2) of such subsection or court of competent jurisdiction that a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

''(b) NOTICE.—Notice submitted under this subsection to a person described in subsection (a) is notice submitted by the Secretary that notifies the person of the following:

''(1) The determination made by the Secretary.

''(2) A description of the implications of being considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18.

''(3) The person's right to request a review under subsection (c)(1).

''(c) ADMINISTRATIVE REVIEW.—(1) Not later than 30 days after the date on which a person described in subsection (a) receives notice submitted under subsection (b), such person may request a review by the board designed or established under paragraph (2) or a court of competent jurisdiction to assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency. In such assessment, the board may consider the person's honorable discharge or decoration.

''(2) Not later than 180 days after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Secretary shall designate or establish a board that shall, upon request of a person under paragraph (1), assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

''(d) JUDICIAL REVIEW.—Not later than 30 days after the date of an assessment of a person under subsection (c) by the board designated or established under paragraph (2) of such subsection, such person may file a petition for judicial review of such assessment with a Federal court of competent jurisdiction.

''(e) PROTECTING RIGHTS OF VETERANS WITH EXISTING RECORDS.—Not later than 90 days after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Secretary shall provide written notice of the opportunity for administrative review and appeal under subsection (c) to all persons who, on the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, are considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 as a result of having been found by the Department of Veterans Affairs to be mentally incompetent.

''(f) FUTURE DETERMINATIONS.—

''(1) IN GENERAL.—Not later than 180 days after the enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Secretary shall review the policies and procedures by which individuals are determined to be mentally incompetent, and shall revise such policies and procedures as necessary to ensure that any individual who is competent to manage his own financial affairs, including his receipt of Federal benefits, but who voluntarily turns over the management thereof to a fiduciary is not considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18.

''(2) REPORT.—Not later than 30 days after the Secretary has made the review and changes required under paragraph (1), the Secretary shall submit to Congress a report detailing the results of the review and any resulting policy and procedural changes.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

''5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.''.

(c) APPLICABILITY.—Section 5511 of title 38, United States Code (as added by this section), shall apply only with respect to persons who are determined by the Secretary of Veterans Affairs, on or after the date of the enactment of this Act, to be mentally incompetent, except that those persons who are provided notice pursuant to section 5511(e) of such title shall be entitled to use the administrative review under section 5511(c) of such title and, as necessary, the subsequent judicial review under section 5511(d) of such title.

SEC. 106. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of Public Law 103–159 (18 U.S.C. 922 note) is amended by adding at the end the following:

''(F) APPLICATION TO FEDERAL COURTS.—In this subsection—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

SEC. 107. CLARIFICATION THAT SUBMISSION OF MENTAL HEALTH RECORDS TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM IS NOT PROHIBITED BY THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT.

Information collected under section 102(c)(3) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) to assist the Attorney General in enforcing section 922(g)(4) of title 18, United States Code, shall not be subject to the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

SEC. 108. PUBLICATION OF NICS INDEX STATISTICS.

Not later than 180 days after the date of enactment of this Act, and biannually thereafter, the Attorney General shall make the National Instant Criminal Background Check System index statistics available on a publically accessible Internet website.

SEC. 109. EFFECTIVE DATE.

The amendments made by this title shall take effect 180 days after the date of enactment of this Act.

TITLE II—PROVIDING A RESPONSIBLE AND CONSISTENT BACKGROUND CHECK PROCESS

SEC. 201. PURPOSE.

The purpose of this title is to enhance the current background check process in the United States to ensure criminals and the mentally ill are not able to purchase firearms.

SEC. 202. FIREARMS TRANSFERS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) by repealing subsection (s);

(2) by redesignating subsection (t) as subsection (s);

(3) in subsection (s), as redesignated—

(A) in paragraph (1)(B)—

(i) in clause (i), by striking ''or'';

(ii) in clause (ii), by striking ''and'' at the end; and

(iii) by adding at the end the following:

''(iii) in the case of an instant background check conducted at a gun show or event during the 4-year period beginning on the effective date under section 210(a) of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, 48 hours have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; or

''(iv) in the case of an instant background check conducted at a gun show or event after the 4-year period described in clause (iii), 24 hours have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and'';

(B) in paragraph (3)(C)(ii), by striking ''(as defined in subsection (s)(8))''; and

(C) by adding at the end the following:

''(7) In this subsection—

''(A) the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual; and

''(B) the term 'gun show or event' has the meaning given the term in subsection (t)(7).

''(8) The Federal Bureau of Investigation shall not charge a user fee for a background check conducted pursuant to this subsection.

''(9) Notwithstanding any other provision of this chapter, upon receiving a request for an instant background check that originates from a gun show or event, the system shall complete the instant background check before completing any pending instant background check that did not originate from a gun show or event.''; and

(4) by inserting after subsection (s), as redesignated, the following:

''(t)(1) Beginning on the date that is 180 days after the date of enactment of this subsection and except as provided in paragraph (2), it shall be unlawful for any person other than a licensed dealer, licensed manufacturer, or licensed importer to complete the transfer of a firearm to any other person who is not licensed under this chapter, if such transfer occurs—

''(A) at a gun show or event, on the curtilage thereof; or

''(B) pursuant to an advertisement, posting, display or other listing on the Internet or in a publication by the transferor of his intent to transfer, or the transferee of his intent to acquire, the firearm.

''(2) Paragraph (1) shall not apply if—

''(A) the transfer is made after a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s), and upon taking possession of the firearm, the licensee complies with all requirements of this chapter as if the licensee were transferring the firearm from the licensee's business inventory to the unlicensed transferee, except that when processing a transfer under this chapter the licensee may accept in lieu of conducting a background check a valid permit issued within the previous 5 years by a State, or a political subdivision of a State, that allows the transferee to possess, acquire, or carry a firearm, if the law of the State, or political subdivision of a State, that issued the permit requires that such permit is issued only after an authorized government official has verified that the information available to

such official does not indicate that possession of a firearm by the unlicensed transferee would be in violation of Federal, State, or local law;

''(B) the transfer is made between an unlicensed transferor and an unlicensed transferee residing in the same State, which takes place in such State, if—

''(i) the Attorney General certifies that State in which the transfer takes place has in effect requirements under law that are generally equivalent to the requirements of this section; and

''(ii) the transfer was conducted in compliance with the laws of the State;

''(C) the transfer is made between spouses, between parents or spouses of parents and their children or spouses of their children, between siblings or spouses of siblings, or between grandparents or spouses of grandparents and their grandchildren or spouses of their grandchildren, or between aunts or uncles or their spouses and their nieces or nephews or their spouses, or between first cousins, if the transferor does not know or have reasonable cause to believe that the transferee is prohibited from receiving or possessing a firearm under Federal, State, or local law; or

''(D) the Attorney General has approved the transfer under section 5812 of the Internal Revenue Code of 1986.

''(3) A licensed importer, licensed manufacturer, or licensed dealer who processes a transfer of a firearm authorized under paragraph (2)(A) shall not be subject to a license revocation or license denial based solely upon a violation of those paragraphs, or a violation of the rules or regulations promulgated under this paragraph, unless the licensed importer, licensed manufacturer, or licensed dealer—

''(A) knows or has reasonable cause to believe that the information provided for purposes of identifying the transferor, transferee, or the firearm is false;

''(B) knows or has reasonable cause to believe that the transferee is prohibited from purchasing, receiving, or possessing a firearm by Federal or State law, or published ordinance; or

''(C) knowingly violates any other provision of this chapter, or the rules or regulations promulgated thereunder.

''(4)(A) Notwithstanding any other provision of this chapter, except for section 923(m), the Attorney General may implement this subsection with regulations.

''(B) Regulations promulgated under this paragraph may not include any provision requiring licensees to facilitate transfers in accordance with paragraph (2)(A).

''(C) Regulations promulgated under this paragraph may not include any provision requiring persons not licensed under this chapter to keep records of background checks or firearms transfers.

''(D) Regulations promulgated under this paragraph may not include any provision placing a cap on the fee licensees may charge to facilitate transfers in accordance with paragraph (2)(A).

''(5)(A) A person other than a licensed importer, licensed manufacturer, or licensed dealer, who makes a transfer of a firearm in accordance with this section, or who is the organizer of a gun show or event at which such transfer occurs, shall be immune from a qualified civil liability action relating to the transfer of the firearm as if the person were a seller of a qualified product.

''(B) A provider of an interactive computer service shall be immune from a qualified civil liability action relating to the transfer of a firearm as if the provider of an interactive computer service were a seller of a qualified product.

''(C) In this paragraph—

''(i) the term 'interactive computer service' shall have the meaning given the term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)); and

''(ii) the terms 'qualified civil liability action', 'qualified product', and 'seller' shall have the meanings given the terms in section 4 of the Protection of Lawful Commerce in Arms Act (15 U.S.C. 7903).

''(D) Nothing in this paragraph shall be construed to affect the immunity of a provider of an interactive computer service under section 230 of the Communications Act of 1934 (47 U.S.C. 230).

''(6) In any civil liability action in any State or Federal court arising from the criminal or unlawful use of a firearm following a transfer of such firearm for which no background check was required under this section, this section shall not be construed—

''(A) as creating a cause of action for any civil liability; or

''(B) as establishing any standard of care.

''(7) For purposes of this subsection, the term 'gun show or event'—

''(A) means any event at which 75 or more firearms are offered or exhibited for sale, exchange, or transfer, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

''(B) does not include an offer or exhibit of firearms for sale, exchange, or transfer by an individual from the personal collection of that individual, at the private residence of that individual, if the individual is not required to be licensed under section 923.''.

(b) PROHIBITING THE SEIZURE OF RECORDS OR DOCUMENTS.—Section 923(g)(1)(D) of such title is amended by striking ''The inspection and examination authorized by this paragraph shall not be construed as authorizing the Attorney General to seize any records or other documents other than those records or documents constituting material evidence of a violation of law.'' and inserting ''The Attorney General shall be prohibited from seizing any records or other documents in the course of an inspection or examination authorized by this paragraph other than those records or documents constituting material evidence of a violation of law.''.

(c) PROHIBITION OF NATIONAL GUN REGISTRY.—Section 923 of such title is amended by adding at the end the following:

''(m) The Attorney General may not consolidate or centralize the records of the—

''(1) acquisition or disposition of firearms, or any portion thereof, maintained by—

''(A) a person with a valid, current license under this chapter; or

''(B) an unlicensed transferor under section 922(t); or

''(2) possession or ownership of a firearm, maintained by any medical or health insurance entity.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking '', (g)(5)(B), and (s)(3)(B)(v)(II)'' and inserting ''and (g)(5)(B)''.

(2) CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2012.—Section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note) is amended by striking ''subsection 922(t)'' each place it appears and inserting ''subsection (s) or (t) of section 922''.

SEC. 203. PENALTIES.

