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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 24, 2017.

I hereby appoint the Honorable TREY HOLLINGSWORTH 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 3, 2017, 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. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

PUERTO RICAN HURRICANE VICTIMS

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

Mr. GUTIÉRREZ. Mr. Speaker, shortly after the President returned from his trip to Puerto Rico, I received a shipment in my office of paper towels. It didn't come with a note or an explanation, just 12 rolls of Viva. I guess there is a little irony maybe because it is in Spanish.

Maybe after watching the President entertain himself by tossing paper tow-

els at hurricane victims in Puerto Rico, some well-intentioned person thought that giving paper towels to Puerto Ricans was an appropriate sign of respect—the gift you give to Puerto Ricans after a major disaster trying to cheer us up, Viva.

Having returned from my second trip to Puerto Rico since the hurricane, I can tell you one thing for sure: we need a lot more than paper towels from the President and this Congress.

This is Loiza. I was visiting with the mayor. I want you to look at the pictures. This woman here, she has a disabled adult sleeping on a wet mattress. Yes, sleeping on a wet mattress. That is the home in which she takes care of her son. Four weeks after the hurricane, children hiding behind barricades, homes destroyed.

This is Comerio where food, 4 weeks after the hurricane, because there is no food, has to be handed neighborhood to neighborhood, hilltop to hilltop, hamlet and village to village within the town.

See this? People sleep there on that bed without tarps because somehow we forgot that in a hurricane-destroyed society it might have—be a good idea to have something over your head. Of course, the President said he gave himself a 10. Tell that to the people who have lived there 4 weeks.

I just came back from this trip on Saturday. I am now not surprised that the congressmen, my colleagues, are taking day trips to Puerto Rico. Yes, that is what we do as Members of Congress, we get there at 9 o'clock during the Sun of the day, and we leave by 4 before the darkness comes because, of course, there is no electricity, and then they take us on a helicopter ride around the island. That is no way to visit.

You get off the plane and off the helicopter and you stay overnight when it is pitch black because that is the way 3.4 million American citizens live 1

month after the hurricane. That is how they live. So I don't know, maybe congressmen should stop taking day trips where they get there at 9 and leave by 4. Spend the night, get out of your comfort, and go talk to the American citizens that you are supposed to be representing.

America, see this? That is a horse stable, abandoned house where people live. I met a 13-year-old girl there with her mom and her 12-year-old brother. That is where they live. See this mom and the two children? No roof over their heads. Just a little tarp to keep one part of their house and no place to sleep.

See this man right here? He lives in this abandoned house in a little tent with a 2-month-old child and his wife, disabled in a wheelchair, and no electricity to run his air tank so that he can get the vital air that he needs to sustain his life.

This is what I saw, and this was without the help of the Federal Government because, if you ask for help, they will put you on a helicopter and take you on a nice tour and you will not talk or see anybody.

And I know there are some in America who say they should just do this for themselves. Well, guess what? They are citizens of the United States of America. They are a colony of the United States of America. And I would just ask America—there are over half a million people on that island who are homeless, whose homes have been destroyed, and our government—here is the one question people kept asking me no matter where I went, they said: Where is FEMA? Where is the help that we expect from the most powerful and richest Nation on the Earth in this moment of despair?

And soon it will be out of the headlines, and soon it will be out of the rotation, and we will try to forget, but they will continue to suffer.

I came back on a flight from Puerto Rico this past Saturday night filled

□ 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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with people fleeing, and I met this wonderful woman who said to me: I have my child here. I am dropping her with my sister so that she can be free.

We would not allow this in Texas. We would not allow this in New Jersey. We would not allow this in Florida. We did not allow it even after a week in Katrina. Let's not allow it in Puerto Rico either.

A TRUE AMERICAN PATRIOT

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

Mr. EMMER. Mr. Speaker, I rise today to honor the career and service of Major General Richard C. Nash. Major General Nash recently retired after serving as adjutant general of the Minnesota National Guard for 7 years.

In his role as adjutant general, Nash had the important responsibility of overseeing Minnesota's Army and Air National Guard units, an important role where he saw great success. Having served in the Army National Guard since 1976, General Nash was selected for the job of general because of his experience and strong leadership during the conflict in Bosnia and the Iraq war.

During his time in the National Guard, as a testament to his hard work and commitment to our great Nation, General Nash has received many awards like the Bronze Star and the Meritorious Service Medal.

General Richard Nash is a true patriot whose service to our Nation has been a blessing to us all. I speak for all Minnesotans when I thank him for his dedication and wish him the best in his well-deserved retirement.

MINNESOTA'S HONORARY CAREGIVER

Mr. EMMER. Mr. Speaker, I rise to honor the life of Carlene Johnston and the beautiful partnership she shared with her loving husband, Dan Johnston.

Originally diagnosed with breast cancer in 2012, Carlene passed away in 2016, after a long and hard fight. Carlene's devoted husband, Dan, stood by his wife's side through every moment, keeping his marriage vow to love his wife in health and in sickness.

On the day that Carlene passed, Dan shared in a post that caring for his wife in her final days was easy, writing: When you're helping someone you love, it's not a burden.

As tribute to Dan's and Carlene's strong marriage and Dan's commitment to caring for his sick wife, Dan was awarded the Waconia Relay for Life's 2017 Honorary Caregiver Award.

Our most sincere condolences go out to the Johnston family, and we thank Dan for epitomizing love in its truest form. You are an amazing role model.

BRINGING THE WORLD EXPO TO MINNESOTA

Mr. EMMER. Mr. Speaker, I rise today to support Minnesota's bid to host the 2023 World Expo. I was proud to cosponsor and see both Chambers of Congress unanimously pass the U.S.

Wants to Compete for a World Expo Act earlier this year to give Minnesota and the United States a chance to showcase the best we have to offer.

The President signed the Expo Act into law in May, and since then, the State Department, the Expo 2023 coalition, and the entire Minnesota delegation have been working hard to bring this prestigious international event back to the United States.

Now, as we near the November 15 announcement from the Bureau of International Expositions, Minnesota is one of the three finalists in the running to host the 2023 event with a proposed theme of "Healthy People, Healthy Planet."

I can think of no better place to hold such an event, as Minnesota is one of the healthiest States in the country, a hub for medical innovation and a world-class location to host the first Expo in the United States in more than 30 years.

I am grateful for the support of my colleagues in Congress and the President to make this opportunity a reality, and I look forward to putting the United States and the State of Minnesota back on the world stage as the host of the 2023 World Expo.

A TOP HONOR FOR SHERBURNE COUNTY

Mr. EMMER. Mr. Speaker, I rise today to congratulate the Sherburne County Sheriff's Office for receiving accreditation from the American Correctional Association. Sherburne County received this accreditation because of the quality of the county jail and the high standards the staff maintains.

The accreditation was actually earned by the 116 correctional officers who operate the jail and the strong leadership of Sherburne County Sheriff Joel Brott.

This is quite an accomplishment. In fact, out of Minnesota's 87 counties, only one other county jail in Minnesota received this accreditation. Congratulations to Sheriff Brott and his officers. We are proud to represent you and to work for you.

INFRASTRUCTURE FUNDING CRISIS

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

Mr. BLUMENAUER. Mr. Speaker, my Republican friends are going to be asked this month to embrace a budget and a tax proposal with highly disputed benefits. But what is not in dispute is it will add \$1.5 trillion to the national debt and up to \$4 trillion in cuts to programs Americans care deeply about, like Medicaid and Medicare.

There is a better way. I spent much of this last weekend in Orlando, Florida, with leaders of the American Trucking Association. These are people who understand the infrastructure crisis America faces because they and their employees deal with it every single day. Instead of cutting transpor-

tation funding or having some mythical program without details, they are willing to step up and invest more, raising their fuel taxes—they already pay about half the total cost of the Highway Trust Fund—to be able to make a difference.

And I would hope that Congress will look at that example, listen to those people, and be able to do its part.

In no small measure, because of the leadership of many small businesses and trucking associations around the country, over half the States, since 2012, have stepped up to raise their transportation resources, and the States are seeing the benefit. They are seeing the economic impact of the construction, and it is making a difference on the ground for people and communities.

It is important that the Federal Government does its part. We need to be there for projects that are multimodal, that are multi-State, and multiyear. That Federal partnership has played a vital role since the enactment of the Interstate Highway System in 1956.

The trucking industry was able to make the point that the public is already paying the cost, about \$1,500 a year extra cost for the typical family for car maintenance and congestion.

The transportation industry is paying some \$63 billion of cost every year due to congestion. For about \$2 a week, from the average family, we could take critical steps to make sure that we address this infrastructure funding crisis.

If people really want to have some congressional action that will put people to work at family wage jobs, not the disputed trickle-down economics, it is undisputable that every \$1.2 billion invested in infrastructure creates almost 30,000 jobs.

□ 1015

It creates almost about \$2 billion of economic activity. For each \$1.2 billion invested, it will reduce the deficit \$200 million.

Mr. Speaker, it is past time that this Congress stops shirking its responsibility. We ought to be in partnership not just with the truckers, but with AAA, engineers, contractors, construction unions, local government, the vast array, the largest coalition of groups dealing with a controversial issue before Congress. If we would give 2 weeks to hear from these leaders across the country of this broad coalition, the case would be made and I think Congress would finally step up and do its job.

Our partners in the private sector, in State and local government, and people in the communities can expect Congress to be a partner to make our communities more livable, to make our families safer, healthier, and more economically secure.

I hope when some of our friends from the trucking industry join us this week on Capitol Hill, that Members will listen to their case and be able to have the courage to step up and invest in

our future. Our constituents deserve no less.

**TEXAS TECH PEACE OFFICER
FLOYD EAST, JR.**

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

Mr. POE of Texas. Mr. Speaker, Officer Floyd East, Jr., of the Texas Tech Police Department recently responded to a routine student welfare check at the dormitory. Callers reported a 19-year-old individual named Hollis Daniels, who was acting erratically and potentially had a weapon.

So Officer East went to Daniel's dorm room, and he discovered drugs and drug paraphernalia. Hollis, the defendant, was arrested and taken to the station for a standard debriefing.

But that is when the intake procedure at the police station went haywire. The defendant was not adequately searched before booking. Suddenly, the dastardly criminal whipped out a gun and fired pointblank into 48-year-old Officer East's head, instantly killing him. This is a photograph of Officer East. Yet another peace officer, another guardian of the thin blue line, murdered for no reason.

The suspect then fled, going on the lam, taking Officer East's body cam with him. The university went on lockdown, anxiously waiting for the killer to be found. Sure enough, thanks to the quick actions of the Texas Tech police force, the outlaw was located on campus and apprehended again.

Officer East was an El Paso, Texas, native. He is survived by his wife, Carmen, and two daughters, Anna and Monica. The funeral was a solemn remembrance wrapped up with the release of over 1,000 black and blue balloons, which flooded the west Texas blue sky, all in Officer East's memory.

Peace officers from all over Texas, and even other States, showed up for the funeral. As the body passed the Army National Guard Armory, officers and military stood at attention and saluted Officer East's body.

Officer Floyd East began his career with the Texas Tech Police Department on December 1, 2014. He started as a security guard at Texas Tech University Health Sciences Center in El Paso, Texas.

While working as a security guard, he went on to school at El Paso Community College Law Enforcement Academy to obtain his basic peace officer license to be a peace officer in the State of Texas.

Court documents show that the defendant, when he was arrested, concealed a weapon in his pants; and when Officer East's back was turned, the coward drew the weapon and murdered Officer East. The weapon that he had was stolen.

The defendant is charged with capital murder, and a \$5 million bond is set. May Texas justice occur.

Mr. Speaker, our men and women in blue voluntarily do everything they

can to help protect and serve our communities, especially at our colleges and universities. For these remarkable men and women, their safety, like all peace officers, is never guaranteed. While the badge and the uniform represent safety for citizens, for some reason, in our society it becomes a target for other people, like this defendant.

Officer East worked with university students, helping protect young Texans eager to learn on their university campus. He was senselessly killed. There is never an answer for murder, except to hold the person who did the murder accountable.

The defendant's friends quickly jumped to the defendant's defense online, claiming Daniels was not a monster. Mr. Speaker, college students do make mistakes. A mistake is like missing class and sleeping in. Mistakes are not murdering people.

The defendant is totally responsible for his own actions. He can't blame the drugs, he can't blame the fact that he was young, or he can't blame the fact that he was not thinking right.

Mr. Speaker, I was a judge in Texas for 22 years and heard cases like the murder of Officer East. People are responsible for what they do. In our society, we cannot have this feeling that people are not responsible and that something else calls them to do things. People are totally responsible for the choices that they make.

I have heard all of the excuses. I have heard: "Oh, I was too young." "Oh, I was too old." "I was on drugs." "I was affluent." "I wasn't affluent." I have heard all of the excuses.

There is no excuse. People, like this defendant, are responsible for their actions.

Officers like East are a cut above the rest of us, and they protect us from harm's way and they protect us from evildoers. He is of a rare breed, he is the Texas breed of law officers that sacrifice for the rest of us.

Taps have been played for Officer East. He has been laid to rest. We pray for his family, friends, and those officers in west Texas and Texas Tech University.

And that is just the way it is.

CALIFORNIA FIRES

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

Mr. THOMPSON of California. Mr. Speaker, the worst fire in the history of California has devastated nearly 300,000 acres, destroyed some 7,000 homes, caused billions of dollars in damage, burned to the ground many businesses, and, most sadly, taken the lives of 42 people; and that number may, in fact, rise.

This fire was like no other, propelled by winds that reached speeds of over 70 miles an hour. It moved so fast, burning at times 200 feet per second—that is three football fields every 30 seconds—

that people had little time to escape their burning homes.

People fled with only their night clothes—no time to grab even their medication, important papers, or personal belongings. Thousands of families were displaced and will have to find housing, rebuild their homes and businesses, and rebuild their lives.

Over 100,000 people were evacuated during the late hours of the first night of this monster firestorm. Many of you saw the news coverage play out on your television. The most covered area in the news is an area in Santa Rosa called Coffey Park. This is it. There alone, some 1,300 homes were burned to the ground. This area is on the far western side of the fire-devastated area, a county away from where it started.

The winds were so high that they pushed the blaze across eight lanes of freeway and over two frontage roads to destroy the homes and the lives of these 1,300 families. The winds were so high that cars were not only burned beyond recognition, but they were flipped over. There is a metal garage door that remains stuck about 35 feet off the ground in the remains of a burned-out pine tree.

Leader MCCARTHY was with me in Coffey Park and saw firsthand the devastation. I want to thank the leader for his commitment to work with us to help our communities and the many people so devastated by this unprecedented disaster. I thank also the 11,000 firefighters, the many law enforcement, and National Guard that put their life on the line to stop the raging inferno and protect the lives of the people of my district and the other fire-threatened areas of California. Some of those first responders lost their own homes, but worked 24/7 to help others.

The response was awesome and truly appreciated. Mutual aid came from every county in California, States across our great country, Federal agencies, and from other countries. The actions of civilian heroes and heroines saved an untold number of lives and continue to make life tolerable to those affected by this fire disaster.

The fallout from the disaster will be felt for years, if not decades. You just can't rebuild 7,000 homes and neighborhoods overnight.

