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WASHINGTON, MONDAY, OCTOBER 16, 2017

No. 166

## House of Representatives

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

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
October 16, 2017.

I hereby appoint the Honorable ROB WOODALL to act as Speaker pro tempore on this day.

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

### PRAYER

Monsignor Stephen Rossetti, Catholic University of America, Washington, D.C., offered the following prayer:

Good and gracious God, You love all people equally and completely—young and old, Black and White, Republican and Democrat, Muslim and Christian, saint and sinner. Help us to love as You love. And by this love, make us one with each other and one with You.  
Amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 562, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore 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.

### COMMUNICATION FROM THE HONORABLE TIM MURPHY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable TIM MURPHY, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, October 12, 2017.

Hon. PAUL D. RYAN,  
*Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for documents and testimony, issued by the Court of Common Pleas for Allegheny County.

After consulting with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

TIM MURPHY.

### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 562, the House stands adjourned until noon on Thursday, October 19, 2017.

Thereupon (at 10 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until Thursday, October 19, 2017, at noon.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2822. A letter from the Executive Secretary, Federal Financial Institutions Examination Council, transmitting the Council's final rule — Description of Office, Procedures, and Public Information [Docket No.: FFIEC-2017-0003] received October 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2823. A letter from the Deputy Assistant Secretary, Employee Benefits Security Administration, Department of Labor, trans-

mitting the Department's interim final rules — Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act (RIN: 1210-AB83) received October 12, 2017, 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.

2824. A letter from the Deputy Assistant Secretary, Employee Benefit Security Administration, Department of Labor, transmitting the Department's interim final rules — Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act (RIN: 1210-AB84) received October 12, 2017, 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.

2825. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Guide Concerning Fuel Economy Advertising for New Automobiles received October 11, 2017, 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.

2826. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

2827. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-47, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2828. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-46, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2829. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting fifty-eight (58) notifications of a vacancy, designation of acting officer, nomination, action on nomination, and discontinuation of service in acting role, pursuant to 5

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2830. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting three (3) notifications of a nomination, and action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2831. A letter from the Presidential Appointments, Department of State, transmitting ten (10) notifications of a vacancy, designation of acting officer, nomination, action on nomination, discontinuation of service in acting role, and change in previously submitted reported information, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2832. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period July 1, 2017 to September 30, 2017, pursuant to 2 U.S.C. 104a (H. Doc. No. 115-70); to the Committee on House Administration and ordered to be printed.

2833. A letter from the Deputy Chief, National Forest System, Forest Service, Department of Agriculture, transmitting the final map and perimeter boundary description for the Cache la Poudre Wild and Scenic River, in Colorado, pursuant to 16 U.S.C. 1274(b); Public Law 90-542, Sec. 3(b) (as amended by Public Law 100-534, Sec. 501); (102 Stat. 2708); to the Committee on Natural Resources.

2834. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — September 2017 Supplement to Rev. Proc. 2014-64, Implementation of Nonresident Alien Deposit Interest Regulations (Rev. Proc. 2017-46) received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2835. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Adjusted Applicable Dollar Amount for Fee Imposed by Sections 4375 and 4376 [Notice 2017-61] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2836. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Treatment of Amounts Paid to Section 170(c) Organizations under Employer Leave-Based Donation Programs to Aid Victims of Hurricane and Tropical Storm Maria [Notice 2017-62] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2837. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's interim final rules — Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act [TD 9828] (RIN: 1545-BN91) received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2838. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's interim final rules — Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act [TD 9827] (RIN: 1545-BN92) received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2839. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Automatic approval for certain funding method changes for single-employer defined benefit pension plans subject to the minimum funding requirements of Section 430 (Rev. Proc. 2017-56) received October 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2840. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Procedures for Requesting Approval for a Change in Funding Method (Rev. Proc. 2017-57) received October 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2841. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Fringe Benefit Aircraft Valuation Formula (Revenue Ruling 2017-19) received October 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

## 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. GOODLATTE: Committee on the Judiciary. H.R. 469. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes (Rept. 115-347). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1096. A bill to amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund; with an amendment (Rept. 115-348). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1769. A bill to affirm an agreement between the United States and Westlands Water District dated September 15, 2015, and for other purposes; with an amendment (Rept. 115-349). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOODLATTE:

H.R. 4070. A bill to amend title 28, United States Code, to enhance Congress' ability to defend its legislative power under Article I of the Constitution in litigation in the courts of the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. BLUNT ROCHESTER (for herself and Mr. FITZPATRICK):

H.R. 4071. A bill to amend the Small Business Act to create program to provide funding for organizations that support startup businesses in formation and early growth stages by providing entrepreneurs with resources and services to produce viable businesses, and for other purposes; to the Committee on Small Business.

By Mr. CARBAJAL (for himself, Ms. BROWNLEY of California, and Mr. PARNETT):

H.R. 4072. A bill to designate certain Federal land in the State of California as wilderness, and for other purposes; to the Committee on Natural Resources.