Section 924 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

''(8) Whoever makes or attempts to make a transfer of a firearm in violation of section 922(t) to a person not licensed under this chapter who is prohibited from receiving a firearm under subsection (g) or (n) of section 922 or State law, to a law enforcement officer, or to a person acting at the direction of, or with the approval of, a law enforcement officer authorized to investigate or prosecute violations of section 922(t), shall be fined under this title, imprisoned not more than 5 years, or both.''; and

(2) by adding at the end the following:

''(q) IMPROPER USE OF STORAGE OF RECORDS.—Any person who knowingly violates section 923(m) shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 204. FIREARMS DISPOSITIONS.

Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''located'' and inserting ''located or temporarily located''; and

(2) in subparagraph (A)—

(A) by striking ''rifle or shotgun'' and inserting ''firearm'';

(B) by striking ''located'' and inserting ''located or temporarily located''; and

(C) by striking ''both such States'' and inserting ''the State in which the transfer is conducted and the State of residence of the transferee''.

SEC. 205. FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.

Section 103(b) of Public Law 103–159 (18 U.S.C. 922 note) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(2) VOLUNTARY BACKGROUND CHECKS.—Not later than 90 days after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Attorney General shall promulgate regulations allowing licensees to use the National Instant Criminal Background Check System established under this section for purposes of conducting voluntary preemployment background checks on prospective employees.''.

SEC. 206. DEALER LOCATION.

Section 923 of title 18, United States Code, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking '', and such location is in the State which is specified on the license''; and

(B) in the last sentence—

(i) by inserting ''transfer,'' after ''sell,''; and

(ii) by striking ''Act,'' and all that follows and inserting ''Act.''; and

(2) by adding after subsection (m), as added by section 202(c), the following:

''(n) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition not otherwise prohibited under this chapter—

''(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

''(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.''.

SEC. 207. RESIDENCE OF UNITED STATES OFFICERS.

Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) For purposes of this chapter:

''(1) A member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

''(A) the State in which the member or spouse maintains legal residence;

''(B) the State in which the permanent duty station of the member is located; and

''(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.

''(2) An officer or employee of the United States (other than a member of the Armed Forces) who is stationed outside the United States for a period of more than 1 year, and a spouse of such an officer or employee, is a resident of the State in which the person maintains legal residence.''.

SEC. 208. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

''§ 926A. Interstate transportation of firearms or ammunition

''(a) DEFINITION.—In this section, the term 'transport'—

''(1) includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport; and

''(2) does not include transportation—

''(A) with the intent to commit a crime punishable by imprisonment for a term exceeding 1 year that involves a firearm; or

''(B) with knowledge, or reasonable cause to believe, that a crime described in subparagraph (A) is to be committed in the course of, or arising from, the transportation.

''(b) AUTHORIZATION.—Notwithstanding any provision of any law (including a rule or regulation) of a State or any political subdivision thereof, a person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to—

''(1) transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm to any other such place if, during the transportation—

''(A) the firearm is unloaded; and

''(B)(i) if the transportation is by motor vehicle—

''(I) the firearm is not directly accessible from the passenger compartment of the motor vehicle; or

''(II) if the motor vehicle is without a compartment separate from the passenger compartment, the firearm is—

''(aa) in a locked container other than the glove compartment or console; or

''(bb) secured by a secure gun storage or safety device; or

''(ii) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device; and

''(2) transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation—

''(A) the ammunition is not loaded into a firearm; and

''(B)(i) if the transportation is by motor vehicle—

''(I) the ammunition is not directly accessible from the passenger compartment of the motor vehicle; or

''(II) if the motor vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

''(ii) if the transportation is by other means, the ammunition is in a locked container.

''(c) LIMITATION ON ARREST AUTHORITY.—A person who is transporting a firearm or ammunition may not be—

''(1) arrested for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is probable cause that the transportation is not in accordance with subsection (b); or

''(2) detained for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is reasonable suspicion that the transportation is not in accordance with subsection (b).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of such title is amended by striking the item relating to section 926A and inserting the following:

''926A. Interstate transportation of firearms or ammunition.''.

SEC. 209. RULE OF CONSTRUCTION.

Nothing in this title, or an amendment made by this title, shall be construed—

(1) to extend background check requirements to transfers other than those made at gun shows or on the curtilage thereof, or pursuant to an advertisement, posting, display, or other listing on the Internet or in a publication by the transferor of the intent of the transferor to transfer, or the transferee of the intent of the transferee to acquire, the firearm; or

(2) to extend background check requirements to temporary transfers for purposes including lawful hunting or sporting or to temporary possession of a firearm for purposes of examination or evaluation by a prospective transferee.

SEC. 210. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect 180 days after the date of enactment of this Act.

(b) FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.—Section 205 and the amendments made by section 205 shall take effect on the date of enactment of this Act.

TITLE III—NATIONAL COMMISSION ON MASS VIOLENCE

SEC. 301. SHORT TITLE.

This title may be cited as the ''National Commission on Mass Violence Act of 2016''.

SEC. 302. NATIONAL COMMISSION ON MASS VIOLENCE.

(a) ESTABLISHMENT OF COMMISSION.—There is established a commission to be known as the National Commission on Mass Violence (in this title referred to as the ''Commission'') to study the availability and nature of firearms, including the means of acquiring firearms, issues relating to mental health, and all positive and negative impacts of the availability and nature of firearms on incidents of mass violence or in preventing mass violence.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The Commission shall be composed of 12 members, of whom—

(A) 6 members of the Commission shall be appointed by the Majority Leader of the Senate, in consultation with the Minority Leader of the Senate, 1 of whom shall serve as Chairman of the Commission; and

(B) 6 members of the Commission shall be appointed by the Speaker of the House of Representatives, in consultation with the Minority Leader of the House of Representatives, 1 of whom shall serve as Vice Chairman of the Commission.

(2) PERSONS ELIGIBLE.—

(A) IN GENERAL.—The members appointed to the Commission shall include—

(i) well-known and respected individuals among their peers in their respective fields of expertise; and

(ii) not less than 1 non-elected individual from each of the following categories, who has expertise in the category, by both experience and training:

(I) Firearms.

(II) Mental health.

(III) School safety.

(IV) Mass media.

(B) EXPERTS.—In identifying the individuals to serve on the Commission, the appointing authorities shall take special care to identify experts in the fields described in section 303(a)(2).

(C) PARTY AFFILIATION.—Not more than 6 members of the Commission shall be from the same political party.

(3) COMPLETION OF APPOINTMENTS; VACANCIES.—Not later than 30 days after the date of enactment of this Act, the appointing authorities under paragraph (1) shall each make their respective appointments. Any vacancy that occurs during the life of the Commission shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

(4) OPERATION OF THE COMMISSION.—

(A) MEETINGS.—

(i) IN GENERAL.—The Commission shall meet at the call of the Chairman.

(ii) INITIAL MEETING.—The initial meeting of the Commission shall be conducted not later than 30 days after the later of—

(I) the date of the appointment of the last member of the Commission; or

(II) the date on which appropriated funds are available for the Commission.

(B) QUORUM; VACANCIES; VOTING; RULES.—A majority of the members of the Commission shall constitute a quorum to conduct business, but the Commission may establish a lesser quorum for conducting hearings scheduled by the Commission. Each member of the Commission shall have 1 vote, and the vote of each member shall be accorded the same weight. The Commission may establish by majority vote any other rules for the conduct of the Commission's business, if such rules are not inconsistent with this title or other applicable law.

SEC. 303. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—It shall be the duty of the Commission to conduct a comprehensive factual study of incidents of mass violence, including incidents of mass violence not involving firearms, in the context of the many acts of senseless mass violence that occur in the United States each year, in order to determine the root causes of such mass violence.

(2) MATTERS TO BE STUDIED.—In determining the root causes of these recurring and tragic acts of mass violence, the Commission shall study any matter that the Commission determines relevant to meeting the requirements of paragraph (1), including at a minimum—

(A) the role of schools, including the level of involvement and awareness of teachers and school administrators in the lives of their students and the availability of mental health and other resources and strategies to help detect and counter tendencies of students towards mass violence;

(B) the effectiveness of and resources available for school security strategies to prevent incidents of mass violence;

(C) the role of families and the availability of mental health and other resources and strategies to help families detect and counter tendencies toward mass violence;

(D) the effectiveness and use of, and resources available to, the mental health system in understanding, detecting, and countering tendencies toward mass violence, as well as the effects of treatments and therapies;

(E) whether medical doctors and other mental health professionals have the ability, without negative legal or professional consequences, to notify law enforcement officials when a patient is a danger to himself or others;

(F) the nature and impact of the alienation of the perpetrators of such incidents of mass violence from their schools, families, peer groups, and places of work;

(G) the role that domestic violence plays in causing incidents of mass violence;

(H) the effect of depictions of mass violence in the media, and any impact of such depictions on incidents of mass violence;

(I) the availability and nature of firearms, including the means of acquiring such firearms, and all positive and negative impacts of such availability and nature on incidents of mass violence or in preventing mass violence;

(J) the role of current prosecution rates in contributing to the availability of weapons that are used in mass violence;

(K) the availability of information regarding the construction of weapons, including explosive devices, and any impact of such information on such incidents of mass violence;

(L) the views of law enforcement officials, religious leaders, mental health experts, and other relevant officials on the root causes and prevention of mass violence;

(M) incidents in which firearms were used to stop mass violence; and

(N) any other area that the Commission determines contributes to the causes of mass violence.

(3) TESTIMONY OF VICTIMS AND SURVIVORS.—In determining the root causes of these recurring and tragic incidents of mass violence, the Commission shall, in accordance with section 304(a), take the testimony of victims and survivors to learn and memorialize their views and experiences regarding such incidents of mass violence.

(b) RECOMMENDATIONS.—Based on the findings of the study required under subsection (a), the Commission shall make recommendations to the President and Congress to address the causes of these recurring and tragic incidents of mass violence and to reduce such incidents of mass violence.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than 3 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress an interim report describing any initial recommendations of the Commission.

(2) FINAL REPORT.—Not later than 6 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a comprehensive report of the findings and conclusions of the Commission, together with the recommendations of the Commission.

(3) SUMMARIES.—The report under paragraph (2) shall include a summary of—

(A) the reports submitted to the Commission by any entity under contract for research under section 304(e); and

(B) any other material relied on by the Commission in the preparation of the report.

SEC. 304. POWERS OF THE COMMISSION.

(a) HEARINGS.—

(1) IN GENERAL.—The Commission may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under section 303.

(2) WITNESS EXPENSES.—Witnesses requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out its duties under section 143. Upon the request of the Commission, the head of such agency may furnish such information to the Commission.

(c) INFORMATION TO BE KEPT CONFIDENTIAL.—

(1) IN GENERAL.—The Commission shall be considered an agency of the Federal Government for purposes of section 1905 of title 18, United States Code, and any individual employed by any individual or entity under contract with the Commission under subsection (d) of this section shall be considered an employee of the Commission for the purposes of section 1905 of title 18, United States Code.