The heartbeat of our community—doctors, nurses, workers, teachers, CEOs, and small business owners—were burned out and must start over. My colleagues and I appreciate all of their words of comfort and offers to help. The people hurt by this monster fire will need all of our help. As we move forward, we have to work together to address this devastation that has befallen the people of my district and other parts of northern California.

Mr. Speaker, I yield to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Speaker, I have spent a lot of time with my friend, Congressman MIKE THOMPSON, over the past week because our districts neighbor each other. While the worst of this

fire was in Congressman THOMPSON's district, portions of that terrible Santa Rosa fire spilled over to affect my constituents, and I had a separate fire in Mendocino County, the Redwood Complex, that itself would have ranked among the top 20 wildfires in California history. The fact that all of these fires happened together is truly an unprecedented and a dreadful crisis.

Mr. Speaker, I thank Mr. THOMPSON. He has been everywhere in the region. I thank our local government partners, and I thank our colleagues, Minority Leader PELOSI, and Majority Leader MCCARTHY. The support has been bipartisan and it has been nationwide. FEMA has been on the ground along with first responders doing heroic work to get the recovery and the rebuilding process started. We are grateful for all of that, but we are only at the beginning.

If you want to see your government doing good work, go to the local assistance center in Santa Rosa or in Ukiah and watch how the wraparound services are there. Every need that these fire victims, these devastated families, can imagine is there to be met. But we are at the beginning, and we are going to need that support over a long-sustained period.

Mr. Speaker, I thank my colleagues for standing with us at this early stage of dealing with this crisis. We are going to need them over the long haul. We will be talking more about this going forward.

TAX REFORM

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

Mr. JENKINS of West Virginia. Mr. Speaker, everyone remembers the excitement of receiving that first paycheck and the feeling of accomplishment that hard work brings. We also remember just as vividly the disappointment we experienced when we saw just how much of our hard-earned money went to taxes.

It is a rite of passage that we have grown used to, but that doesn't mean it is right. Americans deserve to take home more of their pay.

That is exactly why we need tax reform, tax cuts, and tax simplification, and why I am working with President Donald Trump to make our tax system work for West Virginia's families.

Our tax framework would cut taxes for West Virginia's middle class families, double the standard deduction for individuals and couples, and create jobs by making small businesses and American companies more competitive.

West Virginia's families work hard and have been squeezed by our State's economic downturn. Under our tax framework and with the support of President Trump, help is on the way.

We will also make it easier and simpler for Americans—West Virginians—to file their taxes. Most families will

be able to file their taxes just on a postcard, saving them both time and money.

Our plan for tax reform, our plan for tax cuts, our plan for tax simplification will help us build a better America, a better West Virginia, one where families have more opportunities, more jobs, and more money in their pockets.

□ 1030

NATURAL DISASTERS

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

Ms. PELOSI. Mr. Speaker, I join my colleagues Congressman THOMPSON and Congressman HUFFMAN in paying tribute to the first responders who responded to the fires in northern California and, indeed, in southern California as well.

The spirit of our community is so magnificent seeing people come together to help each other. I salute our colleague MIKE THOMPSON, who so much of his district was like an inferno, but much of his district is still thriving and one group helping another, and Mr. HUFFMAN there, side by side with him, the whole time.

This is very tragic. The loss of life is heartbreaking, the loss of livelihood is devastating, and the loss of homes, of course, takes a while to replace.

We have seen other natural disasters in the rest of the country, in Harvey and Irma and Maria and Nate, Puerto Rico, the Virgin Islands, Florida, Georgia, Alabama, Texas, and Louisiana. So many of the people of our country devastated in a short period of time.

So, in times of natural disaster, it is very important for the Federal Government to honor its social compact with the American people and to be there for them. I look forward to working in a bipartisan way for us to have the resources for FEMA to do its job and for the SBA to do its job to help businesses and homeowners recover their losses. And, again, pray; our hearts and prayers are with the families of those who lost their loved ones, their livelihoods, and some who are still in need of recovery.

REPUBLICANS' DEVASTATING TAX CUT PLAN

Ms. PELOSI. Mr. Speaker, I rise in opposition to the devastating tax cut plan that the Republicans are putting forth. If you are in the middle class, you will most likely be having your taxes increased. If you have a family member on Medicare or Medicaid, you will be, most likely, devastated by the impact of this.

This is a bill that the Republicans are putting forth that will add trillions of dollars to the national debt while they sing the praises of fiscal responsibility. The fiscal hawks have become an endangered species. No longer are they there to say: We are not going to borrow from our future in order to give tax cuts to the wealthiest people in our country.

Indeed, 80 percent of the Trump-GOP tax framework, the framework net tax cuts go to the top 1 percent of Americans. The top 1 percent of Americans get 80 percent of the Trump-GOP framework net tax cuts.

As they increase the deficit, anyone who might be haunted by the thought that, well, we better cut someplace, where do you think they are going to go? They will devastate Medicare. They will devastate Medicaid.

What does that mean in the lives of the American people? It means that middle class families in our country will be subsidizing tax cuts for the wealthiest families and wealthiest corporations in our country. This is completely wrong.

It will also have a devastating impact on our budget priorities. In our budget priorities, our budget should be a statement of our national values. What is important to us as a country should reflect what is in the budget: investments in education so that children and families can reach their aspirations, so that communities can reach their economic success, so that America continues to be number one globally, competitively, and so that we, again, have the resources to invest in science and technology and our national security to keep America number one.

Infrastructure, so talked about, infrastructure—build, build, build:

Build across America roads, bridges, broadband. Build water systems and the rest, all of the needs that we have.

Build the human infrastructure of America by investing in education and healthcare and the rest.

Build our democracy by making sure that our democratic process has the resources necessary to be conducted in a way where every person's vote is counted as cast.

So all of this is connected to governance, and all of this is harmed by the assault on our budget that this tax proposal will present.

Middle class taxes will increase. Middle-income families will pay more. Tens of millions of middle class families will pay higher taxes.

One of the ways they will is because of the great idea the Republicans have to stop the deduction for State and local taxes. This is a big hit on middle class families in our country.

It steals trillions of dollars, borrows from the future and from our children's future to give tax cuts to the wealthiest. Eighty percent of the GOP tax cuts go to the wealthiest 1 percent at the expense of our children and working families and our country's future.

It would devastate Medicare and Medicaid. After adding trillions to the deficit, the GOP will use the deficits to justify destroying Medicare and Medicaid. And they are on it. They are already, in the bill, saying that they are going to means test Medicare. It is in keeping with their theory that Medicare should wither on the vine.

Democrats are for A Better Deal, for real bipartisan tax reform. Any business will tell you that what they want

in tax reform is some level of certainty that this is going to last for a while. The only way to do that is to have bipartisan support at the table.

Go to the table. What will create growth? What will create good paying jobs? What will reduce the debt? This bill does exactly the worst.

Don't let them tell you that, even though they are adding trillions of dollars to the debt, that is going to be paid for by economic growth. It has never happened. Trickle-down economics, President Bush tried that. It was tried before. It has never done that. It has never paid for itself. In fact, it has only increased the national debt.

In that regard, Bruce Bartlett, who was an economist in the Reagan years as well as worked very closely with Jack Kemp in supply side economics as an advocate for supply side economics, said: We never said it would pay for itself. Anybody who tells you that these additions to the deficit will pay for themselves by growth, it is not true, it is nonsense, and, he said, BS.

Forgive me, Mr. Speaker. I am just quoting. I am just saying what he said.

So this is a moment of truth for our country. What are our values? How are they reflected in our budget? How do we grow the economy in a way that increases the paychecks of America's working families so that they have consumer confidence? they spend? they inject demand into the economy? they create jobs? they bring revenue to the Treasury?

How is it a good idea to cut education in order to give tax cuts to the wealthiest people in our country? Nothing brings more money to the Treasury than investments in education, early childhood, K-12, higher ed, postgrad, lifetime learning for our workers.

So, with stiff competition, mind you, having tax cuts which will steal from our budget investments in education is, with stiff competition, one of the worst ideas that the Republicans have to offer. But this is something that people should be alerted to, forgetting the policy and all the rest of it, what it means in your life.

Most likely, middle class family, you will pay more taxes. If you have a family member who is dependent on long-term healthcare, long-term care, whether in a nursing home or at home, most likely you will pay a price. If you have a family member who is on Medicare or if you are, Social Security disability, you will be affected by it.

The President said in his campaign the system is rigged. This is the rigging of the rig. This is taking the rig to a step that is almost impossible for us to return from. They take us down this road to ruin. They take us down this path to severe increase in the national debt to the tune of trillions of dollars, not even counting the debt service on it, at the cost of investments in our future, in our children, in our families, in fairness in our economy, in opportunity for America.

This is something that must be stopped, and we can start by stopping the assault on the State and local taxes deduction. Let's hold Members of Congress accountable for what they do that affects your pocketbook and your future.

We will be continuing this conversation for awhile, and we will have charts and the rest to visually demonstrate what this is.

Governance is about how you raise the money and how you invest it, and this is the dialogue that our country needs to hear very clearly for not only the policy aspects of it, but the personal consequences in their lives. This is a very bad deal for the American people, for middle class families.

Democrats want A Better Deal, better jobs, better pay, better future, and, by the way, to do this in a very bipartisan way.

REMEMBERING LUKE JOHNSON

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to share the story of 22-year-old Luke Johnson, a graduate of Pennsbury High School in my home of Bucks County, Pennsylvania.

Luke was known for his quirky sense of humor and his laid-back demeanor. He was a football standout at Pennsbury and was named best defensive player of the year his senior year. He also wrestled. He played soccer, baseball, and could throw a Frisbee a mile.

Above all, Luke loved to be with his family and with his friends, and it was his tight-knit group who supported Luke as he battled the increasingly common enemy of opioid addiction.

On May 17, 2017, Luke lost his battle with this disease after many difficult years of trying to return to normal.

Throughout his fight, like so many, he was haunted by shame, loss of self-worth, and the stigma of being addicted to opioids. This pain was shared by his friends and family, affecting the entire community, who just wanted to help, to see Luke be Luke.

As he tried to work his way towards recovery, Luke's parents, Maureen and John, discovered the genesis of his addiction: a prescription opioid pill given to him on his first day in high school. It progressed further when he was offered opioids after football game wins during his junior and senior year in high school. Ultimately, he was offered and accepted the invitation to try heroin.

Imagine the difficulty for this family and millions like them. At first, Luke's family was dumbfounded, angry, and hurt. They had no idea the difficulty he was facing.

They mobilized to support Luke by placing him into a local rehabilitation facility, but later found out that their insurance would not cover inpatient

treatment, so they sold their car for his initial recovery. However, when Luke came home, the people, places, and things from his old life triggered a relapse.

His parents hoped that a facility in Florida would remove these triggers from Luke's life and put him on the road to recovery. After several months of recovery in Florida, Luke was forced to find another place to live. This was the move, Mr. Speaker, that he was not ready to make. He died a few days later, before he had fully unpacked the few belongings that he had.

Following Luke's death, his parents established the Luke's HERO in ME Foundation in Yardley, Pennsylvania. Their goal is to help with the awareness, education, and to destigmatize opioid addiction. Ultimately, they want to ensure that other family, friends, and community networks can save their Luke.

Mr. Speaker, I include in the CONGRESSIONAL RECORD a letter I received from Luke's parents.

OCTOBER 17, 2017.

CONGRESSMAN FITZPATRICK: Thank you for speaking with me at the David's New Day event last weekend. Your support for the opioid crisis has been more than welcome. The recent news, spurred by the 60 Minutes investigation, suggests that there are very deep rooted issues that need to be addressed to fully confront this issue. In short, you and your colleagues have much work to do. If there is anything we can do to help, please let me know.

I have included my son's story below to go along with the funeral card I gave you. I hope putting names, faces and stories to the cause will help drive the needed change.

John Luke Johnson, always known as Luke or Lukey or Duke, was a handsome athlete with piercing blue eyes. He was known for his quirky sense of humor and "chill" demeanor. He loved his dog Ethel (aka Ed Rendell)—she was just as quirky as Luke—and it never ceased to amaze me how gentle and kind Luke was to Ethel and all animals. He was a good athlete, playing football (named Pennsbury's best defensive player his senior year), wrestled, played soccer and baseball. He could throw a Frisbee a mile. He loved to be with his friends. He had more friends than I could count. But, his best friends—Tyler (an Army Ranger), Fardin (a college student) and Christian D (recent college grad), Christian H (a college student) he loved most. Like his family, these friends supported and loved Luke; despite the pain and battle that comes with addiction, they stuck around until the very end. In Luke, we lost that good guy next door—that guy that everyone loved and enjoyed being with.

One May 17th, 2017, our son Luke lost his battle with this terrible disease only after suffering for a few, very difficult years trying to return to "normal". Throughout his battle he was haunted by shame, a loss of self-worth and the stigma of being an addict. This pain was shared by his family and friends. Our aspirations for him and the aspirations he had for himself were replaced by the day to day struggle against the emotional and physiological damage caused by this disease.

During the process of recovery, we learned about Luke's path to becoming an addict. It started with a female friend giving him a pill (an opioid) to try his first day of high school. She passed away of an overdose last year. It

progressed further with a mom rewarding football players with opioids after game wins during his junior and senior year. Ultimately, he was offered and accepted the invitation to try heroin.

Until Luke found himself fully addicted and came to us for help, the indications were almost silent. He had the normal ups and downs of a teen and at times indulged in alcohol and smoked pot. While we had many discussions about making good choices and the implications of drug and alcohol abuse, we were not aware of the opioid use and the changes to his brain. We are confident Luke was not aware of the permanency of his actions and what he would ultimately have to battle.

Initially, we were dumbfounded, angry and hurt. Our understanding was limited to the stereo-type junkie from the 70's and the "just say no" Dare program information we received during the elementary school assemblies. We had no clue about how the drug had changed his brain and the very real difficulty he was in. We were quickly enlightened by our daughter Alex, who had recently studied this in college.

We mobilized to support Luke by placing him into a local facility. Our insurance would not cover inpatient treatment (we were told only after a relapse) and we sold our car and scraped up the 20k it cost for his initial recovery. After a 24 day stay, Luke came home but soon returned to using—despite meetings and drug tests the triggers "people places and things", we learned, were very real.

We found a place in Florida for Luke and assumed that being away from the triggers was best for Luke. He lasted 3 or 4 months and returned home only to use again. After several months, Luke found another place and was in recovery and clean for 9 months. After the facility in Florida changed ownership (and the new staff now cared more for insurance money than keeping their charges clean), Luke was forced to find another place to live. This was a move he was not ready to make. He died a few days later, before he had fully unpacked the few belongings he had.

After Luke's death, we established the Luke's HEROIn ME foundation. The goal of the foundation is to help with the awareness, education and to destigmatize opioid addiction; ultimately, so others can save their Luke. While we have much more to do, we have made progress in our local high school, have shared Luke's story on radio, in the press and have begun to organize events to meet our goals. We will push to have a national standard that can be applied uniformly across the country. We need to have more standards for rehab facilities, many of which have become corrupt machines that fuel relapse and overdose deaths.

With opioid overdose (and the more recent introduction of fentanyl and carfentanil into commonly used drugs) as the leading cause of death among our young people, we have little choice.

We would love to support you in any way in your endeavor to end the opioid crisis. We are in this for the long haul, and want to help save as many lives as we can.

