

blocked by President Obama and Senate Democrats. This failure of leadership is irresponsible, and it needs to stop.

THE U.S. NAVY IS DEVELOPING CLEAN, GREEN ENERGY

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

Mr. INSLEE. Madam Speaker, I rise today to honor the United States Navy, who, under the leadership of Secretary Ray Mabus, is doing a fantastic job developing clean, green sources of energy for the United States Navy and, eventually, the world. The Navy is already flying the Blue Angels on biofuels, it is charging our communication equipment in Afghanistan with solar energy, and it is on a path to half of its energy coming from clean sources by 2020 and the Great Green Fleet by 2016.

In my State, we're building whole industries around this: Imperium Renewables, Targeted Growth, General Biofuels, Boeing, and Alaska Airlines.

We can power the future with clean energy. The Navy is leading the way. Washington State University is doing great work, and I know there's one great former Washington State student who's helping on this effort, and her name is Trudi.

RECOGNIZING THE LIFE AND CONTRIBUTIONS OF REPRESENTATIVE DONALD M. PAYNE

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

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of the life and contributions of our colleague and friend, Donald Payne.

Don will always be remembered for his commitment to his community, which he served with distinction as a local elected official; to his country, evident by 23 years of service in Congress in which he championed education and fair labor practices; and to the global community, where he was a champion for global health, especially malaria prevention and treatment.

Don was a joy to travel with. He combined gentleness with strength, stood with and for the underserved and underrepresented, and always spoke of his commitment. But as he did, he had this warmhearted smile, even his eyes smiled, as he gave voice to the voiceless.

Our thoughts and prayers are with Don Payne's family, with his staff and the people of the Tenth District of New Jersey, and for all of us as we keep his legacy alive.

Don, you will be missed.

JUMPSTART OUR BUSINESS STARTUPS ACT

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Mem-

bers may have 5 legislative days within which to revise and extend their remarks on H.R. 3606 and insert extraneous material thereon.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 572 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. 3606.

□ 1018

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. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, with Mrs. MILLER of Michigan (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, March 7, 2012, amendment No. 10 printed in House Report 112-409 offered by the gentleman from California (Mr. MCCARTHY) had been disposed of.

AMENDMENT NO. 11 OFFERED BY MR. MCHENRY

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112-409.

Mr. MCHENRY. I have an amendment printed in the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, after line 23, insert the following:

(C) EXPLANATION OF EXEMPTION.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) by striking “The provisions of section 5” and inserting “(a) The provisions of section 5”; and

(2) by adding at the end the following:

“(b)(1) With respect to securities offered and sold in compliance with Rule 506 of Regulation D under this Act, no person who meets the conditions set forth in paragraph (2) shall be subject to registration as a broker or dealer pursuant to section 15(a)(1) of this title, solely because—

“(A) that person maintains a platform or mechanism that permits the offer, sale, purchase, or negotiation of or with respect to securities, or permits general solicitations, general advertisements, or similar or related activities by issuers of such securities, whether online, in person, or through any other means;

“(B) that person or any person associated with that person co-invests in such securities; or

“(C) that person or any person associated with that person provides ancillary services with respect to such securities.

“(2) The exemption provided in paragraph (1) shall apply to any person described in such paragraph if—

“(A) such person and each person associated with that person receives no compensation in connection with the purchase or sale of such security;

“(B) such person and each person associated with that person does not have posses-

sion of customer funds or securities in connection with the purchase or sale of such security; and

“(C) such person is not subject to a statutory disqualification as defined in section 3(a)(39) of this title and does not have any person associated with that person subject to such a statutory disqualification.

“(3) For the purposes of this subsection, the term ‘ancillary services’ means—

“(A) the provision of due diligence services, in connection with the offer, sale, purchase, or negotiation of such security, so long as such services do not include, for separate compensation, investment advice or recommendations to issuers or investors; and

“(B) the provision of standardized documents to the issuers and investors, so long as such person or entity does not negotiate the terms of the issuance for and on behalf of third parties and issuers are not required to use the standardized documents as a condition of using the service.”.

The Acting CHAIR. Pursuant to House Resolution 572, the gentleman from North Carolina (Mr. MCHENRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MCHENRY. Madam Chair, I yield myself such time as I may consume.

This amendment is very simple. We know, and policymakers in Washington here know, that entrepreneurship is at a 17-year low in the United States. We also know that small businesses are the drivers of our economy. So what this amendment does is it enables investors to connect with start-ups.

□ 1020

It takes away some red tape that is within securities regulations, and it allows incubators, forums, and online platforms which only connect accredited investors to start-ups to be exempt from SEC registration as a broker-dealer if they, number one, do not charge a commission or fee for their service; number two, do not handle the moneys of investors; and, number three, only permit accredited investors to use their platforms.

This is a very narrow amendment, very specifically crafted. In fact, the President's Council on Jobs and Competitiveness in October of last year said in their report that the emergence of angel investors and networks have also played a crucial role in initial funding of companies, and that the council recommends that clarifying that experience and active seed in angel investors and their meeting venues should not be subject to the regulations that were designed to protect inexperienced investors.

This amendment deals with that subject matter within the President's jobs council recommendations. I ask my colleagues to support this amendment. I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, I rise to claim the time that would go to someone in opposition if there is anybody in opposition, which there does not appear to be.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.