(2) DISCLOSURE.—Information obtained by the Commission or the Attorney General under this title and shared with the Commission, other than information available to the public, shall not be disclosed to any person in any manner, except—

(A) to Commission employees or employees of any individual or entity under contract to the Commission under subsection (d) for the purpose of receiving, reviewing, or processing such information;

(B) upon court order; or

(C) when publicly released by the Commission in an aggregate or summary form that does not directly or indirectly disclose—

(i) the identity of any person or business entity; or

(ii) any information which could not be released under section 1905 of title 18, United States Code.

(d) CONTRACTING FOR RESEARCH.—The Commission may enter into contracts with any entity for research necessary to carry out the duties of the Commission under section 303.

SEC. 305. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional employees as may be necessary to enable the Commission to perform its duties. The employment and termination of an executive director shall be subject to confirmation by a majority of the members of the Commission.

(2) COMPENSATION.—The executive director shall be compensated at a rate not to exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code. The Chairman may fix the compensation of other employees without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privilege.

(d) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission and any agency of the Federal Government assisting the Commission in carrying out its duties under this title such sums as may be necessary to carry out the purposes of this title. Any sums appropriated shall remain available, without fiscal year limitation, until expended.

SEC. 307. TERMINATION OF THE COMMISSION.

The Commission shall terminate 30 days after the Commission submits the final report under section 303(c)(2).

TITLE IV—DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS

SEC. 401. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting the following new section after section 922:

"§ 922A. Attorney General's discretion to deny transfer of a firearm

''The Attorney General may deny the transfer of a firearm pursuant to section 922(t)(1)(B)(ii) if the Attorney General determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.'';

(2) by inserting the following new section after section 922A:

"§ 922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)

''The Attorney General may determine that an applicant for a firearm permit which would qualify for an exemption under section 922(t)(3) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''; and

(3) in section 921(a), by adding at the end the following:

''(36) The term 'terrorism' means 'international terrorism' as defined in section 2331(1), and 'domestic terrorism' as defined in section 2331(5).

''(37) The term 'material support' means 'material support or resources' within the meaning of section 2339A or 2339B.

''(38) The term 'responsible person' means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.''.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of such title is amended—

(1) in paragraph (1)(B)(ii), by inserting ''or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A'' before the semicolon;

(2) in paragraph (2), by inserting after ''or State law'' the following: ''or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A'';

(3) in paragraph (3)(A)(i)—

(A) by striking ''and'' at the end of subclause (I); and

(B) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);'';

(4) in paragraph (3)(A)—

(A) by adding ''and'' at the end of clause (ii); and

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

''(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B;'';

(5) in paragraph (4), by inserting after ''or State law,'' the following: ''or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A,''; and

(6) in paragraph (5), by inserting after ''or State law,'' the following: ''or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A,''.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED ON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of such title is amended—

(1) by striking ''or'' at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) has been the subject of a determination by the Attorney General pursuant to section 922A, 922B, 923(d)(1)(H), or 923(e) of this title.''.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of such title is amended—

(1) by striking ''or'' at the end of paragraph (8);

(2) by striking the comma at the end of paragraph (9) and inserting; ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) who has received actual notice of the Attorney General's determination made pursuant to section 922A, 922B, 923(d)(1)(H), or 923(e) of this title,''.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d)(1) of such title is amended—

(1) by striking ''Any'' and inserting ''Except as provided in subparagraph (H), any'';

(2) in subparagraph (F)(iii), by striking ''and'' at the end;

(3) in subparagraph (G), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(H) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of such title is amended—

(1) in the 1st sentence—

(A) by inserting after ''revoke'' the following: ''—(1)''; and

(B) by striking the period and inserting a semicolon;

(2) in the 2nd sentence—

(A) by striking ''The Attorney General may, after notice and opportunity for hearing, revoke'' and insert ''(2)''; and

(B) by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(3) any license issued under this section if the Attorney General determines that the holder of the license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(g) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—Section 923(f) of such title is amended—

(1) in the 1st sentence of paragraph (1), by inserting '', except that if the denial or revocation is pursuant to subsection (d)(1)(H) or (e)(3), then any information on which the Attorney General relied for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security'' before the period; and

(2) in paragraph (3), by inserting after the 3rd sentence the following: ''With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(h) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of such title is amended by inserting after the 3rd sentence the following: ''If receipt of a firearm by the person would violate section 922(g)(10), any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(i) PENALTIES.—Section 924(k) of such title is amended—

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

(2) in paragraph (3), by striking '', or'' and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) constitutes an act of terrorism (as defined in section 921(a)(36)), or material support thereof (as defined in section 921(a)(37)); or''.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—Section 925A of such title is amended—

(1) in the section heading, by striking ''**Remedy for erroneous denial of firearm**'' and inserting ''**Remedies**'';

(2) by striking ''Any person denied a firearm pursuant to subsection (s) or (t) of section 922'' and inserting the following:

''(a) Except as provided in subsection (b), any person denied a firearm pursuant to section 922(t) or pursuant to a determination made under section 922B,''; and

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

''(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A or has made a determination regarding a firearm permit applicant pursuant to section 922B, an action challenging the determination may be brought against the United States. The petition must be filed not later than 60 days after the petitioner has received actual notice of the Attorney General's determination made pursuant to section 922A or 922B. The court shall sustain the Attorney General's determination on a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B. To make this showing, the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. On request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B.''.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (Public Law 103–159) is amended—

(1) in subsection (f)—

(A) by inserting after ''is ineligible to receive a firearm,'' the following: ''or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code''; and

(B) by inserting after ''the system shall provide such reasons to the individual,'' the following: ''except for any information the disclosure of which the Attorney General has determined would likely compromise national security''; and

(2) in subsection (g)—

(A) in the 1st sentence, by inserting after ''subsection (g) or (n) of section 922 of title 18, United States Code or State law'' the following: ''or if the Attorney General has made a determination pursuant to section 922A or 922B of such title,'';

(B) by inserting '', except any information the disclosure of which the Attorney General has determined would likely compromise national security'' before the period; and

(C) by adding at the end the following: ''Any petition for review of information withheld by the Attorney General under this

subsection shall be made in accordance with section 925A of title 18, United States Code.''.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED ON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of such title is amended—

(1) by striking the period at the end of paragraph (9) and inserting ''; or''; and

(2) by adding at the end the following:

''(10) has received actual notice of the Attorney General's determination made pursuant to section 843(b)(8) or (d)(2) of this title.''.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of such title is amended—

(1) by adding ''; or'' at the end of paragraph (7); and

(2) by inserting after paragraph (7) the following:

''(8) who has received actual notice of the Attorney General's determination made pursuant to section 843(b)(8) or (d)(2),''.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(b) of such title is amended—

(1) by striking ''Upon'' and inserting the following: ''Except as provided in paragraph (8), on''; and

(2) by inserting after paragraph (7) the following:

''(8) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of such title is amended—

(1) by inserting ''(1)'' in the first sentence after ''if''; and

(2) by striking the period at the end of the first sentence and inserting the following: ''; or (2) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(p) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of such title is amended—

(1) in the 1st sentence of paragraph (1), by inserting ''except that if the denial or revocation is based on a determination under subsection (b)(8) or (d)(2), then any information which the Attorney General relied on for the determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security'' before the period; and

(2) in paragraph (2), by adding at the end the following: ''In responding to any petition for review of a denial or revocation based on a determination under section 843(b)(8) or (d)(2), the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of such title is amended—

(1) in subparagraph (A), by inserting ''or section 843(b)(1) (on grounds of terrorism) of this title,'' after ''section 842(i),''; and

(2) in subparagraph (B)—

(A) by inserting ''or section 843(b)(8)'' after ''section 842(i)''; and

(B) in clause (ii), by inserting '', except that any information that the Attorney General relied on for a determination pursuant to section 843(b)(8) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' before the semicolon.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking ''or (5)'' and inserting ''(5), or (10)''.

Amend the title so as to read: ''A bill to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist, and to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process.''.

Mr. THOMPSON of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. THOMPSON of California. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My motion to recommit would incorporate into the underlying legislation H.R. 1076, a bipartisan measure of no fly, no buy, and H.R. 1217, another bipartisan bill to strengthen our background check system for gun sales.

These bills are common sense. They are bipartisan. They respect the Second Amendment. I am a gun owner. If these bills did anything to violate those rights, my name wouldn't be on them. Most importantly, they would help keep guns away from those who shouldn't have them: terrorists, criminals, domestic abusers, and the dangerously mentally ill.

H.R. 1076 was introduced by our Republican colleague PETER KING. This bill says that if you are on the FBI's terrorist no-fly list then you don't get to walk into a gun store, pass a background check, and leave with a gun or guns of your choosing. If there is one thing both sides of the aisle should be able to agree on it is keeping guns from suspected terrorists, and 181 Members of this House have signed the petition to force an up-or-down vote on the bill.

Mr. Speaker, give us a vote on this legislation.

The second bill, H.R. 1217, is a bipartisan, pro-Second Amendment bill that would close dangerous loopholes in our background check system that allow criminals, domestic abusers, and the dangerously mentally ill to bypass a background check and purchase guns online, at gun shows, or through classified ads. The bill has 186 bipartisan coauthors.

Mr. Speaker, give us a vote on this legislation.

These are the bills the American people want to see enacted into law as 85 percent of Americans favor banning individuals on the no-fly list from being able to buy a gun, and 90 percent of Americans support strengthening and expanding our background check system.

We have been calling for a vote on this bipartisan legislation to reduce gun violence for 3½ years. It was that long ago that 20 elementary school kids and six educators were shot to death at Sandy Hook Elementary School in Newtown, Connecticut.

For reasons that I will never understand, that horrific tragedy was not enough to convince the Republican leadership that something needed to be done to prevent the next tragedy. Sadly, in the 3½ years that the Republicans have refused to vote on legislation to keep guns out of dangerous hands, our country has lost far too many innocent lives to gun violence.

Let me give you some numbers: 3½, the number of years it has been since Sandy Hook; 34,000, the number of people killed by someone with a gun since Sandy Hook; 1,182, the number of mass shootings since Sandy Hook; 30, the number of moments of silence since Sandy Hook; 521, the number of legislative days since Sandy Hook; most importantly, the number zero. That is the number of votes we have taken in this House to keep guns out of dangerous hands. That is shameful.

Congress has a responsibility to take action to keep our communities safe from gun violence. With this motion, our Republican colleagues have an opportunity right here, right now, to vote on these bills. We are here to represent and to fight for the people we have the privilege to serve.

The overwhelming majority of American people wants to see their elected representatives take action to help keep guns away from those who shouldn't have them: terrorists, criminals, domestic abusers, and the dangerously mentally ill. This debate isn't a choice between respecting the Second Amendment or reducing gun violence. It is about Congress doing both.

Mr. Speaker, it is long past time for the Republican leadership to give us a vote on this pro-Second Amendment, pro-gun safety legislation. We can't allow mass gun violence, followed by moments of silence and no action, to become America's new normal. We can't wait for more innocent lives to be cut short by someone who has used a gun. We need to pass this motion and help spare families the pain of losing a loved one to gun violence. Give us a vote. Pass this bill.