JOHN AND MAUREEN JOHNSON.

Mr. FITZPATRICK. Mr. Speaker, with opioid overdose as the leading cause of death among our young people, we have little choice but to act.

When I met Luke's father, he gave me this picture of Luke, and he asked that we remember Luke as we work to end this epidemic.

I urge my colleagues to join me in this call to action.

□ 1045

IN DEFENSE OF AN HONORABLE WOMAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, it is always an honor to stand in the well of the House, and I am honored to do so today.

Mr. Speaker, I rise today to defend the Honorable FREDERICA WILSON. Mr. Speaker, I rise to defend her not because of her color. She is a person of African ancestry, but, Mr. Speaker, I don't rise to defend her color. I believe that it is not the color of skin but rather the character within that determines the worth of men and women, so I rise to defend her worth. I rise to defend who she is. I rise to defend her integrity, her honor, and her dignity. I rise to defend an honorable woman.

Mr. Speaker, I do so because, in this country, we have allowed public discourse to be degraded to the extent that the President of the United States of America would call a Member of Congress, an honorable woman, wacky. Mr. Speaker, this is not a wacky person. This is a person of honor and integrity and of intellect.

Mr. Speaker, she is a former principal. She didn't just show up in the Congress one day. She was a State representative and a State senator before coming to Congress.

I rise to defend her. I rise to defend her because, Mr. Speaker, it has been said that she is an empty barrel. Mr. Speaker, it is hard to believe that one who has served the country as well and as capable and as able that the maker of that statement would do so. But it says something about the influence that this President is having on people of honor and integrity. It says something about the influence that he is having on society. This is not an empty barrel. She is a person of intellect.

It has been said that she is all hat and no cattle. That is an insult. That is an insult because somehow someone is trying to send a signal that others will receive as a person who is an airhead. She is not an airhead. She is not a person who is all hat and no cattle. She has sponsored meaningful legislation. She has been in a fight to free many young women who have been taken captive. She is tenacious. She doesn't give out, she doesn't give up, she doesn't give in. She is a fighter, and I stand and I rise to defend her.

I do this, Mr. Speaker, because I believe that Carlyle is right: "No lie can live forever." She has been lied on, Mr. Speaker.

I do so because I believe that William Cullen Bryant is right: "Truth, crushed to Earth, shall rise again." There are people who have tried to bury the truth about this good woman in an earthly grave of lies.

Mr. Speaker, I rise to defend her because I believe that if we allow one person to go undefended in a circumstance

like this, every person is at risk of being treated in a similar fashion. We are in some very difficult times, and many of us don't realize it. We have a person who is at the top who is setting a tone and tenor for the country who is demeaning the dignity and respect that his office commands.

Mr. Speaker, this has to stop. There are those who say wait until the next election. I am not one of them. I believe that the remedy for this kind of behavior and the impact that it is having on society is impeachment.

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 10 o'clock and 49 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

Rabbi David-Seth Kirshner, Temple Emanu-El, Closter, New Jersey, offered the following prayer:

As we embark on this sacred day of work to better the lives of all Americans, we ask that You, God, help instill these leaders of the 115th Congress with patience, wisdom, empathy, and respect to achieve and exceed our goals for today and for tomorrow. Help us demonstrate our gratitude for our service people and first responders who work as our partners in fulfilling our shared mission.

God, we ask You today to disseminate Your sunlight and shower down Your rain, which will help us cultivate the seeds of securing our freedoms, celebrating our democracy, and championing tolerance for now and forever.

May it be Your will that the generations to come that will live within and lead this great Nation can enjoy the blooming flowers and sweet fruits of our labors on this sacred day.

God, we ask You to bless this Congress and these United States of America.

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 Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE 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 RABBI DAVID-SETH KIRSHNER

The SPEAKER. Without objection, the gentleman from New Jersey (Mr. GOTTHEIMER) is recognized for 1 minute.

There was no objection.

Mr. GOTTHEIMER. Mr. Speaker, I rise today to welcome to the U.S. House of Representatives my dear friend and my adopted rabbi, David-Seth Kirshner, the leader of Temple Emanu-El in my congressional district in Closter, New Jersey.

As a lifelong New Jersey resident, Rabbi Kirshner has dedicated his career to serving his family, community, and our country. Dori and David are proud and loving parents to Eve and Elias, and I am glad they are here. Rabbi Kirshner is a spiritual mentor to many and a man of deep faith, conviction, and conscience.

Temple Emanu-El has been a beacon of civic engagement, youth education, and community service in our State, and under Rabbi Kirshner's leadership, Temple Emanu-El has brought a warm and open atmosphere that will endure for generations to come, building on its 85-year history of service to our State.

Rabbi Kirshner and Temple Emanu-El call on each of us to do our part to engage in "repair of the world," "tikkun olam," to love your neighbor as yourself, and to fulfill God's commandments with the work of our hands.

In addition to his work as rabbi of Temple Emanu-El, Rabbi Kirshner is a leader among his colleagues, serving as the vice president of the New Jersey Board of Rabbis and as a member of the Chancellor's Rabbinic Cabinet at the Jewish Theological Seminary.

A strong advocate for the U.S.-Israel relationship, Rabbi Kirshner is on the New Jersey-Israel Commission. He is a believer that Israel is a key strategic ally and a defender of democracy and freedom against the evils of terror.

I would like to thank Rabbi Kirshner for praying with us today and representing all faiths of the Fifth Congressional District of New Jersey.

May God continue to bless the United States of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BOST). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

2018 NATIONAL PRINCIPAL OF THE YEAR

(Mr. WILSON of South Carolina asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to recognize Dr. Akil Ross, the principal of South Carolina's Chapin High School, as the 2018 National Principal of the Year. I appreciated being with Dr. Ross, alongside Chapin High School students, family, teachers, staff, board members, and community leaders last Friday as they surprised him with this fantastic news.

Dr. Ross works diligently each day to create an environment that allows students to rise to their full potential. At Chapin High School, he is known for promoting the six Rs, including ready to learn, respectful to others, and responsible to ourselves.

As a member of the House Committee on Education and the Workforce, I am both grateful and humbled to have such wonderful educators and students located in the Second Congressional District.

It is inspiring to work with leaders in the Second Congressional District who are building a great foundation for younger generations of South Carolina so they can leave high school ready for fulfilling lives.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

NEED TO REJECT TAX BREAK

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

Mr. KILDEE. Mr. Speaker, I think all Americans and certainly Members of Congress agree that we need to simplify our Tax Code, make it easier for middle class families to get ahead and to stay ahead. Unfortunately, what we know about the Republican tax plan, as the details begin to leak out, go in a different direction.

This is a tax break, a big tax cut for billionaires at the expense of working families. According to the nonpartisan Tax Policy Center, a family making \$50,000 could see their tax bill increase by as much as 380 percent—less money to set aside for retirement, less money to set aside for a child's education, less money to pay the bills that families who struggle work hard every month to pay, in order to fund a tax break for the wealthiest Americans.

5,400 families would get a \$270 billion tax cut funded by increased taxes on people who work hard every day just to make ends meet. Just saying that this is tax relief for all Americans over and over again does not make it true. The details actually matter.

This is a big tax break for the wealthiest Americans. People like the Trumps and the DeVoses don't need more relief. We need to reject it.

TIME TO PASS NEW AUTHORIZATION FOR THE USE OF MILITARY FORCE

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

Mr. BANKS of Indiana. Mr. Speaker, earlier this month, four U.S. servicemembers were killed in Niger by Islamic militants. We thank these American heroes who paid the ultimate price for our country. Their service will never be forgotten.

As we learn more about this situation, many of my constituents have asked why American personnel are in Niger to begin with.

Today, we have U.S. servicemembers around the globe fighting or advising operations against ISIS, al-Qaida, and other terrorist groups on several continents. However, they are doing so under war authorization that Congress passed in 2001 and 2002, in the wake of the September 11 attacks.

Rather than continuing to fight ISIS under an authorization passed by Congress 16 years ago, it is time to pass a new authorization for the use of military force that is focused on present-day and future threats.

The authorizations passed by Congress in 2001 and 2002 are out of date. I have introduced new AUMF legislation that addresses the modern threats we face.

The Constitution grants Congress the power of declaring war, and we need to take that obligation seriously and debate these important issues. My bill is a good starting point.

TIME TO PASS THE DREAM ACT

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

Mr. AGUILAR. Mr. Speaker, we live in the land of opportunity where, if you are willing to set goals, work hard, and give back to your community, anything can be done.

This idea is the grandest of American traditions and is sewn into the fabric of everything that we do, yet we are failing to live up to our ideals.

A few weeks ago I met a college student in my district named Beatriz. Beatriz moved to the United States with her family when she was 3 years old. And while she wasn't born here, she told me: "Today, I couldn't even tell you what my homeland looks like, Congressman."

A good student, Beatriz earned good grades to get into college, but would not be able to afford it, except that she received financial aid from the State because she is ineligible from the Federal Government.

But her life was changed when she applied for DACA in high school. Beatriz was able to attend Cal State San Bernardino with the help of financial aid and is now on her way to becoming the first in her family to earn a college degree.

She said it is the most exciting experience to make progress and contribute to the economy. This is her home, Mr. Speaker. It is time that we pass the Dream Act.

HIGHLIGHTING THE 2017 MIAMI WALK TO END ALZHEIMER'S

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to highlight the 2017 Miami Walk to End Alzheimer's that will take place at Museum Park in downtown Miami on Saturday, November 4.

Alzheimer's is a devastating disease that impacts over 54,000 seniors in my county of Miami Dade and more than 500,000 individuals across the Sunshine State. It is not just the patients who suffer. Family members and caregivers also bear the brunt of this tragic and emotionally draining disease.

I know this personally, having lost my mother due to complications from Alzheimer's 6 years ago. The Miami Walk to End Alzheimer's plays an essential role in helping advance Alzheimer's care and research in our community and across our Nation.

This wonderful event is also important to patients, families, and caregivers as a reminder that they have the full support of our community as they battle this terrible disease.

I encourage everyone in our south Florida community to come out on November 4 and support and raise awareness for Alzheimer's.

OAKLAND COUNTY WATER MAIN BREAK AND INFRASTRUCTURE CRISIS

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

Mrs. LAWRENCE. Mr. Speaker, today I rise to address the infrastructure crisis our country is facing.

Today, in Oakland County, Michigan, in the heart of my district, we are struggling with a major water main break. In my district, schools are being closed and hospitals are transporting patients to nearby areas. It will be days before the region will receive access to reliable, safe drinking water.

This is not an isolated incident. We are not investing in our Nation's infrastructure. Not surprisingly, Michigan's infrastructure received a D grade from the American Society of Civil Engineers. This is unacceptable.

Lack of investment, lack of action is a matter of public health and public safety. It is a matter of life and death. It is obvious today in my district, but also in districts across this country.

Mr. Speaker, I urge my colleagues not to ignore this crisis. We need an infrastructure plan. Flint, Michigan, showed us that infrastructure is about the lives of American citizens. Let's work together to fix our Nation's infrastructure.

FUNDS GOING TO DEPARTMENT OF JUSTICE STARKIST CONSENT DECREE STAY ON THE ISLAND

(Mrs. RADEWAGEN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Mrs. RADEWAGEN. Mr. Speaker, I rise in care and concern for my people in American Samoa in a time of need. I am humbled to represent them to you now.

Over this Thanksgiving, 2,000 of our families are being put out of work and small businesses will lose commerce as American Samoa's only large employer closes for a period of 6 weeks.

The Department of Justice Starkist Consent Decree requires payment of \$6.3 million. Unfortunately, this money comes to Washington, D.C. The workers and their families lose their paychecks. The small businesses around them absorb losses. That is wrong. These funds should stay on the island to help them through this time.

In fact, a case won by Attorney General Talauega establishes the unique economic responsibility the U.S. has to American Samoa through the Deed of Cession.

American Samoa has high unemployment and low incomes. I ask my colleagues to join me in recognizing the burden our Federal Government is placing on American Samoa this Thanksgiving.

□ 1215

RESIGNATIONS AS MEMBER OF COMMITTEE ON FOREIGN AFFAIRS AND COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore laid before the House the following resignations as a member of the Committee on Foreign Affairs and the Committee on Homeland Security:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 24, 2017.

Speaker PAUL RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: Due to my election to the Committee on Energy and Commerce, this letter is to inform you that I resign my seats on the House Foreign Affairs Committee, and the House Homeland Security Committee. It has been a privilege and an honor to serve with Chairmen Royce and McCaul as a subcommittee chair.

Blessings in Liberty,

JEFF DUNCAN.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

ELECTING MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 579

Resolved, That the following named Member be, and is hereby, elected to the fol-

lowing standing committee of the House of Representatives:

COMMITTEE ON ENERGY AND COMMERCE: Mr. Duncan of South Carolina.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 469, SUNSHINE FOR REGULATIONS AND REGULATORY DECREES AND SETTLEMENTS ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 732, STOP SETTLEMENT SLUSH FUNDS ACT OF 2017

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 577 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 577

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. 469) 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. 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. 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 115-34. 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 part A of 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 recommend with or without instructions.

SEC. 2. 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. 732) to limit donations made pursuant to settlement agreements to which the United States is a party, 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 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. The amendments recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such further 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 further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on House Resolution 577, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this rule forward on behalf of the Rules Committee. The rule provides for consideration of H.R. 469, the Sunshine for Regulations and Regulatory Decrees and Settlements Act, and H.R. 732, the Stop Settlement Slush Funds Act.

The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking member of the Judi-

ciary Committee for each of the bills under consideration, and also provides for a motion to recommit on both bills. Additionally, the rule makes in order six amendments to each bill, respectively, representing ideas from Members on both sides of the aisle.

Yesterday, the Rules Committee received testimony from Judiciary Committee Chairman BOB GOODLATTE and Representative JAMIE RASKIN. In addition to the discussion of the underlying legislation at the Rules Committee, I previously joined my colleagues on the Judiciary Committee in a robust debate of the major components of these bills at Judiciary markups earlier this year.

I introduced H.R. 469 to address a problem that, unfortunately, has become all too common: the practice of regulating behind closed doors and absent public input through what is known as sue and settle agreements.

H.R. 469 also includes the Judgment Fund Transparency Act, introduced by Representative CHRIS STEWART, and the Article I Amicus and Intervention Act, introduced by Judiciary Committee Chairman BOB GOODLATTE.

The rule also provides for consideration of the Stop Settlement Slush Funds Act, which was introduced after an extensive investigation by the House Judiciary Committee found that the Department of Justice was systematically circumventing Congress and directing settlement money to activist groups.

The legislation provided for by today's rule strengthens the balance of power and Congress' Article I authority, which we have allowed executive agencies to erode over time.

Regardless of the political party in power, Congress has a constitutional obligation to carry out its duties and ensure that the legislative branch writes the law. When Congress fulfills its role as intended, the Federal Government is more responsive to the needs of the electorate and more accountable to our citizenry.

My legislation, the Sunshine for Regulations and Regulatory Decrees and Settlements Act, otherwise known as sue and settle, addresses the problem of regulation through litigation. We have seen this problem explode in recent years, particularly under the previous administration.