By Mr. CONNOLLY:

H.R. 4073. A bill to amend the Controlled Substances Act to strike the definition of "imminent danger to the public health or safety" that was added by Public Law 114-145 for purposes of suspending a registration; to the Committee on Energy and Commerce, 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 Ms. LEE (for herself, Ms. SLAUGHTER, Ms. MOORE, Ms. JACKSON LEE, Mrs. BEATTY, Mr. HASTINGS, Ms. NORTON, Mrs. TORRES, Mr. EVANS, Mr. PAYNE, Mr. TAKANO, Mr. BUTTERFIELD, Mr. ESPAILLAT, Ms. JAYAPAL, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. CARSON of Indiana, Mr. CONYERS, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. GRIJALVA, Ms. SPEIER, Mr. MCNERNEY, Mr. SERRANO, and Mr. ELLISON):

H.R. 4074. A bill to strengthen and expand proven anti-poverty programs and initiatives; to the Committee on Ways and Means, and in addition to the Committees on House Administration, Oversight and Government Reform, Education and the Workforce, Financial Services, Agriculture, Transportation and Infrastructure, Rules, the Budget, and 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. NORCROSS (for himself, Mr. FITZPATRICK, Ms. KUSTER of New Hampshire, and Mr. MACARTHUR):

H.R. 4075. A bill to amend the Controlled Substances Act to require certain training as a condition of registration to prescribe or dispense opioids for the treatment of pain or pain management, and for other purposes; to the Committee on Energy and Commerce, 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. NORCROSS:

H.R. 4076. A bill to amend title II of the Social Security Act to provide for cost-of-living adjustments indexed to the Consumer Price Index for the Elderly, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, Armed Services, and 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.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

134. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to House Concurrent Resolution No. 2013, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

135. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Resolution No. 2010, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

136. Also, a memorial of the Legislature of the State of Tennessee, relative to Senate Joint Resolution No. 67, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GOODLATTE:

H.R. 4070.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 9; Article III, Section I; and Article III, Section 2, clause 2 of the Constitution, which grant Congress authority to over the federal courts. In addition, the Necessary and Proper Clause of Article I, Section 8 grants Congress the authority to take actions to assert and defend its legislative power in the courts.

By Ms. BLUNT ROCHESTER:

H.R. 4071.

Congress has the power to enact this legislation pursuant to the following:

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 Mr. CARBAJAL:

H.R. 4072.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 and Article I, Section 8

By Mr. CONNOLLY:

H.R. 4073.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution.

By Ms. LEE:

H.R. 4074.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. NORCROSS:

H.R. 4075.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. NORCROSS:

H.R. 4076.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 140: Mr. WILSON of South Carolina and Mr. PITTENGER.

H.R. 176: Mr. WILSON of South Carolina and Mr. WEBER of Texas.

H.R. 669: Mr. SARBANES, Mr. DESAULNIER, and Mr. PANETTA.

H.R. 785: Mr. ROSS.

H.R. 1094: Ms. LOFGREN, Mr. GRIJALVA, and Mr. ESPAILLAT.

H.R. 1229: Ms. LOFGREN.

H.R. 1276: Ms. MATSUI, Mr. NEAL, and Mr. GUTIÉRREZ.

H.R. 1290: Ms. SCHAKOWSKY.

H.R. 1626: Mr. JOHNSON of Ohio.

H.R. 1683: Ms. ESHOO, Mr. FORTENBERRY, Mr. CARTWRIGHT, and Mr. MULLIN.

H.R. 1731: Mr. FOSTER.

H.R. 2092: Mr. EMMER.

H.R. 2093: Mr. EVANS.

H.R. 2148: Mr. DAVIDSON.

H.R. 2315: Mr. MASSIE and Mr. GAETZ.

H.R. 2472: Mr. RUSH, Mr. BEN RAY LUJÁN of New Mexico, Mr. KENNEDY, and Mr. BROWN of Maryland.

H.R. 2902: Mr. BRADY of Pennsylvania, Mr. O'HALLERAN, and Mrs. NAPOLITANO.

H.R. 2908: Ms. SCHAKOWSKY and Ms. LEE.

H.R. 2909: Mrs. WALORSKI.

H.R. 3186: Mr. KIHUEN.

H.R. 3368: Mrs. NAPOLITANO.

H.R. 3748: Mrs. CAROLYN B. MALONEY of New York.

H.R. 3770: Mr. GOHMERT, Mr. HIGGINS of New York, and Mr. REED.

H.R. 3784: Ms. SLAUGHTER, Mr. POLIS, Ms. FUDGE, and Mr. GRIJALVA.

H.R. 3822: Mr. ALLEN and Mr. BRAT.

H.R. 3926: Mr. RUTHERFORD.

H.R. 3938: Ms. SCHAKOWSKY and Ms. BASS.

H.R. 4007: Mr. FASO.

H. Con. Res. 80: Mr. SMITH of New Jersey and Mr. PETERSON.

H. Res. 307: Mr. GARRETT.

H. Res. 571: Ms. ROSEN.