I yield back the balance of my time.

□ 2340

POINT OF ORDER

Mr. CHAFFETZ. Mr. Speaker, I raise a point of order against the motion because the instruction contains matter in the jurisdiction of a committee to which the resolution was not referred, thus violating clause 7 of rule XVI which requires an amendment to be germane to the measure being amended.

The committee of jurisdiction is a central test of germaneness; therefore, I must insist on the point of order.

The SPEAKER pro tempore. Are there any other Members who wish to speak on the point of order?

If not, the Chair is prepared to rule.

The gentleman from Utah makes a point of order that the instructions proposed in the motion to recommit offered by the gentleman from California are not germane.

The bill addresses operational and administrative aspects of Federal agencies, including information technology management, government-wide rulemaking restrictions, and sundry personnel matters. The instructions in the motion to recommit address, in part, adjudication of veterans under title 38, United States Code.

Among the fundamental principles of germaneness is that an amendment must confine itself to matters that fall within the jurisdiction of the committees with jurisdiction over the pending measure.

The bill, as amended, falls within the legislative jurisdiction of the Committee on Oversight and Government Reform and the Committee on the Judiciary. The instructions contained in the motion to recommit address subject matter within the legislative jurisdiction of the Committee on Veterans' Affairs. The Chair would note that the relevant portion of the text of the instructions contained in the motion to recommit is similar in form to the bill, H.R. 1217, which was referred in addition to the Committee on Veterans' Affairs.

By addressing a matter within the jurisdiction of a committee not represented in the bill, the instructions propose an amendment that is not germane.

The point of order is sustained. The motion is not in order.

Mr. THOMPSON of California. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. CHAFFETZ. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table.

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

RECORDED VOTE

Mr. THOMPSON of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on the passage of the bill, if arising without further proceedings in recommittal.

The vote was taken by electronic device, and there were—ayes 240, noes 182, not voting 11, as follows:

[Roll No. 375]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
LaHood
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—182

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
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)
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—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2357

Mr. YARMUTH changed his vote from ''aye'' to ''no.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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.

RECORDED VOTE

Ms. KELLY of Illinois. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 181, not voting 11, as follows:

[Roll No. 376]

AYES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
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
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
LaHood
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
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
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
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
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (UT)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
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, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
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)
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—11

Bost
Buchanan
Delaney
Ellmers (NC)
Hastings
Nadler
Nugent
Takai
Turner
Westmoreland
Whitfield

□ 0003

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016; AND FOR OTHER PURPOSES

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–670) on the resolution (H. Res. 809) providing for consideration of the conference report to accompany the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; and for other purposes, which was referred to the House Calendar and ordered to be printed.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore (Mr. BUCK). Pursuant to House Resolution 794 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. 5485.

Will the gentleman from New York (Mr. DONOVAN) kindly take the chair.

□ 0005

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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, with Mr. DONOVAN (Acting Chair) in the chair.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 21 printed in House Report 114–639 offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) had been disposed of.

AMENDMENT NO. 22 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in House Report 114–639.

Mrs. BLACKBURN. Mr. Chairman, 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. ____. Each amount made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent. In the preceding sentence, the term ''this Act'' includes titles IV and VIII.

The Acting CHAIR. Pursuant to House Resolution 794, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I know especially our ranking member has been looking so forward to having this amendment come to the floor tonight because we have such great, robust discussions every year when I bring this amendment forward. It is calling for a 1 percent across-the-board reduction in the spending that is allowed through this appropriations bill.

The reason I continue each year to move forward with presenting these is because across-the-board spending reductions work. It is a way that you hold the entire agency accountable for making those reductions. It is a way

that you say: No, you are not going to be able to reposition money that maybe was for one thing and you really want to spend it on another.

This is money that goes back. You are not going to spend it because the taxpayers continue to tell us they are overtaxed, that government has overspent. And we are piling on the debt every single year. Quite frankly, the American people are tired of it.

I can tell you that, as our millennials come of age and look at government spending, they are, indeed, tired of it. They feel like it is time for this House to get back into good fiscal shape, to get to fiscal health.

Now, I commend the committee for the work they have done. It is $21.7 billion base that is in this bill. It is $2.7 billion below the President's request. It is $1.5 billion below the enacted 2016 level.

This is work that is to be commended, but I really believe there is more that needs to be done. The spending reduction of 1 percent across the board is turning to our Federal employees, rank-and-file employees, and saying: Help us with this. Be a part of the team. Let's push back to fiscal health. It will save us $217 million.

This is something we should accept the challenge on. So should our Federal agencies. We should do this for our children and our grandchildren.

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

□ 0010

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. CRENSHAW. Mr. Chairman, I reluctantly rise to oppose the gentlewoman's amendment, my good friend from Tennessee.

I appreciate her concern for the out-of-control spending that goes on in Washington. I think a lot of people are concerned about that. The problem is that she has got the wrong approach. She pointed out very clearly that we have already reduced the spending in this bill by 6.5 percent. We oversee and fund about 20 different agencies, and we have said we are going to reduce the overall spending by $1.5 billion, 6.5 percent.

But when you do an across-the-board cut, you lose sight of the fact that some programs are actually working well and others are wasting money. And we did that. That is what the appropriations process is about. We have eight different full hearings. We have 1,800 Member requests from both sides of the aisle.

While we reduce spending overall, we have some good programs that I think my good friend probably really doesn't want to cut. For instance, we have something called the Small Business Administration. That is an agency that helps small businesses finance their next big deal, and we increased the spending for SBA because they are the ones that create jobs. They are the ones that grow the economy. They have programs that help women-owned businesses, and I don't think she really wants to cut them because they are doing the job they ought to do.

You have got other things like HIDTA. You hear people talk about that, the High Intensity Drug Trafficking Areas. This is a combination of the Federal and the State and local government. They all work together to stop this epidemic of drugs. Opiates, we have got more people dying from heroin overdose than we have 4 straight years. Those are programs that we added money to while we reduced the spending overall.

When you cut across the board, you treat all the agencies just alike. Her amendment would treat the IRS just like the SBA, and, obviously, they are different, because one of the things we do, we reduced spending heavily with the IRS. We cut them $236 million.

So that is the right approach. This appropriations subcommittee has taken that approach. We have looked hard. The programs that work, we fund them, give them additional money; programs that don't work, that waste money, we cut them. So that is the way you do it.

We have done it here well, so I am going to have to reluctantly ask everyone to actually oppose this wonderful amendment that my good friend has brought. It is just a little misguided.

I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, a couple of thoughts there.

Across-the-board reductions work. This is what we see our States use. Indeed, in Oklahoma, one of our former colleagues who is the Governor there, December, 3 percent cut, came back in March, 4 percent across-the-board cut because everyone has some skin in the game.

Of course, there are good programs like the Small Business Administration, absolutely, good programs there. But I guarantee you, if you challenge those employees, yes, they can find a penny out of a dollar, absolutely. They can, just like their friends and colleagues at the State level or at local levels. They can do that. They can find the savings. And they need the opportunity to participate in getting our national debt under control and ending these annual deficits.

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

Mr. CRENSHAW. Mr. Chairman, can you tell me how much time I have left?

The Acting CHAIR. The gentleman from Florida has 2½ minutes remaining.

Mr. CRENSHAW. I yield 2 minutes to the gentleman from New York (Mr. SERRANO), the ranking member.

Mr. SERRANO. I join you, Mr. Chairman, in opposition to this amendment.

With all due respect to the gentlewoman, I think she hasn't read this particular committee's bill over the last few years. It has been cut and cut and cut and cut.

If I was going to give cutting budgets high marks, I would have to say the Republicans have done a great job because they have cut and they have cut and they have cut. So I don't see the purpose of across-the-board cuts being more effective than the cuts that are taking place now—if cuts are, indeed, effective. I think they are not. I think they hurt agencies. I think they hurt programs. I think they hurt the ability to propose changes and to make our economy grow.

But if you think that they are good, then just look at the percentage cuts that this committee has taken. Where else could we cut from? We have got agencies where we have practically destroyed their ability to do their work, and now we want an across-the-board cut. Across-the-board cuts simply sound good, but they don't propose anything.

What we need to do is really try to get back to regular order, to try to make the Appropriations Committee what it used to be, a committee that appropriated and not a committee that cuts. That is all we do now: we cut and we cut and we cut.

Somewhere along the line, it is going to hurt us because somewhere in this country, right now, in another time zone, there is a young man or young woman, or both, working with lab coats on, trying to find a cure for some disease, trying to deal with the Zika virus, and yet we keep cutting and cutting and cutting.

So across the board sounds good. Across the board is a big mistake. It should be defeated.

Mrs. BLACKBURN. Mr. Chairman, I would remind my colleague across the aisle that it was individuals from his party over in the Senate that chose not to handle the Zika funding last week. That is very unfortunate. Zika is something that is going to be such a challenge for families and individuals during our time, and I find those actions to be most unfortunate.

Another thing that I would like to say, not to see the purpose in spending reductions, we have $19 trillion worth of debt. If we are going to spend over $3 trillion this year, you want to tell me that we don't need to be making some spending reductions?

There is $21.7 billion worth of spending here, so the Appropriations Committee is appropriating money. Many times it is money we don't have. It is money taxpayers do not have in their pockets. And we have children and grandchildren today who are paying for programs that they do not want, programs that we do not need, that have outlived their usefulness, programs that could be more efficient with utilization of new technologies.

Should we be reducing what we spend and right-sizing government and getting Federal agencies off the back and out of the pocketbook of the American taxpayer? You better believe we ought

to be doing that. And if it means another penny out of a dollar, absolutely, absolutely, make another reduction.

Challenge employees to come to the table with their best ideas. It is the way Governors do it, the way mayors do it. It is the way this House should do it. I encourage support.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, why not 2 percent? Why not 5 percent? Why not another 10 percent?

The point is, Mr. Chairman, this subcommittee has done its job. It has reduced spending, 6.5 percent cut. We take the IRS back to what they were funded in 2008. We have done our job, and good programs receive more money. We ought not to be cutting them.

So I appreciate her interest in controlling spending, and I guess she would compliment us for the work that we have done and, therefore, we don't need the amendment that she has offered. So I urge everyone to vote ''no'' and reject that.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SERRANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

□ 0020

AMENDMENT NO. 23 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider Amendment No. 23 printed in House Report 114–639.

Mr. BUCK. Mr. Chairman, 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 to pay the salary of the Commissioner of Internal Revenue, during the period beginning on the date of enactment of this Act and ending on January 20, 2017, at a rate of pay greater than a pro rated annual rate of pay of $0.

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chairman, this amendment is necessary because of the serious mistakes by the IRS.

The IRS targeted political groups just because they disagreed with the groups' political beliefs, a practice that is patently un-American. But the problems with the IRS didn't just stop with the discrimination. The IRS destroyed evidence that Congress requested, by subpoena, for a congressional investigation into the discrimination issue. This action was, at the very least, incompetent and unethical.