Mr. Speaker, I could offer you dozens of examples of this abuse, yet my time would expire long before I could list them all. A few particularly notable examples, however, highlight the enormous costs and burdens that regulation through litigation can impose on unsuspecting Americans.

The infamous Utility MACT and Boiler MACT rules resulted from sue and settle cases. They carry price tags of \$9.6 billion and \$3 billion in costs and compliance, respectively.

The Chesapeake Bay Clean Water Act rules boast a whopping \$18 billion in compliance costs. These rules also resulted from covert sue and settle maneuvers.

I don't think it is fair to ask hard-working job creators, farmers, and ranchers of northeast Georgia—or anywhere in this Nation, for that matter—to foot the bills for policy that bureaucrats secretly put in place.

I am sad to report that the prevalence of these sue and settlement agreements have only grown in recent years. The second term of the previous administration brought us 77 sue and settle cases related to the Clean Air Act. By comparison, President Clinton's second term witnessed 27 sue and settle cases, and President Bush's second term saw 28 such cases.

But let me also say just right there, Mr. Speaker, that it doesn't matter which administration or which party is in the White House. This is not a bill that is designed to go for one party or another. It is simply saying that there is an Article I of the Constitution, and that is the legislative branch that writes the laws, and then the executive is to enforce the laws, not write them. I want to make it clear—and I know it is going to be talked about that this is not, but I do want to make it clear that this is for any administration.

The Obama administration's penchant for circumventing Congress and its constitutional authority was incredible, and its legacy has endured. The weight of these improper agreements hangs around the necks of American businesses, employees, farmers, and ranchers.

Fortunately, the Trump administration has recognized the impropriety of this practice and is taking steps to start curbing abuse of sue and settle agreements and the Federal rule-making process. In fact, EPA Administrator Scott Pruitt recently issued a directive to increase public engagement in policymaking at the EPA.

This is a critical step and one that I applaud, but it doesn't negate the need for Congress to act decisively. In fact, it only highlights it. Congress has a right and an obligation to defend its constitutional prerogatives.

Like the Sunshine for Regulations and Regulatory Decrees and Settlements Act, the Judgment Fund Transparency Act will make our government more accountable to the people by providing real transparency. The Judgment Fund Transparency Act is based upon the principle that the American people have the right to know how their government is spending their hard-earned tax dollars.

The Judgment Fund was created over 50 years ago as a way to provide for efficient payment of lawful claims against the U.S., but it has become a permanent appropriation shrouded in secrecy.

While many payments out of the Judgment Fund are both legitimate and appropriate, the fund remains the subject of egregious abuse. For example, last year, the administration paid Iran \$1.3 billion out of the Judgment Fund—primarily in the form of foreign currency—as a payment for the interest that had accrued on Iranian assets

that had been frozen because Iran sponsors terrorism without shame. As you might imagine, the Obama administration stonewalled congressional efforts to investigate those payments.

This much-needed legislation would not only ensure that such payments could not be hidden from Congress and the Americans they represents, it outright prohibits payments to state sponsors of terrorism and foreign terrorist organizations, which should be one of the least controversial actions ever to grace the floor of this House.

As I have said before, transparency and accountability are the best remedies for a government run amuck. Title III of H.R. 469, Chairman GOODLATTE's legislation, the Article I Amicus and Intervention Act, will further strengthen Congress' powers under Article I and, in doing so, will help restore checks and balances between the three branches of government.

When the Federal courts are deciding important matters regarding the Constitution, congressional powers, and Federal law, it is critical that Congress have the opportunity, should it deem the action necessary, to file an amicus or otherwise intervene in pending litigation.

The need for this legislation is compounded when, as was the case during the previous administration, the executive branch decides not to defend constitutionality of Federal law. This leads our adversarial legal system without anyone to litigate significant cases and shifts interpretation of the Constitution from the courts to the executive branch.

This provision will ensure that the House, like the Senate, has a statutory right to file amicus briefs or intervene when Congress' powers and responsibilities are called into question.

The Article I Amicus and Intervention Act, like the other bills contained in this measure, is an important step toward restoring government transparency, balance, and accountability.

Mr. Speaker, you might be able to detect a theme that is emerging here today. My colleagues and I are working hard to ensure the American people have a government by the people and for the people. We are working to restore the balance of powers that our forefathers put into place and to ensure that the executive overreach that was the hallmark of the previous administration won't be able to undermine transparency in the future.

In that vein, the rule also provides for consideration of the Stop Settlement Slush Funds Act. The Stop Settlement Slush Funds Act prevents the Department of Justice from subverting Congress' power of the purse by prohibiting settlements that direct payments to a nonvictim third party. Again, the misdirection of funds to irrelevant third parties is a problem that we have seen grow and that must be addressed.

Under the previous administration, the Department of Justice funneled nonvictim third party groups as much

as \$880 million. The Department of Justice did this by collecting money from parties who had broken the law and then using that money to create a slush fund for special interest groups rather than sending the money to victims of illicit activity.

The Department of Justice allowed the "donations" required under the settlements to count as double credit against defendants' payment obligations. Let me say that again. The Department of Justice allowed the "donations" required under the settlements to count as double credit against defendants' payment obligations.

Interestingly, in some settlements under the previous administration, credit for direct relief to consumers was counted only as dollar for dollar, indicating the importance the Department of Justice places on directing these funds to nonvictim third party groups.

The Department of Justice's policy move actually incentivized the funneling of money to nonvictim groups rather than the people who were injured. The slush fund scheme actually disadvantaged victims in favor of special interests.

□ 1230

For example, the Department of Justice negotiated settlement agreements to the tune of millions of dollars with major banks for misleading investors over mortgage-backed securities.

Then the Department of Justice said that banks or other parties that it settled with could meet some of their settlement obligations by making, again, donations to certain groups. The money went to these groups partially under the guise that those groups would provide services to the aggrieved parties.

In reality, this practice directs funds away from the victims and allows the Department of Justice to steer money to nonvictim third-party groups, usually politically motivated organizations.

Additionally, the parties that receive the funds, these nonvictim third-party organizations, aren't a part of the case at all. This means that they don't represent the victims and aren't subject to congressional oversight for the funds they receive. Even if most of these groups weren't activist groups, which many were, this scenario should concern everyone, Mr. Speaker. In fact, many of these groups are political or ideological in nature.

Under the previous administration, in the mortgage settlement cases, groups like the National Council of La Raza received more than \$1 million in Department of Housing and Urban Development grants under these settlements.

I don't know about you, but I think when the DOJ requires a settlement, the funds should go to the victims involved in the case, including victims back home in northeast Georgia. If the victims cannot be found or if the prob-

lem cannot be directly rectified, then the settlement funds should go to the Treasury so that Congress, elected by individual Americans, can appropriately decide how to use them.

I don't think it is acceptable to shortchange victims to benefit special interest and politically friendly third-party organizations.

It is time to reassert congressional authority over this process so that hardworking folks are protected from more executive overreach and so that we can restore the separation of powers outlined in the Constitution.

I am here fighting to make sure that the Federal Government puts the hardworking Georgians whom I represent and the rest of the citizens of the United States—not special interests—first.

These bills help ensure that the American citizens have their voices heard, that they regain input into the system, and that the Federal Government is more transparent, accountable, and responsive to their needs.

I would encourage others who share that goal to support this rule and the underlying bills.

Again, as you look ahead for this, the thing that hopefully came out in this is that this is an Article I issue. This is simply about, over time, that has given a way from us in this body that we have done, that it is now time to reassess that, especially in light of the needs of the American people.

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

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume, and I thank my friend, the gentleman from Georgia, for yielding me the customary 30 minutes for debate.

Mr. Speaker, I am here today to debate the rule for consideration of H.R. 469, the Congressional Article I Powers Strengthening Act; and H.R. 732, the Stop Settlement Slush Funds Act, two Judiciary bills that are deficient in both process and in substance.

First, let me address the Congressional Article I Powers and Strengthening Act, a bill that my Republican friends purport will provide common-sense solutions to curbing regulatory abuse, but will, in fact, undermine the ability of Federal regulators to protect the health and safety of Americans, threaten the privacy of victims of government misconduct, and intrude on the Department of Justice's enforcement discretion, raising serious separation of powers concerns.

Mr. Speaker, just as appalling as the substance of this bill is the process by which we are considering it and many other bills deriving from the Judiciary Committee lately.

This bill is actually three Judiciary Committee bills wrapped in one Rules Committee print. However, one of the bills, H.R. 4070, was introduced last week without a hearing, without a markup, without notice to Democrats on the Judiciary Committee, and without consultation with constitutional

lawyers and experts and interested citizens.

This process is truly a slap in the face of regular order. A bill that has zero input from members on the Judiciary Committee or been the subject of any thoughtful discussion is suddenly on the House floor for a vote.

Interestingly, when I listened to my friend from Georgia, who I know is particularly serious about his approaches to legislation, I sat here and then I looked into the gallery, and there were 20 people who were seated there. I didn't see on the faces of those that I could see any understanding of one thing that he said, not because of the speed of his manner of speech, but because of the complexity of issues that give rise to us.

Among the things he said was transparency, accountability, and wanting to make sure that we, this body, exercise our prerogative with reference to for the people, by the people, and of the people.

I would imagine that people listening to this debate would want to believe that half of this body, half of the people who are represented in this country had input to this legislation. Let me tell you, People, they had none, zero. No Democrat had any input to this measure that I just discussed.

How can we expect Members of this body, let alone the American people, to have any idea as to what we are voting on with this measure and what its impact will be when it seems the path it took to getting a vote is based solely on the whim of the chairman of the Judiciary Committee?

Unfortunately, there is total disregard for even a semblance of regular order. That term is utilized a lot here, and, again, the American people, many of them, don't have a clue what we are talking about.

What we are talking about, basically, is matters that go to committees have hearings, have both sides have input, have witnesses who are experts or have responsibilities in that arena, and then the matter comes to the Rules Committee and is granted a bill of substance to come here to the floor, and that process is generally known by those of us with Congress-speak as regular order.

It is nothing new for the Republican-controlled Judiciary Committee, which has been the worst offender of regular order, when it comes to pushing for a closed process.

During the 115th Congress, bills coming to the floor from the Judiciary Committee were granted the most closed rules of any of the committees in this august body, eight closed rules. There is no committee chair in this Congress who has requested the Republican-controlled Rules Committee grant more closed rules than the chairman of the Judiciary Committee.

Indeed, this departure from a process that we refer to as regular order, from a process that allows input from outside experts and other witnesses, a

process that allows both parties, if there is a hearing, to ask questions of those witnesses, this departure is astounding, and that is within the context of this Congress, which, in just the first 10 months, will soon become the most closed Congress in history.

I remember when I ran for office in 1992, I appeared a lot on radio stations. In many of those appearances, the opposition, not just my opponent, but the major party, had begun a drumbeat of the Democrats are not following regular order, they are having closed rules.

Little did I know in 1992, nor did I aspire when I came here, to be on the Rules Committee to have a better understanding, but I kept listening to this closed rule argument, and many persons lost their elections because of that.

If there is ever a time for us to address it, it would be now. We have that prerogative to be able to open up this process so that all Members can be involved.

When this Congress began, the distinguished Speaker of this body promised an open and transparent House. He called for a return to regular order. After what we have seen over the last 10 months, I shudder to think what the distinguished Speaker considers a closed process.

I might add, the next tier under closed is structured rules, which we are here today on, which, yet again, limits the number of activities by others, amendments, and other processes that would be appropriate.

Yesterday, when my colleague and I were in the Rules Committee, we had before us matters that were germane to this issue that were denied, that could have, under an open process, been made in order so that we could discuss it here today.

This Republican process, shutting out the voice and input of representatives of nearly half the country, is not just an affront to normal House procedure, which it is, it is downright undemocratic and emblematic of the Republican majority's true inability to govern.

Mr. Speaker, I turn to the second bill encompassed in this rule, H.R. 732, a bill as misguided and substantively unnecessary as the first bill was lacking in process. In fact, in the last Congress, a law professor testifying on an identical bill described it as a solution in search of a problem.

That was as true in the last Congress as it is in this one, which is too bad, because we do not lack in actual problems in desperate need of sensible solutions.

H.R. 732 would prevent Federal agencies from requiring third-party payments, such as those to charities, in settlement agreements with entities accused of wrongdoing.

Now, there in the report pointed out by the chairman of the Rules Committee yesterday shows the number of banks and mortgage companies and

others that have violated the law and entered into settlements with the government for billions of dollars. Such payments, in excess of what the victims have agreed to, and the settlements that have been entered into and approved by judges, each one of these settlements, my friend said these payments may have gone to politically motivated—may be politically motivated organizations, and he cites to La Raza, which did receive money, but so did other charitable organizations: the New Christian Joy Full Gospel Baptist Church, the Catholic Charities of the Archdiocese of Chicago, the Catholic Charities Financial and Housing Counseling.

We sought yesterday while we were in the committee—I sought and asked staff to provide for me some of the organizations that my friends say may be politically motivated, or activists, as he referred to them, and it is 49 pages of organizations that were available to receive these funds, and, yes, some of them are liberal and also some of them are conservative organizations as we know them.

Such payments to charities are a common enforcement tool in settlements and have long been used to help provide communities with relief from systemic harm caused by illegal behavior.

Now, for example, following the 2008 financial crisis, in some of the settlement agreements with Wall Street banks, President Obama's Department of Justice required banks to donate money to charities committed to neighborhood stabilization and foreclosure prevention efforts, and this made perfect sense.

□ 1245

In the wake of the crisis, as many as 10 million families lost their homes to foreclosure. Both the Government Accountability Office and the Federal courts have long upheld this practice in settlement agreements. Perhaps unsurprisingly, my Republican colleagues considered these provisions to be an attempt by President Obama's administration to use, as they say, "a slush fund," to enrich, "liberal friends," despite the fact that certified charities eligible to receive these payments encompass liberal and conservative groups alike.

They even launched an investigation which yielded no credible evidence to substantiate their claims. Yet, despite the GAO, the Federal courts, and a Republican-led investigation showing no wrongdoing, we are considering this bill today to ban this longstanding legal practice aimed at assisting communities in the wake of suffering systemic abuse—abuse that I will underline again, and even say slowly, hurt Democrats and Republicans.

I suppose the only question left to ask my Republican friends is, 10 months into the new administration, nearly a year after the last election, why are they continuing to conduct

pointless and partisan oversight of the Obama administration?

Let me see if I can make this clear. President Obama is no longer the President of the United States, nor is Bill Clinton or George Bush. The President of the United States now is a new individual who we have to deal with, and it would be helpful if we were to address some of the matters ongoing that this particular administration is deserving of oversight.

I know that President Obama was a useful foil for many in the Republican Party when it came to messaging and campaigning, but he is not the President anymore. He won his two elections. That is the past. This bill represents nothing but the Republican majority grasping at straws and trying their best to turn their oversight attention away from doing their duty and providing oversight of the Trump administration.

Today, two new inquiries, I don't even have the time or wouldn't take the time to go into the inquiries that ain't going nowhere, have been announced, certainly as a distraction to many of the negatives that come out by virtue of this particular Congress not having done anything. It is the do-nothing Congress on steroids.