The IRS is out of control, a problem that ultimately rests with President Obama; but the President has been unwilling to work with Congress on this issue. Because of his unwillingness to address these serious ethical violations at the Nation's tax collection service, Congress must take immediate action to eliminate the position of IRS Commissioner. The Commissioner is appointed by the President and serves at the pleasure of the President. Unfortunately, we simply cannot trust anyone that President Obama appoints in that position.

Under this amendment, the salary for the IRS Commissioner will not be restored until January 20, 2017, when the next President can appoint a commissioner the American people can trust.

Mr. Chairman, I urge my colleagues to support this commonsense amendment.

I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

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

Mr. Chairman, I rise in opposition to the amendment. It would cut the pay of the IRS Commissioner down to zero. I thought that this was what the Republicans wanted to do to the whole Federal budget, but I guess this is a start.

This is nothing more than a political cheap shot. I am sure there are those out there who think that Members of Congress should be paid nothing or next to nothing, and so this could start a trend.

Mr. Chairman, I urge opposition to this amendment. I think people should realize that this is really the worst kind of statement possible.

How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from New York has 4 minutes remaining.

Mr. SERRANO. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. RENACCI).

Mr. RENACCI. Mr. Chairman, it is not too often I come to the floor to oppose an amendment, especially at this late hour; but when I was sworn in as a Member of Congress, I took an oath to defend and uphold the Constitution. I have grave concerns that this amendment is unconstitutional.

The U.S. Constitution expressly prohibits the Federal Government from enacting what are known as bills of attainder. A bill of attainder is a law that legislatively determines guilt and inflicts punishment upon an identifiable individual without provision of the protections of a judicial trial.

Courts use two main criteria to determine whether legislation is a bill of attainder: one, whether specific individuals are affected; and, two, whether legislation inflicts punishment.

Clearly, the specific prong is met here: this amendment punitively targets a specific individual—the IRS Commissioner. The Supreme Court has held that targeting specific employees for reduction in pay is punishment. Specifically, in United States v. Lovett, the Supreme Court held that a provision in an appropriations bill which cut off the pay of certain named government employees was punishment and struck down that provision as unconstitutional.

Under this precedent, punitively targeting the IRS Commissioner in an appropriations law by reducing his pay is an unconstitutional act.

Some might claim that because the IRS Commissioner is appointed, the precedent is somehow not applicable. To the contrary, in Lovett, the three government employees who had their pay cut were, in fact, political appointees.

Others might claim that because it names an office rather than an individual, it will somehow pass a constitutional test. This is a distinction without a difference. There is only one Commissioner of Internal Revenue. He is readily ascertainable.

My fellow colleagues, this is not about whether you believe the IRS Commissioner has done a good job or whether you believe he has committed an impeachable or censurable offense. This is a separate question, and this should be dealt with in a separate process.

This is not about defending the IRS Commissioner. This is about defending the United States Constitution. We should uphold our oaths, and we should defeat this amendment.

Mr. BUCK. May I inquire how much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from Colorado has 4 minutes remaining.

Mr. BUCK. I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I thank the gentleman from Colorado. I just want to come here to praise what he is doing because I think this amendment is not only constitutional, I think it is common sense.

I would say that at three different levels. I would say first it is about accountability in government. One of the reasons that people back home have told me they like the Trump candidacy is because they believe he would actually fire people in Washington, D.C., something that doesn't ever seem to happen. Whether you like the Trump candidacy or not, this notion of something other than an endless trail of words being the only measure of accountability in Washington, D.C., is

something that, indeed, makes common sense to most regular folks that I talk to back at home.

Two, I think this is about common sense in affirming Congress' power of the purse. In fact, the only real power that Congress has is the power of the purse, not ultimately for the executive branch or the judicial branch to decide, but for Congress to decide what do we fund, when do we fund it, and how much do we fund it by?

Finally, this is about common sense in reasserting authority with regard to Article I, section 9, clause 7. People talk about too much in the way of executive overreach. They are weary of it.

What article I says there is that ''No money shall be drawn from the Treasury, but in consequence of appropriations made by law.''

What I think is interesting—with due respect to my colleague from the Midwest in what he just raised—is I am sure that he voted to defund Planned Parenthood, and I am sure he voted to defund ACORN. I have raised amendments that would, for instance, defund the Alaska regional commission where there is one employee.

Congress has that power to go out and say that this does or doesn't make sense, whether there are one, 50, or 500 employees at a given locality. If we lose that right, we lose real jurisdiction in moving forward within the three-branch system of government. So I think that this is both constitutional and common sense. I think it is important that we assert this authority.

I thank the gentleman for allowing me to speak on the amendment.

Mr. BUCK. Mr. Chairman, I thank the gentleman from South Carolina.

I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I reserve the balance of my time.

Mr. BUCK. Mr. Chairman, despite what my colleague from Ohio contends, this amendment comports the ruling of the United States v. Lovett, a 1946 Supreme Court case dealing with a bill of attainder. The guidelines in Lovett, this amendment singles out no individuals, but, rather, attempts to restructure the managerial level of a government agency, a task well within Congress' power of the purse. This task is necessary because the position has proven especially wasteful over the past few years, failing to rein in abuse within the agency that led to congressional investigations.

Mr. Chairman, I ask my colleagues to support this amendment.

I yield back the balance of my time.

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

First of all, I want to apologize to Mr. RENACCI for wrecking his name. It has happened to me a lot of times.

Secondly, I am not a lawyer, but what the gentleman said made a lot of sense to me. I wonder—I wonder—if what applies to us could, in front of some judge with some good lawyers around, also apply to this agency.

We can't raise or reduce our salary during one period or during one congressional period. We have to do it for the next Congress. We can't do it for ourselves. I wonder if someone could rule that you can't just lower the salary of the commissioner to zero during the term of that commissioner.

Now, here is the other thing. We know that the argument is being made that it is a reduction to the agency, to bring the director of the agency, whoever he is, to zero. But there is nobody silly enough here to think that it is not directed at one person, and that is really very silly to just direct at one person and to start this trend of having zero as a salary.

□ 0030

There is only one person in this country right now that is running for something that can afford not to get paid, and he will probably get paid.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SERRANO. Mr. Chairman, 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 Colorado will be postponed.

The Chair understands that amendment No. 24 will not be offered.

Mr. CRENSHAW. Mr. Chairman, I move to strike the last word.

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

Mr. CRENSHAW. Mr. Chairman, I yield to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Mr. Chairman, I thank the gentleman for yielding.

I would like to use this time to engage in a colloquy with my friend, the gentleman from Florida (Mr. DIAZ-BALART).

Instead of moving forward with my amendment, as I had intended, that would enable our agriculture producers to sell products to Cuba on credit for the next fiscal year, we have agreed to work together and find a long-term solution that will work for our agriculture producers over time.

Until today, there seemed to be no path forward for an agreement, but I have gotten commitments from the leadership and my friends from Florida that there will be a proper path forward. We have agreed to find a solution that does a number of things:

Supports a long-term solution for our agriculture producers to sell commodities to Cuban buyers by eliminating restrictions in current law that weaken our producers' competitiveness;

Lists a number of the impediments, a cash restriction being one of those, a cash requirement for purchases;

Support for the thorough examination of the Cuban market potential for agriculture producers through a deliberative process across each relevant committee of jurisdiction; and

Examines other long-term solutions that enable the United States to expand market access to the Cuban people.

At a time when net farm income has dropped by more than 55 percent, it is critical that we work together to find ways to make this work on a long-term basis because there is no easy fix. Our producers are ready to sell products to the 11 million people in Cuba that represent a market value in excess of $1 billion a year.

I thank the hard work and efforts of the agriculture, business, humanitarian, and religious organizations in supporting this amendment. I look forward to working with my colleagues from Florida, the committee chairs, the leadership, and the Agriculture Committee on a solution we can all agree on.

Mr. CRENSHAW. I yield to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Chairman, I understand how important this issue is for the gentleman from Arkansas and for his constituents and salute him for his efforts.

As we all know, our farmers are some of the most patriotic Americans. I believe we should do everything we can to help them sell American agricultural products throughout the world. But we cannot, at the same time, help a Communist regime that harbors and supports terrorists and fugitives from U.S. law, the largest confiscator of U.S. property in history, fails to pay its debt, is one of the worst violators of human rights and religious freedom in the Western Hemisphere, is a top counterintelligence threat to the United States and a threat to democracy in Latin America.

I commit to my friend that I will sit down with him, along with my colleagues Ms. ROS-LEHTINEN and Mr. CURBELO, to come up with a solution that meets the needs of the farmers that we all represent but does not endanger our national security or support the Castro regime, its military, or intelligence services.

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

AMENDMENT NO. 25 OFFERED BY MR. DAVIDSON

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 114–639.

Mr. DAVIDSON. Mr. Chairman, 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, add the following new section:

SEC. ____. None of the funds appropriated by this Act may be used to change Selective Service System registration requirements in contravention of section 3 of the Military Selective Service Act (50 U.S.C. 3802).

The Acting CHAIR. Pursuant to House Resolution 794, the gentleman

from Ohio (Mr. DAVIDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

Congress, in Article I, section 8 of the Constitution, has the power to raise and regulate armies. That relates to the Selective Service System. We have decided to use the Selective Service System to register men for the draft for many years now.

During the course of this year, there has been discussion here in Washington about requiring women to register for the draft. Many families back home aren't aware of this, and especially many young women aren't aware of this, Mr. Chairman.

I am asking that no funds from this appropriation be used for the Selective Service System to modify the current requirements. The purpose of that would be to let Congress do our job—to go back home and talk to our families and talk to our young women, listen to them, and come back here. If we are going to modify the Selective Service System, we do that with purpose and intent and we do that here in Congress. We don't let the administration or yet another executive agency decide something of their own accord or yet let the courts reach in.

We should be clear in our intent to the courts that we don't need them or want them to come in and decide the rule. It is ripe for that unless we act.

In Rostker v. Goldberg in 1981, the Supreme Court upheld that the Selective Service registration for men was, in fact, constitutional and not discriminatory, primarily because it was to register for combat. At that time, Congress had made it clear that women were not permitted to be in certain combat roles. Since 2013, that has no longer been the case, so it is ripe for the courts to reach in as well.

As Congress, we really need to act. My intent by asking that none of these funds be used by the Selective Service System to modify the current rule is that it would give us time to talk with our families, talk with young women, and then take a more considered action. It does not prevent anything that is being discussed in the Armed Services Committee or in our military, women being in any type of role. It doesn't take a position on any of that. It doesn't take a position on the future of the Selective Service. It just says let's not change it right now, and let's make sure that Congress takes action on it.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, this may come to be known as the ''just in case bill'' because it takes out something that doesn't exist anywhere in a House bill. That is why I am opposed to this amendment.

First, this is a policy issue that should be left to the Armed Services Committees.

As you know, the Senate version of the FY 2017 National Defense Authorization Act included a change to military policy that would, for the first time, require young women to register for the draft.

Defense Department leaders have already backed the idea of adding women to the draft, while emphasizing they do not see any scenario where a draft will actually happen.

For the RECORD, no Americans have been pressed into involuntary service since the last draft ended in 1973.

Furthermore, lawmakers have also included in the legislative language requiring a full review of the Selective Service System and possible ''alternatives'' to the current system.

I believe, since the Department of Defense lifted the ban on women in combat roles, every American who is physically qualified should register for the draft or we should do away with it.

I urge all Members to vote their beliefs on this issue. That is the proper way.

Republican leadership did not allow this to be a vote on the defense bill. Now Members have a chance to deal with this issue and be on the record if they support Selective Service allowing women to be part of the draft.

Now, we know that this is a touchy issue. We know that there are differing thoughts and this is very emotional, but some of us would say that this is a very fair issue. If we are going to register people, knowing there is no draft in place at this point, then let everyone be registered. And to suggest that there are young ladies who are out there afraid of what is going to happen to them, they are in the same situation as young men, and young men know that there is no draft.

□ 0040

I think this is something that is sort of a what-if situation. Just in case you are thinking of doing this, don't do it. I don't think we should legislate that way. If it reaches a point at which everybody has to sign up, then everybody will be doing his part for the country. I don't see a problem right now, and we shouldn't create a problem where a problem does not exist.

I yield back the balance of my time.

Mr. DAVIDSON. Mr. Chairman, as the gentleman from New York rightly pointed out, the Selective Service is under review right now in terms of what we shall do with it. It is in the right place. It is here in Congress.

We should be doing that and not trusting the administration or the Selective Service System to come up with its own decrees. That is the concern, that there has been too much of that during the past 7-plus years and that families aren't looking for yet another edict to be decreed from Washington, D.C., and to catch them off guard. As Members of Congress, we don't need to go back home and have families and young women ask us: Where were you on this? This does give us a chance to say here is where we are. This bill, frankly, buys us time to do a more considered action.

Why complicate things in the midst of further consideration by trusting the administration, which has not proven to be trustworthy on issuing rules and edicts, to stay the course with us? In fact, it is likely to not do that. The hope here is that we take the considered action that we will, and we should do that with the advice and consent of the well-informed public back home.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. DAVIDSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SERRANO. Mr. 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 Ohio will be postponed.

Mr. CRENSHAW. 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. CRAWFORD) having assumed the chair, Mr. DONOVAN, 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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DELANEY (at the request of Ms. PELOSI) for today and July 7 on account of death in family.

Mr. NADLER (at the request of Ms. PELOSI) for today and the balance of the week on account of medical.

EXPENDITURES BY THE OFFICE OF GENERAL COUNSEL UNDER HOUSE RESOLUTION 676, 113TH CONGRESS

COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES,
Washington, DC, July 6, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 3(b) of H. Res. 676 of the 113th Congress, as continued by section 3(f)(2) of H. Res. 5 of the 114th Congress, I write with the following enclosure which is a statement of the aggregate amount expended on outside counsel

and other experts on any civil action authorized by H. Res. 676.

Sincerely,

CANDICE S. MILLER,
Chairman.

AGGREGATE AMOUNT EXPENDED ON OUTSIDE COUNSEL OR OTHER EXPERTS

[H. Res. 676]

July 1–September 30, 2014	
October 1–December 31, 2014	$42,875.00
January 1–March 31, 2015	50,000.00
April 1–June 30, 2015	29,915.00
July 1–September 30, 2015	21,000.00
October 1–December 31, 2015	45,707.67
January 1–March 31, 2016	15,124.00
April 1–June 30, 2016	
Total	204,621.67

ADJOURNMENT

Mr. CRENSHAW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 44 minutes a.m.), under its previous order, the House adjourned until today, Thursday, July 7, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5900. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Use of Electronic Information Exchange Systems; Miscellaneous Amendments [Docket No.: APHIS-2016-0016] received June 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5901. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Defense Contractors Performing Private Security Functions (DFARS Case 2015-D021) [Docket No.: DARS-2015-0045] (RIN: 0750-AI69) received June 24, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5902. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Treatment of Interagency and State and Local Purchases (DFARS Case 2016-D009) [Docket No.: DARS-2016-0007] (RIN: 0750-AI88) received June 24, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5903. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's interim rule — Defense Federal Acquisition Regulation Supplement: Pilot Program on Acquisition of Military Purpose Nondevelopmental Items (DFARS Case 2016-D014) [Docket No.: DARS-2016-0015] (RIN: 0750-AI93) received June 24, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5904. A letter from the Acting Deputy Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's final priorities and definitions — Fulbright-Hays Group Projects Abroad Program — Short-Term Projects and Long-Term Projects [Docket ID: ED-2015-OPE-0134] received June 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5905. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus amyloliquefaciens strain PTA-4838; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0420; FRL-9946-62] received June 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5906. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Minnesota; Sulfur Dioxide [EPA-R05-OAR-2015-0366; FRL-9948-21-Region 5] received June 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5907. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; TN; Redesignation of Shelby County 2008 8-Hour Ozone Nonattainment Area to Attainment [EPA-R04-OAR-2016-0018; FRL-9948-02-Region 4] received June 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5908. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Michigan; Update to Materials Incorporated by Reference [EPA-R05-OAR-2016-0230; FRL-9946-98-Region 5] received June 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5909. 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; State of Missouri; Cross-State Air Pollution Rule [EPA-R07-OAR-2016-0302; FRL-9948-15-Region 7] received June 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5910. 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; State of Kansas; Cross-State Air Pollution Rule [EPA-R07-OAR-2016-0303; FRL-9948-13-Region 7] received June 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5911. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Effluent Limitations Guidelines and Standards for the Oil and Gas Extraction Point Source Category [EPA-HQ-OW-2014-0598; FRL-9947-87-OW] (RIN: 2040-AF35) received June 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

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. 2646. A bill to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes; with an amendment (Rept. 114–667, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. CARTER of Texas: Committee on Appropriations. H.R. 5634. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114–668). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee of Conference. Conference report on S. 524. An act to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use Rept. 114–669). Ordered to be printed.

[Filed on July 7 (legislative day of July 6), 2016]

Mr. BYRNE: Committee on Rules. House Resolution 809. Resolution providing for consideration of the conference report to accompany the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; and for other purposes (Rept. 114–670). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Ways and Means and Education and the Workforce discharged from further consideration. H.R. 2646 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 Ms. DELBENE (for herself, Mr. THOMPSON of Pennsylvania, Mrs. MCMORRIS RODGERS, and Mr. KILMER):

H.R. 5628. A bill to accelerate the use of wood in buildings, especially tall wood buildings, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Science, Space, and Technology, 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. VARGAS (for himself and Mr. HUNTER):

H.R. 5629. A bill to direct the Administrator of the Environmental Protection Agency to establish a California New River restoration program to build on, and help coordinate funding for, restoration and protection efforts relating to the New River, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, 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 Mrs. WATSON COLEMAN:

H.R. 5630. A bill to require the Federal Energy Regulatory Commission to apply certain procedures before granting a certificate

of public convenience and necessity for a proposed pipeline project, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCARTHY:

H.R. 5631. A bill to hold Iran accountable for its state sponsorship of terrorism and other threatening activities and for its human rights abuses, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Oversight and Government Reform, Ways and Means, and Intelligence (Permanent Select), 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. DOLD (for himself, Mr. COURTNEY, Mr. WELCH, and Mr. RIBBLE):

H.R. 5632. A bill to direct the Secretary of Energy to carry out a program to provide payments to communities in which a nuclear power plant that has ceased generating electricity and that stores spent nuclear fuel onsite is located, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ZINKE:

H.R. 5633. A bill to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation, the State of Montana, and the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. POCAN (for himself, Mr. SCOTT of Virginia, Mr. CONYERS, Ms. NORTON, Ms. LEE, Mr. HONDA, Mrs. DINGELL, Ms. MOORE, Mr. PAYNE, Mr. NADLER, Mr. POLIS, Mr. LANGEVIN, Mr. BLUMENAUER, Mr. GRIJALVA, Mr. DESAULNIER, Mr. JEFFRIES, Mr. NORCROSS, Ms. KAPTUR, Mr. MURPHY of Florida, Mr. KIND, Mr. GENE GREEN of Texas, Mr. VISCLOSKY, Mr. ELLISON, Mr. SWALWELL of California, and Mr. KILDEE):

H.R. 5635. A bill to promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LOUDERMILK (for himself, Mr. SMITH of Texas, Mr. MOOLENAAR, Mr. POSEY, and Mr. BABIN):

H.R. 5636. A bill to increase the effectiveness of and accountability for maintaining the physical security of NIST facilities and the safety of the NIST workforce; to the Committee on Science, Space, and Technology.

By Mr. SANFORD (for himself, Mr. PALMER, Mr. DUNCAN of South Carolina, Mr. MULVANEY, Mr. MEADOWS, Mr. DESJARLAIS, Mr. LABRADOR, Mr. GOSAR, Mr. RIBBLE, and Mr. GOHMERT):

H.R. 5637. A bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending; to the Committee on the Budget, and in addition to the Committee on Rules, 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. KNIGHT (for himself, Mr. LIPINSKI, Mr. SMITH of Texas, Mr. WEBER of Texas, Mr. NEUGEBAUER, Mr. HULTGREN, Mr. POSEY, Mr. MOOLENAAR, and Mr. BABIN):

H.R. 5638. A bill to provide for the establishment at the Department of Energy of a Solar Fuels Basic Research Initiative; to the Committee on Science, Space, and Technology.

By Mr. MOOLENAAR (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Texas, Mr. LIPINSKI, Mr. POSEY, Ms. CLARK of Massachusetts, Mr. TONKO, and Mr. GRAYSON):

H.R. 5639. A bill to update the National Institute of Standards and Technology Act, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. SMITH of Texas (for himself, Mr. LIPINSKI, Mr. WEBER of Texas, Mr. KNIGHT, Mr. NEUGEBAUER, Mr. HULTGREN, Mr. POSEY, Mr. MOOLENAAR, and Mr. BABIN):

H.R. 5640. A bill to provide for the establishment at the Department of Energy of an Electricity Storage Basic Research Initiative; to the Committee on Science, Space, and Technology.

By Mrs. DAVIS of California:

H.R. 5641. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 in order to improve career and technical education, and for other purposes; to the Committee on Education and the Workforce.

By Ms. DUCKWORTH:

H.R. 5642. A bill to provide adequate resources for the Federal Bureau of Investigation and the VALOR Officer Safety Initiative; to the Committee on the Judiciary.