If there was ever an administration that needed rigorous oversight, it is the current one. In just 10 months, we have had reports of gratuitous use of private jets, the use of private email servers by senior staff, and I might add that one of those things identified today is they are going to go after Hillary or have oversight hearings on Hillary Clinton's emails. Enough already. Hillary Clinton lost her election, and lost with the emails as well, but we have current staff who are using private email servers. Given your history, should that not at least pique your oversight interest?

Spending tens of millions of taxpayers' dollars to use Mar-a-Lago for official meetings, waste, cronyism, the list goes on and on and on. How about oversight of a little, old company in Montana that doesn't have any successful history getting a \$200 million no-bid contract in Puerto Rico to reestablish those facilities there? Out of Montana, little, old company, \$200 million, no-bid. You got it. You go forward. You talk about waste and cronyism. And what do we get from the Republicans? Deafening silence.

Mr. Speaker, I find it ironic that we are considering the rule for a bill today entitled Article I Powers Strengthening Act when this Republican Congress has shown they can't even undertake the basic Article I duty of providing oversight of the executive. They don't need to strengthen Article I, they need to just start doing their jobs in the first place.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. STEWART) from the Sec-

ond District. He is a sponsor of the Judgment Fund Transparency Act.

Mr. STEWART. Mr. Speaker, I thank the chairman for bringing up H.R. 469, which includes, as indicated, the text of my bill, the Judgment Fund Transparency Act.

The purpose of this act is really very simple. Actually, contrary to previous arguments, the rule of this and the intent of this is so simple. It is simply for government transparency. This bill will go a long way in providing our constituents and taxpayers a better idea of how their tax dollars are spent.

Now, heaven knows, and for heaven's sake, those of us here, we certainly know, the Federal Government isn't perfect. It is prone to errors that can cause harm to individuals or organizations from time to time, and when these errors are particularly egregious, the government is sued and damages are awarded to those who are harmed.

Early on, in fact, this Congress spent a large part of its time doing nothing but sorting through claims and making appropriations to pay those claims. In fact, not even 100 years ago, much of this body's work consumed only that topic, and it wasn't until 1956 that Congress established the Judgment Fund and gave authority to the Treasury Department to resolve these claims in "a permanent and definite appropriation." That simply has been abused.

In keeping with the law's requirement to report on the fund from time to time, the Treasury Department files a yearly report of the Judgment Fund with Congress, and also maintains a web page that can be searched.

Now, this sounds good. Right? But the cryptic and otherwise limited information related to each payout has made the database almost entirely worthless. There is no information on what the government did wrong. There is no information on the claimant. In fact, journalists and transparency groups revealed in the last few months that from 2009 to 2015, the government paid out more than \$25 million to unnamed or redacted recipients. A \$25 million secret. We don't know who was paid, we don't know why they were paid, and, in some circumstances, we don't know how much they were paid.

Now, we are all familiar with the previous administration's decision to take \$1.3 billion out of the fund, convert it to cash, and deliver it to Iran, yet this isn't the only egregious use of this fund.

Three years ago, The New York Times reported on what was likely an illegal billion-dollar payout to thousands of farmers who had never even sued the government. This isn't just unacceptable, it is crazy. It is horrible government. It is the type of thing that makes people resent the Federal Government.

This bill aims to clarify and to reduce that. It aims to clean up the ambiguity that exists between the current law and provide much-needed transparency. It would require the Treasury

to make public any payment from the Judgment Fund and to include very simple things that common sense would surely demand: the name of the agency named in the judgment, the name of the plaintiff, the amount they were paid, any other fees such as attorneys' fees or interest, and then finally a brief description of the facts which led to the claim.

The Judgment Fund Transparency Act may not prevent bad decisions by all government employees or government agencies, but it will shine a light on those decisions to the American people. This is about helping to increase the amount of trust between the American people and a government that they simply don't trust. We give them reasons not to trust us. Let's bring accountability and transparency to that.

Mr. Speaker, I urge the House to vote "yes" on the rule and "yes" on passage of this crucial bill.

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

Mr. Speaker, I am ready to have my friend understand that I am getting close to closing. I don't think I have any speakers, but I do have words that I wish to put forward right now.

It is shameful that we would be in a position where the DACA program is being threatened without a single thought to the consequences this decision would have on the 800,000 young lives this program protects.

While this may appear to be off message with regard to the measures that are before us, the minority is given an opportunity to present what is called a previous question, and it can be on matters germane to the thoughts of the minority and can be on any subject that they choose. In this instance, we choose to, with the previous question, address DACA.

Do the American people even want DACA to end? The answer is clearly no. According to a Politico/Morning Consult poll, support for allowing these immigrants to remain in the United States spans across party lines: 84 percent of Democrats, 74 percent of Independents, and 69 percent of Republicans think they should stay. Congress must act to protect our DREAMers.

Mr. Speaker, here is a chance to rectify the President's decision and restore the American people's faith in this institution.

If we defeat the previous question, I am going to offer an amendment to the rule to bring up H.R. 3440, the Dream Act. This bipartisan bicameral legislation would help thousands of young people who are Americans in every way except on paper.

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

The SPEAKER pro tempore (Mr. HULTGREN). Is there objection to the request of the gentleman from Florida?

There was no objection.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. ALLEN), from Georgia's 12th Congressional District, to speak on these issues of Article I.

Mr. ALLEN. Mr. Speaker, I rise today to support my fellow Georgian's, Congressman DOUG COLLINS, bill, H.R. 469.

One of the biggest complaints I hear about the Federal Government is the lack of accountability or these back-room deals. One glaring example of this is what is referred to as sue and settlement litigation.

Under previous administrations, left-leaning groups would sue a Federal agency to try and enact regulatory changes without going through the normal rulemaking process. Both parties, the Federal Government and special interest groups, settle in court with an already-agreed-upon deal.

Regulatory rules are then made quickly without any public notice or the input of any other relevant parties but carry the rule of law.

These new rules are often the most burdensome and cost our businesses billions of dollars each year. This doesn't sound like draining the swamp to me.

H.R. 469 stops these unfair arrangements by requiring agencies to publicly post and report to Congress on sue and settlement complaints, consent decrees, and settlement arrangements. It also prohibits the same-day filing of complaints and settlement agreements in cases seeking to compel agency action.

Congressman COLLINS' legislation, the Sunshine for Regulations and Regulatory Decrees and Settlements Act, will provide greater accountability and transparency to the American public, while stopping special interests from improperly influencing our Nation's regulatory regime. We must uphold a fair and transparent regulatory process. The American people demand this from us.

Mr. Speaker, I urge my colleagues to support the rule on this commonsense legislation.

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

Mr. Speaker, earlier I mentioned that there were 49 pages—I didn't realize how extensive it really was—of organizations that were eligible to receive funds under the Justice Department's prerogative. It includes organizations that did, in fact, receive these funds.

□ 1300

They come from a wide array of organizations in our respective communities that, in my judgment, have on-the-ground ability to be efficient and to make sure that the expenditure of those funds benefit those who have suffered from systemic inequities by large organizations.

Mr. Speaker, I include in the RECORD a portion of these organizations that

were eligible to receive funds under the Justice Department's prerogative.

AGENCY NAME

Money Management International, Anchorage, AK.; Neighborworks Anchorage Formerly Anchorage Neighborhood Housing Services; Organized Community Action Programs Inc.—Covington County; Birmingham Urban League, Inc.; Gateway Financial Freedom/CCCS of Central Alabama; Jefferson County Committee for Economic Opportunity; Jefferson County Housing Authority; NACA (Neighborhood Assistance Corporation of America) Birmingham, AL; Neighborhood Housing Services of Birmingham, Inc.; United Way of Central Alabama, Inc.; United Way of Central Alabama, Inc.; Community Action Partnership of North Alabama—Cullman Branch; Community Action Partnership of North Alabama, Inc.; Community Action Agency of Northwest Alabama, Inc.; Hale Empowerment and Revitalization Organization (HERO); Organized Community Action Programs Inc.—Butler County; Organized Community Action Programs Inc.—Lowndes County; CCCS of Tennessee River Valley; Community Action Partnership, Huntsville/Madison & Limestone Counties, Inc.; Family Services Center, Inc.

CCCS of Mobile—Jackson; Telamon Corporation; CCCS of Mobile; Center for Fair Housing; Mobile Housing Board; CCCS of Alabama—Montgomery; Legal Services Alabama Inc.; CCCS of Mobile—Montrose AL; Community Action Partnership of North Alabama—Moulton Branch; Organized Community Action Programs Inc.—Dale County; Housing Authority of the City of Prichard; Community Action Agency of Northwest Alabama—Franklin County; Organized Community Action Programs Inc.—Crenshaw County; Community Action Agency of Northwest Alabama—Colbert County; Organized Community Action Program, Inc.; Community Service Programs of West Alabama, Inc.; Organized Community Action Programs Inc.—Bullock County; Credit Counseling of Arkansas—Bentonville; Mississippi County, Arkansas Economic Opportunity Commission, Inc.; Hope Enterprise Corporation.

Family Service Agency—CCCS; Arkansas River Valley Area Council, Inc.; Money Management International El Dorado; Credit Counseling of Arkansas; Crawford Sebastian Community Development Council; Credit Counseling of Arkansas Fort Smith; Northwest Regional Housing Authority; Southern Bancorp Community Partners; Jonesboro Urban Renewal and Housing Authority Housing and Community Development Organization (JURHA HCDO); Arkansas Development Finance Authority; Better Community Development, Inc.; Community Resources Technicians, Inc.; Family Service Agency—CCCS; In Affordable Housing, Incorporated; NACA (Neighborhood Assistance Corporation of America) Little Rock, AR; Southern Bancorp Community Partners; Universal Housing Development Corporation; Credit Counseling of Arkansas—Springdale; Southeastern Arizona Governments Organization; Community Action Human Resources Agency.

Housing Solutions of Northern Arizona, Inc.; Money Management International, Inc. Flagstaff, AZ; Northern Arizona Council of Governments; Administration of Resources and Choices; Money Management International, Inc. Glendale, AZ; Western Arizona Council of Governments (WACOG)—Kingman Branch Office; Housing Counseling and Education Services; Money Management International, Inc. Mesa, AZ; Springboard—Mesa; Chicanos Por La Causa—Nogales; Nogales Community Development Corporation; Chicanos Por La Causa, Phoenix; City of Phoe-

nix Neighborhood Services Department; Community Housing Resources of Arizona; Desert Mission Neighborhood Renewal; Greater Phoenix Urban League; Labor's Community Service Agency; Money Management International Phoenix Phone Center; Money Management International, Inc. Phoenix, AZ Central.

NACA (Neighborhood Assistance Corporation of America) Phoenix, AZ; Neighborhood Housing Services of Phoenix; NID-HCA Phoenix Randolph; Take Charge America; Money Management International, Inc. Prescott, AZ; Campesinos Sin Fronteras; Comite De Bien Estar, Inc.; Credit Advisors Foundation; Money Management International, Inc. Phoenix, AZ—North; Housing America Corporation; Greenpath Debt Solutions; Money Management International, Inc. Tempe, AZ; Newtown Community Development Corporation; Administration of Resources and Choices; Catholic Community Services of So. Arizona, Inc. DBA Pio Decimo Center; Chicanos Por La Causa-Tucson; Family Housing Resources; Money Management International, Inc. Tucson, AZ—SE; Money Management, Inc. Tucson, AZ—NW; Old Pueblo Housing Development, Inc.

Southern Arizona Legal Aid, Inc.; Southwest Fair Housing Counsel; The Primavera Foundation, Inc.; Tucson Urban League; Northern Arizona Council of Governments; Western Arizona Council of Governments (WACOG); Western Arizona Council of Governments NCOA HECM; Consumer Credit Counseling Service of Orange County; CCCS of the North Coast; CCCS of Kern and Tulare Counties; Community Housing Council of Kern Co.; Consumer Credit Counseling Service of Orange County; Korean Resource Center; Surepath Financial Solutions; Consumer Credit Counselors of Kern and Tulare Counties; Money Management International Chula Vista; California Rural Legal Assistance—Coachella; Clearpoint Credit Counseling Solutions—Commerce Branch; Catholic Charities of the East Bay; Eden Council for Hope and Opportunity (ECHO).

Money Management International Concord; National Asian American Coalition (Formerly Known as Mabuhay Alliance); California Rural Legal Assistance—Delano; Able Works; Springboard—El Cajon; California Rural Legal Assistance—El Centro; Inland Fair Housing and Mediation Board—El Centro Branch (Imperial County); Community Housing Works; Pacific Community Services Fairfield; Consumer Credit Counseling Service of Orange County; Money Management International Fremont; Project Sentinel; California Rural Legal Assistance—Fresno; Clearpoint Credit Counseling Solutions Inc.—Fresno Branch; Community Housing Council of Fresno; Housing Authority of the City of Fresno; California Rural Legal Assistance—Gilroy; Project Sentinel; Clearpoint Credit Counseling Solutions—Glendale Branch; Clearpoint Credit Counseling Solutions—Granada Hills Branch.

NACA (Neighborhood Assistance Corporation of America) Los Angeles, CA; Eden Council for Hope and Opportunity (ECHO); Springboard—Hemet; Inland Fair Housing and Mediation Board—Indio Branch (Riverside County); Amador Tuolumne Community Action Agency; Springboard—Ladera; Clearpoint Credit Counseling Solutions—Lakewood Branch; California Rural Legal Assistance—Lamont; Pure Hearts R Us Housing Corporation; Eden Council for Hope and Opportunity (ECHO); Tri-Valley Housing Opportunity Center; Home Preservation and Prevention (HPP Cares); Operation Hope Inc.—Long Beach Branch; Springboard—Long Beach; East La Community Corporation (ELACC); Korean Churches for Community Development; Korean Resource Center; Los Angeles Neighborhood Housing Services,

Inc.; New Economics for Women; NID-HCA Reeves;

Operation Hope, Inc.; Operation Hope, Inc.—La Branch; Shalom Center for T.R.E.E. of Life; Thai Community Development Corp.; Watts Century Latino Org.; West Angeles Community Development Corp.; California Rural Legal Assistance—Madera; California Rural Legal Assistance—Marysville Office; Operation Hope, Inc.—Maywood Branch; National Asian American Coalition (Formerly Known As Mabuhay Alliance); California Rural Legal Assistance—Modesto; Community Housing and Shelter Services; Habitat for Humanity, Stanislaus County; Project Sentinel; Montebello Housing Development Corp.; California Rural Legal Assistance—Monterey; Fair Housing Council of Riverside County, Inc.; Project Sentinel; Eden Council for Hope and Opportunity (ECHO); Habitat for Humanity East Bay/Silicon Valley.

Money Management International Oakland; NACA (Neighborhood Assistance Corporation of America) Oakland, CA; National Association of Real Estate Brokers—Investment Division, Inc.; NID-HCA Oakland Main Branch; Operation Hope, Inc.—Oakland Branch; The Spanish Speaking Unity Council of Alameda County, Inc. (The Unity Council); Faith Based Community Development Corporation; Money Management International Oceanside; Inland Fair Housing and Mediation Board; Neighborhood Partnership Housing Services, Inc.; Neighborhood Housing Services of Orange County; California Rural Legal Assistance—Oxnard; Ventura County Community Development Corporation; Fair Housing Council of Riverside County, Inc.; Eden Council for Hope and Opportunity (ECHO); California Rural Legal Assistance—Paso Robles; Pacific Community Services, Inc.; Operation Hope, Inc.—Poway Branch; Hometown Community Development Corp. DbA Homestrong USA; Housing Opportunities Collaborative—Inland Empire Branch.

Community Housing Development Corporation of North Richmond; Richmond Neighborhood Housing Services, Inc.; Community Connect; Fair Housing Council of Riverside County, Inc.; Springboard—Shine Center (Latham); Springboard Non Profit Consumer Credit Management Inc.—HPF Affiliate; Springboard Non—Profit Consumer Credit Management, Inc.; Clearpoint Credit Counseling Solutions—Sacramento Branch; Sacramento Home Loan Counseling Center; Sacramento Neighborhood Housing Services, Inc.; California Rural Legal Assistance—Salinas; Housing Resource Center of Monterey County; Clearpoint Credit Counseling Solutions—San Bernardino Branch; Neighborhood Housing Services of The Inland Empire, Inc.; NID-HCA Inland Empire J. Jackson; Bayside Community Center; Clearpoint Credit Counseling Solutions—San Diego Branch; Community Housing Works; Housing Opportunities Collaborative; Housing Opportunities Collaborative—Branch for San Diego/Imperial Counties; Money Management International San Diego.

National Asian American Coalition (Formerly Known As Mabuhay Alliance); Navicore Solutions—San Diego, CA; Neighborhood House Association; San Diego Urban League; Union of Pan Asian Communities; Asian Incorporated; CCCS of San Francisco; Consumer Credit Counseling Service of San Francisco—HPF Affiliate; Mission Economic Development Association (MEDA); Project Sentinel; San Francisco Housing Development Corporation; Neighborhood Housing Services Silicon Valley; Project Sentinel; Santa Clara County Asian Law Alliance; Surepath Financial Solutions—San Jose; NID-HCA San Leandro—Chambers; California Rural Legal Assistance—San Luis Obispo; Peoples' Self Help Housing; Fair

Housing of Marin; Clearpoint Credit Counseling Solutions—Santa Ana Branch.

Consumer Credit Counseling Service of Orange County; Housing Opportunities Collaborative—Orange County Branch; Legal Aid Society of Orange County; Orange County Fair Housing Council, Inc.; California Rural Legal Assistance—Santa Barbara; Project Sentinel; California Rural Legal Assistance; California Rural Legal Assistance—Santa Maria; Wise & Healthy Aging; California Rural Legal Assistance;

Catholic Charities, Diocese of Santa Rosa; CCCS of San Francisco; Centro Familia Esperanza; Operation Hope Inc.—South Gate Branch; California Rural Legal Assistance—Stockton; Clearpoint Credit Counseling Solutions—Stockton Branch; NID-HCA A. Jones; Visionary Home Builders of California; Project Sentinel; Northern Circle Indian Housing Authority, United Native Housing Development Corp.

City of Vacaville Department of Housing Services; Cabrillo Economic Development Corporation; Inland Fair Housing and Mediation Board—Victorville Branch (San Bernardino County); CCCS of Kern and Tulare Counties; Community Services and Employment Training, Inc. (CSET); Self Help Enterprises; California Rural Legal Assistance—Oceanside; Surepath Financial Solutions—Watsonville; Rural Community Assistance Corporation; Community Resource and Housing Development Corporation—Alamosa; City of Aurora Community Development Division; Boulder County Housing Authority; Greenpath, Inc.; Upper Arkansas Area Council of Governments; CCCS of Greater Dallas—Colorado Springs; Adams County Housing Authority; Colorado Housing and Finance Authority; Colorado Housing Assistance Corporation; Del Norte Neighborhood Development Corporation (NDC); Denver Housing Authority.

Greenpath, Inc.; Money Management International Denver, Aurora Branch; NACA (Neighborhood Assistance Corporation of America) Denver, CO; NEWSED CDC; Northeast Denver Housing Center; Southwest Improvement Council; Housing Solutions for the Southwest; Regional Housing Alliance La Plata Homes Fund; Brothers Redevelopment, Inc.; Greenpath Debt Solutions; Neighbor to Neighbor; Northeast Colorado Housing, Inc.; Tri-County Housing & Community Development Corporation; Neighbor to Neighbor; Grand Junction Housing Authority; Greenpath Debt Solutions; Money Management International Highlands Ranch; Douglas County Housing Partnership; Boulder County Housing Authority; Neighbor to Neighbor.

Catholic Charities of the Diocese of Pueblo, CO; Neighborworks of Pueblo; Summit County Family Resource Center; San Miguel Regional Housing Authority; Community Resources and Housing Development Corporation; Money Management International Westminster; Bridgeport Neighborhood Trust; Housing Development Fund, Inc.—Bridgeport Branch; Housing Development Fund—Danbury Branch; Financial Counselors of America Connecticut Branch; Money Management International East Hartford; Community Renewal Team, Inc.; Hartford Areas Rally Together; Housing Education Resource Center; Mutual Housing Association of Greater Hartford, Inc.; NACA (Neighborhood Assistance Corporation of America) Hartford, CT; Urban League of Greater Hartford, Inc.; Money Management International Milford; Neighborhood Housing Services of New Britain, Inc.; Greater New Haven Community Loan Fund.

Mutual Housing of South Central CT, Inc.// Neighborworks New Horizons; Neighborhood Housing Services of New Haven; Catholic Charities, Norwich, CT; Connecticut Housing

Finance Authority; Housing Development Fund, Inc.; Urban League of Southern Connecticut; Neighborhood Housing Services of Waterbury, Inc.; National Council on Aging (NCOA); Asian American Homeownership Counseling; Carecen—Central American Resource Center; Greater Washington Urban League; Homefree—USA Washington DC Branch; Housing Counseling Services, Incorporated; Latino Economic Development Corporation; Lydia's House; Manna, Inc. Marshall Heights Community Development Organization; NACA (Neighborhood Assistance Corporation of America) Washington, DC; National Capad; National Community Reinvestment Coalition.

National Community Reinvestment Coalition, Inc.; National Council of La Raza; National Foundation for Credit Counseling, Inc.; Neighborhood Reinvestment Corp. DBA Neighborworks America; NID-HCA Williams; Operation Hope, Inc.—DC Branch; United Planning Organization; United Planning Organization—Anacostia Center; United Planning Organization—Petey Greene Community Svc. Center; United Planning Organization Shaw Community Svc. Center; University Legal Services; University Legal Services; CCCS of Maryland and Delaware; Delaware State Housing Authority; First State Community Action Agency, Inc.; National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL Research, Inc.); First State Community Action Agency, Inc.; National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL, Research, Inc.); Hockessin Community Center; First State Community Action Agency, Inc.

National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL Research, Inc.); YWCA Delaware; Telamon Corporation; CCCS of Delaware Valley, DBA Clarifi; CCCS of Delaware Valley, Inc. DBA Clarifi; CCCS of Maryland and Delaware; Delaware Community Reinvestment Action Council; Housing Opportunities of Northern Delaware, Inc.; Interfaith Community Housing of Delaware; Neighborhood House, Incorporated; West End Neighborhood House; Homes in Partnership, Inc.; We Help Community Development Corporation; Florida Cooperative Extension—Holmes County Cooperative Extension Service (Terminated); Boynton Beach Faith Based CDC; Catholic Charities Diocese of Venice, Inc.; Manatee Community Action Agency, Inc. F/K/A Manatee Opportunity Council, Incorporated; Florida Cooperative Extension Levy County Cooperative Extension Service; Florida Cooperative Extension—Hernando County Cooperative Extension Service; All-American Foreclosure Solutions, Inc.

Cape Coral Housing Development Corporation; Florida Cooperative Extension—Washington County Cooperative Extension Service (Terminated); Bright Community Trust, Inc.; Clearwater Neighborhood Housing Services, Inc.; Consumer Credit and Budget Counseling, DBA National Foundation for Debt Management; Consumer Credit and Budget Counseling, DBA National Foundation for Debt Management; Housing Services of Central Florida; Tampa Bay Community Development Corporation; Homes in Partnership, Incorporated; Credit Card Mgmt Svcs, Inc. D/B/A Debthelper.Com; Florida Cooperative Extension—Brevard County Cooperative Extension Service; Florida Cooperative Extension—Brevard County Cooperative Extension Service (Duplicate); CCCS of West FL; Florida Cooperative Extension Dixie County Cooperative Extension Service; Florida Cooperative Extension—Pasco County Cooperative Extension Service (Terminated); Adopt A Hurricane Family, Inc. DBA Crisis Housing Solutions; Apprises—CCCS—Davie; Florida

Cooperative Extension—Broward County Cooperative Extension; Central Florida Community Development Corporation; Community Legal Services of Mid-Florida, Inc.

Mid-Florida Housing Partnership, Inc.; Florida Cooperative Extension—Walton County Cooperative Extension Service; Florida Cooperative Extension—Volusia County Cooperative Extension Service; H.E.L.P. Community Development Corp.; Affordable Housing by Lake, Inc.; Centro Campesino, Farmworkers Center, Inc.; New Visions Community Development Corporation; Urban League of Broward County Main Office; Urban League of Broward County (Branch Office); Affordable Homeownership Foundation Inc.; Home Ownership Resource Center of Lee County; Housing Authority of the City of Ft. Myers; Lee County Housing Development Corporation; CCCS of West FL; City of Gainesville Housing Division; Florida Cooperative Extension; Florida Cooperative Extension—Alachua County Cooperative Extension Service; Florida Cooperative Extension—Alachua County Cooperative Extension Service (Duplicate); Neighborhood Housing & Development Corporation; CCCS of the Midwest.

Community Housing Partners Corporation; Community Legal Services of Mid-Florida, Inc.—Inverness Office; Black Bottom/Springfield Human Development Corporation, DBA St. Joseph Homeownership; Community Home Ownership Center, Inc. F/K/A Jacksonville FL Chapter Assoc. of Housing Counselors & Agencies CDC; Family Foundations of Northeast Florida, Inc.; Florida Cooperative Extension—Duval County Cooperative Extension Service; Greenpath, Inc.; Habitat for Humanity of Jacksonville, Inc.; Jacksonville Area Legal Aid, Inc.; Jacksonville Urban League; NACA (Neighborhood Assistance Corporation of America) Jacksonville, FL; Operation New Hope CDC; Wealth Watcher, Inc.; Community Legal Services of Mid-Florida, Inc.—Kissimmee Office; Florida Cooperative Extension—Osceola County Cooperative Extension Service; The Agriculture and Labor Program, Inc.; Florida Cooperative Extension—Columbia County Extension Service; Springboard—Lake Mary; Catholic Charities of Central Florida; Keystone Challenge Fund, Inc.

Florida Cooperative Extension—Pinellas County Cooperative Extension Service; Broward County Housing Authority; Florida Cooperative Extension—Citrus County Cooperative Extension Service; Debt Management Credit Counseling Corp; Debt Management Credit Counseling Corp; Debt Management Credit Counseling Corp.; Florida Cooperative Extension—Suwannee County Cooperative Extension Service; Greenpath Debt Solutions; Florida Cooperative Extension—Baker County Cooperative Extension Service (Duplicate); Florida Cooperative Extension—Baker County Cooperative Extension Service (Terminated); Florida Cooperative Extension—Madison County Cooperative Extension Service (Terminated); Community Housing Initiative, Inc.; Cuban American National Council, Inc.—Miami; Little Haiti Housing Association, Inc.; Neighborhood Housing Services of South Florida; Real Estate, Education and Community Housing, Inc.; SER Jobs for Progress; Miami Beach Community Development Corp; NID-HCA Florida Felton; Housing Development Corporation of SW Florida, Inc.

Mr. HASTINGS. Mr. Speaker, I do want to acknowledge that my friend from Georgia does have a companion bill in the other body. I believe it is S. 333. I would—like I will when the Georgia-Florida game comes up—make a wager with my friend that that bill ain't going nowhere. But, anyway, we

are here talking about it, so my wager with the gentleman will be under appropriate measures. I wish he and I could go to Jacksonville together at what they say is the greatest cocktail party in the world.

Mr. Speaker, I just mentioned that at least one of the bills wrapped up in today's, in my view, nonsense, ought to continue to be described as a solution in search of a problem. I am not fully convinced that the observation is not an apt one for the whole lot of bills before us today. As I just mentioned, this is particularly disturbing as this country has real problems which need real solutions.

The Children's Health Insurance Program has expired, and there seems to be little to no will on the other side of the aisle to right this wrong at this time. Sure, we hear possibilities of a solution. When I came back this week, I thought that we would certainly address it. September 30 was when it expired. Yet we and, more importantly, millions of children and organizations wait for an answer.

We know that we are fast approaching a government shutdown, but instead we come to the floor week after week forced to debate ridiculous bills that, in substance, are well-thought-out by the persons presenting them, but, in reality, are not going to become law and are nothing more than talking points of the day, when these things that we should be addressing are going unmet.

We need to reauthorize the Federal Aviation Administration, yet the answer to this issue evades my friends across the aisle. We need to reauthorize the National Flood Insurance Program, yet we wait.

We need to address the crippling epidemic that is gun violence in this country. We need to remember that not even a month ago, this man out in Las Vegas took aim from the 32nd floor of a hotel and rained terror down upon thousands of innocent people enjoying a music festival. The weapons of war he used that night are just as readily available today as the day he bought them.

Finally, I understand people may want to forget the following, but we cannot, and I will not let you forget that there are millions of people across the United States Virgin Islands and Puerto Rico, and there are thousands in Florida and in Texas who are still awaiting visits from FEMA.

On the plane up yesterday, I was reading a 3-page-long article addressing, right in my community, the fact that people are sitting waiting for FEMA's response. I continue to raise at the same time that these hurricanes in Texas, southwest Louisiana, the Virgin Islands, and Puerto Rico have occurred, forest fires in California and Montana and Oregon have occurred, and we haven't addressed drought in other areas that occurred. Just last week, tornadoes occurred in Oklahoma. We have these disasters occurring.

I heard my colleague earlier today during morning hour make a presentation regarding a main burst in Detroit, Michigan, and that they don't have in her area sufficient drinking water. We know that the Flint, Michigan, matter isn't resolved.

This past weekend, I busted a tire on a bumpy-hole road, and we need to fix our roads in this country. This Capital ought to be called the "Pothole of the World."

Yet we stand here day after day discussing things that are going nowhere when people in Puerto Rico and the Virgin Islands are craving electricity, opening schools with no electricity, moving people from hospitals. We need safe drinking water all over this country. They need for us to show compassion and at least some decency with reference to humanity with those concerns.

Mr. Speaker, I urge a "no" vote on the rule and the underlying legislation, and I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are many things that this body can do better. My friend from Florida outlined his opinion of what those may be. He also outlined his opinion of what will be a nice Georgia victory come Saturday, this weekend, in Jacksonville. I do appreciate his acknowledgement of what will be coming.

But I think there are also some other things that we need to discuss, and we can talk about that. I will take, first off, the issue of the Judiciary Committee on which I serve, which I believe, frankly, I have the privilege of serving on what I believe are two of the hardest-working and longest-hour committees on this Hill, and that is the Rules Committee and the Judiciary Committee. Chairman GOODLATTE is very thoughtful.

We can disagree, Mr. Speaker, and I can understand my friend's frustration on issues of closed bills which do come and have been under both parties, but today's bills are not one of those. These two bills both have amendments that are offered on the floor by both parties. There are Republican amendments and there are Democrat amendments. This is not one of those.