By Ms. DUCKWORTH:

H.R. 5643. A bill to amend the Homeland Security Act of 2002 to provide for active shooter and mass casualty incident response assistance, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Transportation and Infrastructure, 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. HILL:

H.R. 5644. A bill to authorize the Attorney General, in consultation with the Secretary of Education, to establish a pilot program to make grants to historically Black colleges and universities to provide educational programs to offenders who have recently been, or will soon be, released from incarceration, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, 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. ISRAEL:

H.R. 5645. A bill to authorize the Secretary of Health and Human Services to award grants for Alzheimer's disease research; to the Committee on Energy and Commerce.

By Mr. KING of Iowa (for himself, Mr. GOHMERT, Mr. BABIN, Mr. BRIDENSTINE, Mr. WEBER of Texas, Mr. BROOKS of Alabama, and Mr. BRAT):

H.R. 5646. A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes; to the Committee on the Judiciary.

By Mr. MEADOWS (for himself and Mr. CONNOLLY):

H.R. 5647. A bill to amend the Internal Revenue Code of 1986 to treat certain ride-sharing services provided by transportation network companies as excludable transportation fringe benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, 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. O'ROURKE (for himself and Mr. JONES):

H.R. 5648. A bill to authorize an individual who is transitioning from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs to continue receiving treatment from such individual's mental health care provider of the Department of Defense, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. AUSTIN SCOTT of Georgia (for himself and Mr. JODY B. HICE of Georgia):

H.R. 5649. A bill to amend title 10, United States Code, to prohibit any military aircraft provided for the use of the President from being used to transport a candidate for election for Federal office to a campaign event; to the Committee on Armed Services.

By Mr. YOUNG of Alaska (for himself and Mrs. DINGELL):

H.R. 5650. A bill to amend the Pittman-Robertson Wildlife Restoration Act to make funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies; to the Committee on Natural Resources.

By Mr. MCKINLEY (for himself and Mr. RUSH):

H. Con. Res. 141. Concurrent resolution providing official recognition of the massacre of 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who had been captured in Wereth, Belgium, during the Battle of the Bulge on December 17, 1944; to the Committee on Armed Services.

By Mr. ROYCE (for himself, Mr. CONNOLLY, Ms. ROS-LEHTINEN, Mr. HONDA, Mr. ISSA, Mr. ENGEL, Mr. DESANTIS, Mr. CAPUANO, and Mr. MICA):

H. Res. 808. A resolution calling on the Government of the Islamic Republic of Iran to release Iranian-Americans Siamak Namazi and his father, Baquer Namazi; to the Committee on Foreign Affairs.

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 Ms. DELBENE:

H.R. 5628.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. VARGAS:

H.R. 5629.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. WATSON COLEMAN:
H.R. 5630.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 3 & 18 of the United States Constitution
By Mr. MCCARTHY:
H.R. 5631.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
By Mr. DOLD:
H.R. 5632.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 3.
By Mr. ZINKE:
H.R. 5633.
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 1, Section 8, Clause 1 of the United States Constitution.
By Mr. CARTER of Texas:
H.R. 5634.
Congress has the power to enact this legislation pursuant to the following:
The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . .'' In addition, clause I of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.
By Mr. POCAN:
H.R. 5635.
Congress has the power to enact this legislation pursuant to the following:
The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. LOUDERMILK:
H.R. 5636.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18:
The Congress shall have 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 of Officer thereof.
By Mr. SANFORD:
H.R. 5637.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article 1 of the Constitution: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.
By Mr. KNIGHT:
H.R. 5638.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18:
The Congress shall have 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 of Officer thereof.
By Mr. MOOLENAAR:
H.R. 5639.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18:
The Congress shall have 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 of Officer thereof.
By Mr. SMITH of Texas:
H.R. 5640.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18:
The Congress shall have 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 of Officer thereof.
By Mrs. DAVIS of California:
H.R. 5641.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution
By Ms. DUCKWORTH:
H.R. 5642.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, Clause 18 of the United States Constitution which gives Congress the authority to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.''
By Ms. DUCKWORTH:
H.R. 5643.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the Constitution of the United States of America.
By Mr. HILL:
H.R. 5644.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Mr. ISRAEL:
H.R. 5645.
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. KING of Iowa:
H.R. 5646.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4.
By Mr. MEADOWS:
H.R. 5647.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
By Mr. O'ROURKE:
H.R. 5648.
Congress has the power to enact this legislation pursuant to the following:
Under Article I, Section 8 of the Constitution, Congress has 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 any Department or Officer thereof''.
By Mr. AUSTIN SCOTT of Georgia:
H.R. 5649.
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. YOUNG of Alaska:
H.R. 5650.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
''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''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 169: Mrs. LUMMIS and Mr. HURD of Texas.
H.R. 188: Mr. MOULTON.
H.R. 194: Mr. COHEN.
H.R. 225: Mr. VARGAS.
H.R. 226: Mr. VARGAS.
H.R. 244: Mr. CUMMINGS.
H.R. 250: Mr. JENKINS of West Virginia.
H.R. 303: Mr. LYNCH, Mr. ISRAEL, Mr. PAULSEN, and Mr. KEATING.
H.R. 335: Mr. WELCH and Mr. ENGEL.
H.R. 410: Mr. VARGAS.
H.R. 430: Mr. CARTWRIGHT.
H.R. 448: Ms. GRAHAM.
H.R. 499: Mr. PERLMUTTER.
H.R. 539: Ms. HAHN.
H.R. 546: Mr. CARTER of Georgia.
H.R. 556: Mr. FITZPATRICK.
H.R. 670: Mr. RODNEY DAVIS of Illinois, Mr. KLINE, Mr. HECK of Nevada, and Mr. WESTERMAN.
H.R. 729: Mr. COSTELLO of Pennsylvania.
H.R. 752: Mr. MURPHY of Florida and Mr. VARGAS.
H.R. 775: Mr. LYNCH and Mr. FLEISCHMANN.
H.R. 800: Mr. MASSIE.
H.R. 842: Mr. CRAMER.
H.R. 879: Ms. HERRERA BEUTLER.
H.R. 921: Mr. WOODALL and Mr. WILSON of South Carolina.
H.R. 923: Mrs. HARTZLER.
H.R. 997: Mr. ROUZER.
H.R. 1062: Mr. OLSON.
H.R. 1095: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1112: Ms. MCCOLLUM.
H.R. 1247: Ms. BASS.
H.R. 1248: Mr. THOMPSON of Mississippi.
H.R. 1358: Mr. VARGAS.
H.R. 1380: Ms. PINGREE.
H.R. 1421: Mr. PASCRELL.
H.R. 1427: Mr. PITTENGER.
H.R. 1453: Mr. DESAULNIER, Mrs. NOEM, and Mr. LOWENTHAL.
H.R. 1459: Mr. RYAN of Ohio.
H.R. 1530: Mrs. ELLMERS of North Carolina.
H.R. 1538: Mr. YOUNG of Iowa.
H.R. 1865: Ms. LORETTA SANCHEZ of California.
H.R. 2096: Ms. PINGREE.
H.R. 2156: Mr. HURD of Texas.
H.R. 2216: Mr. VARGAS and Mr. TONKO.
H.R. 2237: Mrs. DINGELL.
H.R. 2311: Mr. POCAN and Mr. KIND.
H.R. 2348: Mr. MULLIN.
H.R. 2362: Mr. YOUNG of Iowa and Mr. CAPUANO.
H.R. 2403: Mr. CLEAVER and Mr. TURNER.
H.R. 2404: Mr. PETERSON and Mr. BEYER.
H.R. 2434: Ms. ESTY.
H.R. 2500: Mr. VELA.
H.R. 2628: Mr. GOHMERT.
H.R. 2698: Mr. PITTENGER.
H.R. 2712: Mr. COFFMAN.
H.R. 2726: Mr. PETERS and Mr. COSTA.
H.R. 2805: Ms. HERRERA BEUTLER.
H.R. 2817: Mr. CARNEY.