So I think, from the perspective of how process and regular order—and we can go through those—I would stand with my chairman and Chairman GOODLATTE on that issue that we are working toward, and it is something that really matters here.

I think also, as we look at this, it is talking about grasping of straws. One of the things is we can get sidelined many times on looking at what could be or want to be and what we want to focus on. But also, it is a matter—as I come down here in this role many times, let's focus on the line right now, let's focus on the minute ahead, let's focus on the next vote, and that is

talking about these bills in this process.

I thought it was interesting to say that these are solutions in search of a problem. It is really interesting to me that, undoubtedly, these solutions in search of a problem—I think the problem is when they have, especially under sue and settle, \$9.6 billion annual cost, \$500 million in the first year cost; Oil and Gas Rule, \$738 million annually; \$632 million annually for the Florida Nutrient Standards and Estuary Flowing Waters Rule; Boiler MACT, \$3 billion. I mean, I could go on. And \$90 billion for reconsideration of 2008 ozone.

Let's make it very clear what sue and settle does. Sue and settle does not take the power for an agency to enter into a consent decree. Consent decrees are used often. The problem with this one is that when you have two parties on the same page suing, in essence, what amounts to one so that they can get a desired result without talking to the others who were affected, that is just wrong.

It is like me taking another congressman, or you, Mr. Speaker, and saying: You know, let's work out a deal.

But the reality is it is going to affect my friend from across the aisle, but we are not going to tell him. We are simply going to say: We are going to work our deal out. We are going to go to the Court. We are going to get the Court to sign off on it and we are going to implement everything that we have without proper insight and oversight.

That is all that we are asking for. It is called fairness. I am not sure how you could be against that, unless you like the idea of writing regulatory law in cubicles down the street instead of here on the floor of the House.

The other issue I see here is this issue of slush funds. We have talked about this, and the gentleman put 10 pages into the RECORD. He can put 49 into the Record; he can put 550 into the RECORD of eligible agencies for this money.

The problem is not eligible agencies. Number one, they are not victims. Number two, they are not part of the suit, yet we are giving it at sometimes double the rate to the offenders. Those that the Justice Department said were doing wrong—let's get this clear. Like in the housing issue—said you are doing wrong in this mortgage issue.

But what we are going to do, instead of giving the money at 1:1 back to victims, we are going to give it at 2:1 if you go to our preferred charity in donation form. It sounds like to me the only people who are getting problematic here are the victims of it; and the others of these pages of people who may or may not have political leanings or religious leanings or anything else, they are the recipient of the lottery.

They said, "We will go help these people; give us money," instead of saying this is an issue that needs to be dealt with in a settlement to the victims.

It also has been said that this is just giving money to help those in those areas so that they can get back on their feet. But it also went further than that. There were two instances in particular that I can come up with: the Housing Council, which this body said we are not funding any longer, yet the administration used these donations to circumvent the appropriations process and fund it. That is not the role of the executive branch. That is an article I role.

The electric vehicle subsidy, \$2 billion, again, this body said no. They said: No worries. We will go get a settlement. We will just take the donations and we will fund something that Congress has already said no on.

So it is easy to paint with broad strokes and say this is not important, this does not matter. But for some of us it does matter.

Those stories—why people are so upset when they look at this town is they just remember what their old civic books told them: that there was a Congress, there was an executive branch, and there was a judicial branch; each required all to do their part.

If we decide that it is too far down the road, let's bind the hands of the executive branch. We will do whatever. This is nothing except Congress saying this is what we are going to do. It is saying, this is what matters for us. And we may call it cheap; we may call it little; we may call it solutions in search of a problem, but you talk about the businessowners and the industries and the States who had to pay out on these sue and settle agreements.

When you talk about the millions—the billions that were sent to Iran, I think there will be a lot of people, when you look at both sides of this case, who will say: Yes, Congress, I want you to stop this because this is the way it should be set up.

That is why these bills are on the floor today. That is why we are taking them up. That is the reason we are bringing them forward.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

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

AN AMENDMENT TO H. RES. 577 OFFERED BY
MR. HASTINGS

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. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children 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 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. 3440.

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

The SPEAKER pro tempore. 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. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered; and suspending the rules and passing H.R. 2142.

The vote was taken by electronic device, and there were—yeas 228, nays 189, not voting 15, as follows:

[Roll No. 572]

YEAS—228

Abraham	Davidson	Hice, Jody B.
Aderholt	Davis, Rodney	Higgins (LA)
Allen	Denham	Hill
Amash	Dent	Holding
Amodel	DeSantis	Hollingsworth
Arrington	DesJarlais	Hudson
Babin	Diaz-Balart	Hultgren
Bacon	Donovan	Hunter
Banks (IN)	Duffy	Hurd
Barr	Duncan (SC)	Issa
Barton	Duncan (TN)	Jenkins (KS)
Bergman	Dunn	Jenkins (WV)
Biggs	Emmer	Johnson (LA)
Bilirakis	Estes (KS)	Johnson (OH)
Bishop (MI)	Farenthold	Johnson, Sam
Bishop (UT)	Faso	Jones
Black	Ferguson	Jordan
Blackburn	Fitzpatrick	Joyce (OH)
Blum	Fleischmann	Katko
Bost	Flores	Kelly (MS)
Brady (TX)	Fortenberry	Kelly (PA)
Brat	Fox	King (IA)
Brooks (AL)	Franks (AZ)	King (NY)
Brooks (IN)	Frelinghuysen	Kinzing
Buck	Gaetz	Knight
Bucshon	Gallagher	Kustoff (TN)
Budd	Garrett	Labrador
Byrne	Gianforte	LaHood
Calvert	Gibbs	LaMalfa
Carter (GA)	Gohmert	Lamborn
Carter (TX)	Goodlatte	Lance
Chabot	Gosar	Latta
Cheney	Gowdy	Lewis (MN)
Coffman	Granger	LoBiondo
Cole	Graves (GA)	Loudermilk
Collins (GA)	Graves (LA)	Love
Collins (NY)	Graves (MO)	Lucas
Comer	Griffith	Luetkemeyer
Comstock	Grothman	MacArthur
Conaway	Guthrie	Marino
Cook	Handel	Marshall
Costello (PA)	Harper	Masie
Cramer	Harris	Mast
Crawford	Hartzler	McCarthy
Culberson	Hensarling	McCaul
Curbelo (FL)	Herrera Beutler	McClintock

McHenry	Roe (TN)
McKinley	Rogers (AL)
McMorris	Rogers (KY)
Rodgers	Rohrabacher
McSally	Rokita
Meadows	Rooney, Francis
Meehan	Rooney, Thomas
Messer	J.
Mitchell	Ros-Lehtinen
Moolenaar	Ross
Mooney (WV)	Rothfus
Mullin	Rouzer
Newhouse	Royce (CA)
Noem	Russell
Norman	Rutherford
Nunes	Sanford
Olson	Scalise
Palazzo	Schweikert
Palmer	Scott, Austin
Paulsen	Sensenbrenner
Pearce	Sessions
Perry	Shimkus
Pittenger	Shuster
Poe (TX)	Simpson
Poliquin	Smith (MO)
Posey	Smith (NE)
Ratcliffe	Smith (NJ)
Reichert	Smith (TX)
Renacci	Smucker
Rice (SC)	Stefanik
Roby	Stewart

NAYS—189

Adams	Garamendi	Norcross
Aguilar	Gomez	O'Halleran
Beatty	Gonzalez (TX)	O'Rourke
Bera	Gottheimer	Pallone
Beyer	Green, Al	Panetta
Bishop (GA)	Green, Gene	Pascarell
Blumenauer	Grijalva	Payne
Blunt Rochester	Gutiérrez	Pelosi
Bonamici	Hanabusa	Perlmutter
Boyle, Brendan	Hastings	Peters
F.	Heck	Peterson
Brady (PA)	Higgins (NY)	Pingree
Brown (MD)	Himes	Pocan
Brownley (CA)	Hoyer	Polis
Bustos	Huffman	Price (NC)
Butterfield	Jackson Lee	Quigley
Capuano	Jayapal	Raskin
Carbajal	Jeffries	Rice (NY)
Cárdenas	Johnson (GA)	Richmond
Cartwright	Johnson, E. B.	Rosen
Castor (FL)	Kaptur	Roybal-Allard
Castro (TX)	Keating	Ruiz
Chu, Judy	Kelly (IL)	Ruppersberger
Cicilline	Kennedy	Rush
Clark (MA)	Khanna	Ryan (OH)
Clarke (NY)	Kihuen	Sánchez
Clay	Kildee	Sarbanes
Cleaver	Kilmer	Schakowsky
Clyburn	Kind	Schiff
Cohen	Krishnamoorthi	Schneider
Connolly	Kuster (NH)	Schrader
Conyers	Langevin	Scott (VA)
Cooper	Larsen (WA)	Scott, David
Correa	Larson (CT)	Serrano
Costa	Lawrence	Sewell (AL)
Courtney	Lawson (FL)	Shea-Porter
Crist	Lee	Shearman
Crowley	Levin	Sinema
Cuellar	Lewis (GA)	Sires
Cummings	Lieu, Ted	Slaughter
Davis (CA)	Lipinski	Smith (WA)
Davis, Danny	Loebback	Soto
DeFazio	Lofgren	Speier
DeGette	Lowey	Suzuki
Delaney	Lujan Grisham,	Swalwell (CA)
DeLauro	M.	Takano
DelBene	Luján, Ben Ray	Thompson (CA)
Demings	Lynch	Thompson (MS)
DeSaulnier	Maloney,	Titus
Deutsch	Carolyn B.	Tonko
Dingell	Maloney, Sean	Torres
Doggett	Matsui	Tsongas
Doyle, Michael	McCollum	Vargas
F.	McEachin	Veasey
Ellison	McGovern	Vela
Engel	McNerney	Velázquez
Eshoo	Meeke	Visclosky
Español	Meng	Walz
Esty (CT)	Moore	Wasserman
Evans	Moulton	Schultz
Foster	Murphy (FL)	Waters, Maxine
Frankel (FL)	Nader	Watson Coleman
Fudge	Napolitano	Welch
Gabbard	Neal	Yarmuth
Gallego	Nolan	

NOT VOTING—15

Barletta	Burgess	Marchant
Barragan	Carson (IN)	Reed
Bass	Huizenga	Roskam
Bridenstine	Long	Trott
Buchanan	Lowenthal	Wilson (FL)

□ 1337

Mmes. NAPOLITANO, MURPHY of Florida, Ms. SANCHEZ, SHEA-PORTER, Messrs. GALLEGO, and AL GREEN of Texas changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. REED. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 572.

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. HASTINGS. 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 227, noes 190, not voting 15, as follows:

[Roll No. 573]

AYES—227

Abraham	Duffy	Jordan
Aderholt	Duncan (SC)	Joyce (OH)
Allen	Duncan (TN)	Katko
Amash	Dunn	Kelly (MS)
Amodel	Emmer	Kelly (PA)
Arrington	Estes (KS)	King (IA)
Babin	Farenthold	King (NY)
Bacon	Faso	Kinzing
Banks (IN)	Ferguson	Knight
Barr	Fitzpatrick	Kustoff (TN)
Barton	Fleischmann	Labrador
Bergman	Flores	LaHood
Biggs	Fortenberry	LaMalfa
Bilirakis	Fox	Lamborn
Bishop (MI)	Franks (AZ)	Lance
Bishop (UT)	Frelinghuysen	Latta
Black	Gaetz	Lewis (MN)
Blackburn	Gallagher	LoBiondo
Blum	Garrett	Love
Bost	Gianforte	Lucas
Brady (TX)	Gibbs	Luetkemeyer
Brat	Gohmert	MacArthur
Brooks (IN)	Goodlatte	Marchant
Buck	Gosar	Marino
Bucshon	Gowdy	Marshall
Budd	Granger	Masie
Byrne	Graves (GA)	Mast
Calvert	Graves (LA)	McCarthy
Carter (GA)	Graves (MO)	McCaul
Carter (TX)	Grothman	McClintock
Chabot	Guthrie	McHenry
Cheney	Handel	McKinley
Coffman	Harper	McMorris
Cole	Harris	Rodgers
Collins (GA)	Hartzler	McSally
Collins (NY)	Hensarling	Meadows
Comer	Herrera Beutler	Meehan
Comstock	Hice, Jody B.	Messer
Conaway	Higgins (LA)	Mitchell
Cook	Hill	Moolenaar
Costello (PA)	Holding	Mooney (WV)
Cramer	Hollingsworth	Mullin
Crawford	Hudson	Newhouse
Culberson	Hultgren	Noem
Curbelo (FL)	Hunter	Norman
Davidson	Hurd	Nunes
Davis, Rodney	Issa	Olson
Denham	Jenkins (KS)	Palazzo
Dent	Jenkins (WV)	Palmer
DeSantis	Johnson (LA)	Paulsen
DesJarlais	Johnson (OH)	Pearce
Diaz-Balart	Johnson, Sam	Perry
Donovan	Jones	Pittenger

Poe (TX)
 Poliquin
 Posey
 Ratcliffe
 Reed
 Reichert
 Renacci
 Rice (SC)
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney, Thomas J.
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce (CA)
 Russell
 Rutherford

NOES—190

Adams
 Aguilar
 Beatty
 Bera
 Beyer
 Bishop (GA)
 Blumenauer
 Blunt Rochester
 Bonamici
 Boyle, Brendan F.
 Brady (PA)
 Brown (MD)
 Brownley (CA)
 Bustos
 Butterfield
 Capuano
 Carbal
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Correa
 Costa
 Courtney
 Crist
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael F.
 Ellison
 Engel
 Eshoo
 Espallat
 Esty (CT)
 Evans
 Foster
 Frankel (FL)
 Fudge
 Gabbard

NOT VOTING—15

Barletta
 Barragán
 Bass
 Bridenstine
 Brooks (AL)
 Buchanan
 Burgess
 Griffith
 Huizenga
 Long
 Loudermilk
 Lowenthal
 Rooney, Francis
 Trott
 Wilson (FL)

Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smucker
 Stefanik
 Stewart
 Stivers
 Taylor
 Tenney
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner

Nolan
 Norcross
 O'Halleran
 O'Rourke
 Pallone
 Panetta
 Pascarell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Rosen
 Roybal-Allard
 Ruiz
 Ruppersberger
 Rush
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Soto
 Speier
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1344

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.

MOMENT OF SILENCE FOR VICTIMS OF CALIFORNIA WILDFIRES

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

Mr. THOMPSON of California. Mr. Speaker, the worst fires in the history of California have devastated nearly 300,000 acres, destroyed some 8,000 homes, caused billions of dollars in damage, burned to the ground many businesses, and, most sadly, taken the lives of 42 people—and that number may very well rise.

These fires were like no other, propelled by winds that reached speeds of over 70 miles per hour. The worst of the fires were in my district. They moved so fast, burning at times 200 feet per second. That is three football fields every 30 seconds.

People had little time to escape their burning homes. They fled with only the clothes on their back and, in some cases, with their homes already in flames.

The most covered area on the news is a neighborhood in my district in Santa Rosa called Coffey Park. There, alone, the entire neighborhood, some 1,300 homes, were burned to the ground. The winds were so high that they pushed the blaze across eight lanes of freeway and over two frontage roads to destroy the homes and lives of those 1,300 families.