H.R. 2871: Mr. VARGAS.
H.R. 2889: Mr. PALLONE, Ms. ROYBAL-ALLARD, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SLAUGHTER, Mr. HASTINGS, Ms. KAPTUR, and Mr. DESAULNIER.
H.R. 2903: Mr. KELLY of Mississippi, Mr. WEBER of Texas, and Mr. LOWENTHAL.
H.R. 2948: Mr. FITZPATRICK.
H.R. 2962: Mr. LANGEVIN, Mr. BRADY of Pennsylvania, Mr. GARAMENDI, Mr. O'ROURKE, Mr. MEEKS, Ms. CLARKE of New York, Mr. CARTWRIGHT, and Ms. SPEIER.
H.R. 2963: Mr. SCOTT of Virginia.
H.R. 2994: Mr. VARGAS.
H.R. 3012: Mr. ROKITA, Mr. HILL, and Mr. PITTENGER.
H.R. 3048: Mr. VELA and Mr. WOMACK.
H.R. 3051: Mr. LOWENTHAL and Mr. VARGAS.
H.R. 3084: Mrs. COMSTOCK and Mr. CARTER of Georgia.
H.R. 3099: Ms. NORTON, Mrs. CAPPS, Mr. ZELDIN, Mr. GUINTA, Mrs. MILLER of Michigan, Mr. WALBERG, Mr. LOBIONDO, and Mr. TONKO.
H.R. 3119: Ms. ESTY, Mrs. ELLMERS of North Carolina, and Mr. MCNERNEY.
H.R. 3250: Mr. DESAULNIER and Mr. FITZPATRICK.
H.R. 3268: Mr. MCHENRY.
H.R. 3294: Ms. LEE.
H.R. 3308: Mr. HIMES, Mr. JOLLY, Mr. MILLER of Florida, and Mr. SMITH of Texas.
H.R. 3406: Mrs. BEATTY.
H.R. 3411: Mr. MURPHY of Florida.
H.R. 3471: Mr. HURD of Texas, Mr. CRAMER, and Mr. POCAN.
H.R. 3546: Ms. EDWARDS, Ms. JACKSON LEE, Mr. MEEKS, Mr. LARSON of Connecticut, Ms. NORTON, Mr. PAYNE, and Mr. CAPUANO.
H.R. 3667: Mr. LAMBORN.
H.R. 3683: Mr. PRICE of North Carolina.
H.R. 3733: Ms. KUSTER.
H.R. 3742: Mr. PITTENGER, Mr. DUNCAN of Tennessee, and Mr. FITZPATRICK.
H.R. 3765: Mr. GRAVES of Louisiana.
H.R. 3815: Mr. BRADY of Pennsylvania, Mr. LARSON of Connecticut, Mr. PERRY, Mr. COSTELLO of Pennsylvania, and Mr. CAPUANO.
H.R. 3829: Mr. LAMBORN.
H.R. 3849: Mrs. NAPOLITANO.
H.R. 4043: Mr. NOLAN, Mr. RUSH, and Ms. KUSTER.
H.R. 4137: Mr. BISHOP of Georgia and Mr. PASCRELL.
H.R. 4141: Mr. BYRNE.
H.R. 4165: Mr. NOLAN.
H.R. 4177: Mr. JOLLY and Mr. BLUMENAUER.
H.R. 4184: Mr. SMITH of Washington.
H.R. 4212: Ms. DELBENE.
H.R. 4225: Mr. PRICE of North Carolina.
H.R. 4237: Mr. DONOVAN.
H.R. 4247: Mr. RANGEL.
H.R. 4335: Mr. ROSS.
H.R. 4374: Mr. GIBSON.
H.R. 4399: Mr. HUFFMAN and Mr. MURPHY of Florida.
H.R. 4450: Mr. DEFAZIO.
H.R. 4463: Mr. KATKO.
H.R. 4480: Mr. CARTWRIGHT.
H.R. 4514: Mr. CICILLINE, Ms. STEFANIK and Mr. BYRNE.
H.R. 4519: Ms. LOFGREN.
H.R. 4584: Mr. FRANKS of Arizona.
H.R. 4616: Ms. DELBENE and Mr. DESAULNIER.
H.R. 4621: Ms. LEE, Mr. BLUMENAUER, Mrs. BEATTY, and Ms. HAHN.
H.R. 4626: Mr. MEADOWS and Mr. GUTHRIE.
H.R. 4653: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 4664: Mr. SHERMAN.
H.R. 4695: Mr. MCNERNEY.
H.R. 4715: Mr. CARTER of Georgia.
H.R. 4730: Mr. MCCAUL and Mr. WITTMAN.
H.R. 4766: Ms. KAPTUR.
H.R. 4770: Mrs. NOEM.
H.R. 4792: Mr. QUIGLEY.
H.R. 4816: Mr. MEADOWS and Mr. CUELLAR.
H.R. 4828: Mr. BURGESS, Mrs. WALORSKI, Mr. WALBERG, Mrs. NOEM, Mrs. MILLER of Michigan, and Mr. JORDAN.
H.R. 4848: Mr. JENKINS of West Virginia.
H.R. 4880: Mr. BOUSTANY and Mr. TROTT.
H.R. 4893: Mr. ROUZER, Mr. JODY B. HICE of Georgia, and Mr. ROGERS of Alabama.
H.R. 4955: Mr. COSTA.
H.R. 5001: Mr. JENKINS of West Virginia
H.R. 5015: Mr. BYRNE.
H.R. 5025: Mr. WELCH.
H.R. 5064: Mrs. RADEWAGEN.
H.R. 5082: Mr. SENSENBRENNER, Mr. HINOJOSA, Mr. PAULSEN, and Mr. WENSTRUP.
H.R. 5091: Mr. CAPUANO.
H.R. 5094: Mr. SMITH of New Jersey.
H.R. 5104: Mrs. CAROLYN B. MALONEY of New York.
H.R. 5137: Ms. BROWNLEY of California and Mr. CÁRDENAS.
H.R. 5167: Mr. GIBBS.
H.R. 5177: Mr. LIPINSKI and Mr. HUNTER.
H.R. 5180: Mr. ROHRABACHER, Mr. GOHMERT, Mr. BILIRAKIS, and Mr. VALADAO.
H.R. 5182: Mr. JENKINS of West Virginia and Mr. LANCE.
H.R. 5187: Mr. CALVERT, Mr. CRAMER, Ms. BROWNLEY of California, and Mr. SIMPSON.
H.R. 5213: Mr. HUELSKAMP, Mr. KING of Iowa, Mr. TIPTON, and Mrs. BUSTOS.
H.R. 5230: Mrs. LOVE.
H.R. 5254: Mr. MCNERNEY.
H.R. 5271: Mr. BROOKS of Alabama.
H.R. 5272: Ms. BONAMICI, Mr. HASTINGS, and Mr. BEYER.
H.R. 5282: Ms. NORTON, Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. RANGEL, Mr. CLEAVER, and Mr. AL GREEN of Texas.
H.R. 5292: Ms. CLARK of Massachusetts, Mr. VEASEY, Mr. VAN HOLLEN, Mr. BUCHANAN, Mr. PASCRELL, Mr. LARSON of Connecticut, Ms. MATSUI, and Mrs. TORRES.
H.R. 5301: Mr. GRAYSON and Mr. HUNTER.
H.R. 5319: Mr. ROUZER.
H.R. 5337: Ms. KAPTUR.
H.R. 5369: Mr. MCGOVERN.
H.R. 5396: Ms. CLARKE of New York.
H.R. 5410: Mrs. BLACKBURN.
H.R. 5440: Mr. MULVANEY and Mr. ROUZER.
H.R. 5446: Mr. FARR.
H.R. 5457: Mrs. LUMMIS, Mr. DENHAM, Mr. LAMALFA, and Mr. COOK.
H.R. 5467: Mrs. NAPOLITANO.
H.R. 5474: Mr. FARR, Mrs. NAPOLITANO, Mr. POCAN, Mr. NOLAN, Mrs. DAVIS of California, Ms. Maxine Waters of California, and Ms. NORTON.
H.R. 5486: Mr. COLE.
H.R. 5488: Ms. SLAUGHTER, Mr. ISRAEL, Mr. SMITH of Washington, and Mr. NADLER.
H.R. 5496: Ms. SLAUGHTER.
H.R. 5501: Ms. KAPTUR, Mr. CONYERS, and Mr. YOUNG of Alaska.
H.R. 5506: Mrs. ELLMERS of North Carolina.
H.R. 5513: Mr. CARTER of Georgia.
H.R. 5523: Mr. DANNY K. DAVIS of Illinois.
H.R. 5527: Mr. DUFFY and Mr. BARR.
H.R. 5557: Mr. FOSTER, Mr. MCGOVERN, and Mr. RICHMOND.
H.R. 5561: Ms. BORDALLO, Mr. RYAN of Ohio, and Mr. MCDERMOTT.
H.R. 5572: Mrs. BUSTOS.
H.R. 5578: Ms. SLAUGHTER.
H.R. 5587: Mr. KLINE, Mr. SCOTT of Virginia, Mr. THOMPSON of California, Mr. CARTER of Georgia, Mr. ROE of Tennessee, Mr. DESAULNIER, Ms. BONAMICI, Mr. MESSER, and Mr. BISHOP of Michigan.
H.R. 5594: Mr. BARR, Mr. PITTENGER, Mr. WILLIAMS, and Mr. HILL.
H.R. 5595: Mr. THOMPSON of California.
H.R. 5613: Mr. SMITH of Nebraska.
H.R. 5619: Mr. FORTENBERRY.
H.R. 5620: Mr. HUELSKAMP.
H.J. Res. 47: Mr. DENT and Ms. LOFGREN.
H.J. Res. 48: Mr. TED LIEU of California.
H.J. Res. 52: Mr. NEAL and Ms. GRAHAM.
H.J. Res. 87: Mr. MICA, Mr. WEBER of Texas, Mr. BISHOP of Utah, Mr. JOLLY, and Mr. ROSS.
H. Con. Res. 19: Mr. MOOLENAAR.
H. Con. Res. 40: Mr. LYNCH and Mr. ROHRABACHER.
H. Con. Res. 122: Mr. ZINKE and Mrs. TORRES.
H. Con. Res. 132: Mrs. NAPOLITANO, Ms. DELAURO, Mr. VARGAS, Mrs. WATSON COLEMAN, Mr. CONYERS, Mr. TONKO, Ms. KAPTUR, Mr. POCAN, Mr. TAKAI, Ms. LINDA T. SÁNCHEZ of California, Mrs. LAWRENCE, Mr. HASTINGS, Ms. WASSERMAN SCHULTZ, Mr. JEFFRIES, Mr. PETERS, Mr. KILDEE, Mr. THOMPSON of Mississippi, Ms. MOORE, Ms. TSONGAS, Ms. BROWN of Florida, Mr. NOLAN, and Mr. ISRAEL.
H. Con. Res. 140: Mr. TIBERI, Mr. REICHERT, Mr. ROSKAM, Mr. BOUSTANY, Mr. BRAT, and Mr. MEADOWS.
H. Res. 220: Mr. BOST and Mr. GRAYSON.
H. Res. 591: Mr. TROTT, Mr. LANGEVIN, Ms. SLAUGHTER, Mr. YOUNG of Alaska, and Mr. GUTHRIE.
H. Res. 617: Mr. ROUZER.
H. Res. 625: Mr. BRADY of Pennsylvania.
H. Res. 647: Mr. TIPTON and Mr. THOMPSON of California.
H. Res. 650: Mr. BUCK.
H. Res. 675: Mr. DESAULNIER.
H. Res. 681: Mr. COHEN.
H. Res. 686: Mr. RANGEL.
H. Res. 728: Mr. MCGOVERN.
H. Res. 729: Mr. AGUILAR, Mr. WALKER, Mr. ROSS, Ms. NORTON, Ms. FOXX, Mr. KILDEE, Mr. BECERRA, Ms. GABBARD, Ms. CLARKE of New York, Mr. GUTHRIE, Mr. CÁRDENAS, Ms. BONAMICI, Mr. FRELINGHUYSEN, and Ms. STEFANIK.
H. Res. 750: Mr. HARRIS.
H. Res. 753: Ms. PLASKETT, Mr. GALLEGO, Ms. SCHAKOWSKY, Mr. ENGEL, Ms. HAHN, Mr. DANNY K. DAVIS of Illinois, Mr. TAKANO, Ms. NORTON, Ms. VELÁZQUEZ, Ms. BROWNLEY of California, Mrs. NAPOLITANO, Mr. COURTNEY, Ms. MOORE, Ms. WASSERMAN SCHULTZ, Ms. ROYBAL-ALLARD, Ms. MENG, Mr. KEATING, Mr. TONKO, Ms. ESTY, Ms. CASTOR of Florida, and Mr. DESAULNIER.
H. Res. 777: Mr. O'ROURKE.
H. Res. 780: Mr. KEATING, Mr. MCGOVERN, and Mr. CAPUANO.
H. Res. 782: Mrs. DINGELL.
H. Res. 804: Mr. ELLISON.
H. Res. 807: Mr. MCGOVERN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. CHAFFETZ

The provisions of H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016, that fall within the jurisdiction of the Committee on Oversight and Government Reform do not contain any congressional earmakrs, limited tax benefits, or limited tariff benefits as defined in clause 9 of House rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

73. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, Texas, relative to urging the Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution that would prohibit the consideration of race and ethnicity in hiring decisions by the

federal, state, and local levels of government, as well as in the granting admission to students applying at taxpayer-funded colleges and universities; to the Committee on the Judiciary.

74. Also, a petition of the County Legislature, Orange County, New York, relative to Resolution No. 85 of 2016, supporting Hyperbaric Oxygen Therapy for treatment of traumatic brain injury and post-traumatic stress disorder; to the Committee on Energy and Commerce.

75. Also, a petition of County Legislature, Orange County, New York, relative to Resolution No. 91 of 2016, supporting H.R. 4654 ''Keeping Communities Safe Through Treatment Act of 2016''; to the Committee on the Judiciary.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5538

OFFERED BY: MR. ENGEL

AMENDMENT NO. 1: 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 the Interior, the Environmental Protection Agency, 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.