Eleven thousand firefighters, thousands of law enforcement and National Guard soldiers put their lives on the line to stop the raging inferno and protect Californians in the line of the fire. Some of those first responders lost their own homes, but they worked 24/7 to help others. The actions of civilian heroes and heroines saved an untold number of lives.

The fallout from this disaster will be felt for years, if not decades. You can't just rebuild 8,000 homes and entire neighborhoods overnight.

My colleagues and I from California appreciate all of your words of comfort and offers to help, and the people hurt by this monster fire will need all of our help.

Mr. Speaker, I ask that the House now observe a moment of silence for those who lost their lives in this terrifying fire and to show our commitment to help rebuild the lives of the many thousands of people who have lost everything.

INTERNATIONAL NARCOTICS TRAFFICKING EMERGENCY RESPONSE BY DETECTING INCOMING CONTRABAND WITH TECHNOLOGY ACT

The SPEAKER pro tempore (Mr. HULTGREN). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2142) to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, 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. FITZPATRICK) 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 412, nays 3, not voting 17, as follows:

[Roll No. 574]

YEAS—412

Abraham	Clarke (NY)	Esty (CT)
Adams	Clay	Evans
Aderholt	Cleaver	Farenthold
Aguilar	Clyburn	Faso
Allen	Coffman	Ferguson
Amodei	Cohen	Fitzpatrick
Arrington	Cole	Fleischmann
Babin	Collins (GA)	Flores
Bacon	Collins (NY)	Fortenberry
Banks (IN)	Comer	Foster
Barr	Conaway	Fox
Barton	Connolly	Franks (AZ)
Beatty	Conyers	Frelinghuysen
Bera	Cook	Fudge
Bergman	Cooper	Gabbard
Biggs	Correa	Gaetz
Bilirakis	Costa	Gallagher
Bishop (GA)	Costello (PA)	Gallego
Bishop (MI)	Courtney	Garamendi
Bishop (UT)	Cramer	Garrett
Black	Crawford	Gianforte
Blackburn	Crist	Gibbs
Blum	Crowley	Gohmert
Blumenauer	Cuellar	Gomez
Blunt Rochester	Culberson	Gonzalez (TX)
Bonamici	Cummings	Goodlatte
Bost	Curbelo (FL)	Gosar
Boyle, Brendan F.	Davidson	Gottheimer
Brady (PA)	Davis (CA)	Gowdy
Brady (TX)	Davis, Danny	Granger
Brat	Davis, Rodney	Graves (GA)
Brooks (AL)	DeFazio	Graves (LA)
Brooks (IN)	DeGette	Graves (MO)
Brown (MD)	Delaney	Green, Al
Brownley (CA)	DeLauro	Green, Gene
Buck	DelBene	Griffith
Bucshon	Demings	Grijalva
Budd	Denham	Grothman
Bustos	Dent	Guthrie
Butterfield	DeSaulnier	Gutiérrez
Byrne	DesJarlais	Hanabusa
Calvert	Deutch	Handel
Capuano	Diaz-Balart	Harper
Carbajal	Dingell	Harris
Cárdenas	Donovan	Hartzler
Carson (IN)	Doyle, Michael F.	Hastings
Carter (GA)	Duffy	Heck
Carter (TX)	Duncan (SC)	Hensarling
Cartwright	Duncan (TN)	Herrera Beutler
Castor (FL)	Dunn	Hice, Jody B.
Castro (TX)	Ellison	Higgins (LA)
Chabot	Emmer	Higgins (NY)
Cheney	Engel	Hill
Chu, Judy	Eshoo	Himes
Cicilline	Espallat	Holding
Clark (MA)	Estes (KS)	Hollingsworth
		Hoyer

Hudson	McMorris	Sarbanes
Huffman	Rodgers	Scalise
Hultgren	McNerney	Schakowsky
Hurd	McSally	Schiff
Issa	Meadows	Schneider
Jackson Lee	Meehan	Schrader
Jayapal	Meeks	Schweikert
Jeffries	Meng	Scott (VA)
Jenkins (KS)	Messer	Scott, Austin
Jenkins (WV)	Mitchell	Scott, David
Johnson (GA)	Moolenaar	Sensenbrenner
Johnson (LA)	Mooney (WV)	Serrano
Johnson (OH)	Moore	Sessions
Johnson, E. B.	Moulton	Sewell (AL)
Johnson, Sam	Mullin	Shea-Porter
Jordan	Murphy (FL)	Shimkus
Joyce (OH)	Nadler	Shuster
Kaptur	Napolitano	Simpson
Katko	Neal	Sinema
Keating	Newhouse	Sires
Kelly (IL)	Noem	Slaughter
Kelly (MS)	Nolan	Smith (MO)
Kelly (PA)	Norcross	Smith (NE)
Kennedy	Norman	Smith (NJ)
Khanna	Nunes	Smith (TX)
Kihuen	O'Halleran	Smith (WA)
Kildee	O'Rourke	Smucker
Kilmer	Olson	Soto
Kind	Palazzo	Speier
King (IA)	Pallone	Stefanik
King (NY)	Palmer	Stewart
Kinzinger	Panetta	Stivers
Knight	Pascrell	Suozi
Krishnamoorthi	Paulsen	Swalwell (CA)
Kuster (NH)	Payne	Takano
Kustoff (TN)	Pearce	Taylor
Labrador	Pelosi	Tenney
LaHood	Perlmutter	Thompson (CA)
LaMalfa	Perry	Thompson (MS)
Lamborn	Peters	Thompson (PA)
Lance	Peterson	Thornberry
Langevin	Pingree	Tiberi
Larsen (WA)	Pittenger	Tipton
Larson (CT)	Pocan	Titus
Latta	Poe (TX)	Tonko
Lawrence	Poliquin	Torres
Lawson (FL)	Polis	Tsongas
Lee	Posey	Turner
Levin	Price (NC)	Upton
Lewis (GA)	Quigley	Valadao
Lewis (MN)	Raskin	Vargas
Lieu, Ted	Ratcliffe	Veasey
Lipinski	Reed	Vela
LoBiondo	Reichert	Velázquez
Loeback	Renacci	Visclosky
Lofgren	Rice (NY)	Wagner
Loudermilk	Rice (SC)	Walberg
Love	Richmond	Walden
Lowey	Roby	Walker
Lucas	Roe (TN)	Walorski
Luetkemeyer	Rogers (AL)	Walters, Mimi
Lujan Grisham,	Rogers (KY)	Walz
M.	Rohrabacher	Wasserman
Luján, Ben Ray	Rokita	Schultz
Lynch	Rooney, Francis	Waters, Maxine
MacArthur	Rooney, Thomas	Watson Coleman
Maloney,	J.	Weber (TX)
Carolyn B.	Ros-Lehtinen	Webster (FL)
Maloney, Sean	Rosen	Welch
Marchant	Roskam	Wenstrup
Marino	Ross	Westerman
Marshall	Rothfus	Williams
Massie	Rouzer	Wilson (SC)
Mast	Roybal-Allard	Wittman
Matsui	Royce (CA)	Womack
McCarthy	Ruiz	Woodall
McCaul	Ruppersberger	Yarmuth
McClintock	Rush	Yoder
McCollum	Russell	Yoho
McEachin	Rutherford	Young (AK)
McGovern	Ryan (OH)	Young (IA)
McHenry	Sánchez	Zeldin
McKinley	Sanford	

NAYS—3

Amash	Jones	Sherman
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NOT VOTING—17

Barletta	Burgess	Hunter
Barragán	Comstock	Long
Bass	DeSantis	Lowenthal
Beyer	Doggett	Trott
Bridenstine	Frankel (FL)	Wilson (FL)
Buchanan	Huizenga	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1355

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.

MAKING IN ORDER AMENDMENT IN LIEU OF AMENDMENT NO. 2 PRINTED IN PART A OF HOUSE REPORT 115-363 DURING CONSIDERATION OF H.R. 469, SUNSHINE FOR REGULATIONS AND REGULATORY DECREES AND SETTLEMENTS ACT OF 2017

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 469, pursuant to House Resolution 577, the amendment I have placed at the desk be in order in lieu of the amendment printed in part A of House Report 115-363 and numbered 2.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

AN AMENDMENT OFFERED IN LIEU OF AMENDMENT NO. 2 PRINTED IN PART A OF HOUSE REPORT NO. 115-363 OFFERED BY MR. CONYERS OF MICHIGAN

Page 3, line 17, strike “; and” and insert “, other than an excepted consent decree or settlement agreement;”.

Page 4, line 4, strike the period and insert “; and”.

Page 4, insert after line 4 the following:

(6) the term “excepted consent decree or settlement agreement” means a covered consent decree or covered settlement agreement that prevents or is intended to prevent discrimination based on race, religion, national origin, or any other protected category.

Mr. COLLINS of Georgia (during the reading). Mr. Speaker, I ask unanimous consent to waive the reading.

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

There was no objection.

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

There was no objection.

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 motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

□ 1400

FAMILY OFFICE TECHNICAL CORRECTION ACT OF 2017

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3972) to clarify that family offices and family clients are accredited investors, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 3972

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 “Family Office Technical Correction Act of 2017”.

SEC. 2. ACCREDITED INVESTOR CLARIFICATION.

(a) IN GENERAL.—Subject to subsection (b), any family office or a family client of a family office, as defined in section 275.202(a)(1)(G)-1 of title 17, Code of Federal Regulations, shall be deemed to be an accredited investor, as defined in Regulation D of the Securities and Exchange Commission (or any successor thereto) under the Securities Act of 1933.

(b) LIMITATION.—Subsection (a) only applies to a family office with assets under management in excess of \$5,000,000, and a family office or a family client not formed for the specific purpose of acquiring the securities offered, and whose purchase is directed by a person who has such knowledge and experience in financial and business matters that such person is capable of evaluating the merits and risks of the prospective investment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentleman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. BARR. 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 the bill.

The SPEAKER pro tempore (Mr. WOMACK). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3972, the Family Office Technical Correction Act, which passed out of the House Financial Services Committee earlier this month with the unanimous support of my Republican and Democratic colleagues.

This timely legislation provides a technical clarification that makes it very apparent that family offices are considered accredited investors under regulation D.

Under Dodd-Frank, a family office or, in other words, a company that only has family clients, is owned by the family, and is not a public investment adviser can give financial advice to family members without the office registering under the Investment Advisers Act.

The rationale behind this was that family members will look out for one another. Thus, this legislation, for the same reason, allows family offices to count as accredited investors, which would allow them to make private placement investments.

The end result is that more capital will be available for investment in

businesses, resulting in more jobs and greater economic opportunity for Americans of all walks of life.

I want to thank Representative CAROLYN MALONEY and Chairman HENSARLING for their leadership on this important legislation, and I urge my colleagues in the House to support the Family Office Technical Correction Act.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3972 would expand the definition of “accredited investor” to organizations known as family offices and their family clients.

Family offices manage the financial interests of wealthy families. Deeming family offices and family clients to be accredited investors would allow them to more easily invest in private, unregistered security offerings.

Today, each family client, family member, and associated employees and entities must independently meet the accredited investor definition. This would require, for example, that each individual in a family independently meet certain income or net worth thresholds.

As I understand it, this process can be cumbersome for private funds that may lose their private, unregistered status if they fail to appropriately verify their investors as accredited or otherwise qualified to invest in private offerings. If there is any doubt, a private fund could deny a family office or family client the opportunity to invest.

This bill seeks to remedy that problem by recognizing that family offices and family clients are financially sophisticated in their own right. Thanks to an amendment by Representative MALONEY that was unanimously accepted during the committee markup, the bill ensures that these family offices and family clients have the financial wherewithal and knowledge to invest as accredited investors in typically risky, illiquid private security offerings.

Specifically, the bill would apply the same standards currently in place for trusts so that, number one, the family office must have more than \$5 million in assets; two, the family office and family clients must not be formed for the specific purpose of acquiring the securities offered; and, three, the family office and family client must be dedicated—or directed, rather, by a sophisticated person.

These restrictions limit the potential unintended consequences of the bill so that, for example, someone who could not otherwise meet the accredited investor test alone could not circumvent the rules by investing with another family member as a “family office.”

They would also prevent estranged family members, who could be up to 10 generations removed, from investing as an accredited investor without receiving any services of or otherwise being affiliated with the family office.

I support the bill, and I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman from Kentucky.

This did pass our committee on a unanimous basis.

I want to thank the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for her leadership and for her other areas of leadership on our committee. As a very senior Democrat, her counsel is always important; her leadership is always important.

This is indeed, as was described, Mr. Speaker, in many respects, a technical correction that needed to take place. We need to ensure that our family offices, that those investment funds can be put to their highest and best use to help grow the economy.

I was happy that the ranking member used the phrase “unintended consequences” because, indeed, Mr. Speaker, from time to time, there are unintended consequences of regulation.

We do wish to ensure that these family offices that otherwise meet the definition of accredited investors have the full range of investment opportunities before them. This bill will do this.

Again, it came out on a strong bipartisan, indeed, a unanimous basis from the Financial Services Committee, and so I would urge all Members of the House to adopt it.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the author of the bill and the sponsor of the bill.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today in support of H.R. 3972, and I am very thankful to gentleman from Texas (Mr. HENSARLING), the chairman, and the gentlewoman from California (Ms. MAXINE WATERS), the ranking member, for their support and assistance on this legislation.

This bill is very simple. It makes what I consider to be a technical fix to the rules for family offices.

Family offices are entities that are established by wealthy families to manage their own money and to provide financial services to their family members.

The original family office was created by John D. Rockefeller 135 years ago and still exists in the district that I represent. So family offices have a long and storied history in this country and have become important sources of liquidity for our markets.

It is also important to note that family offices do not pose a systemic risk and did not cause any problems in the financial crisis, so they don't pose any safety and soundness risk to the financial system.

Family offices aren't regulated by the SEC as investment advisers because they don't have traditional cli-

ents or outside investors. They invest money in their funds like most investment advisers.

A family office is just that: a family office managing its own family money. Their clients are primarily family members, and disputes between family members are better handled either internally by the family or through State courts, which have laws to govern disputes between family members.

Prior to Dodd-Frank, the SEC had been exempting family officers and offices from the Advisers Act for decades on a case-by-case basis. In Dodd-Frank, we codified the exemption for family offices and required the SEC to write a rule formally defining “family offices.” The SEC finalized that rule in 2011, so family offices, to meet the SEC's definition, do not have to register with the SEC or as investment advisers.

However, a problem has now come up that we did not anticipate. We assumed that every family client or a member of the family would qualify as a sophisticated accredited investor under the SEC rules. But it turns out that there are very limited circumstances in which a family client of a family office may not actually qualify as an individual accredited investor.

For example, a 19- or 20-year-old member of a wealthy family may be in his or her first job after school and may not be making enough money to qualify as an accredited investor, which is over \$200,000, annually.

The real problem is, under the rules we have now, if just one of these family clients—a young person, in most cases—in a family office is not an accredited investor, then the entire family office is not considered an accredited investor and, thus, cannot buy any securities that are limited to accredited investors, like privately issued stocks or bonds. My bill would fix this by just clarifying that all family offices and family clients are, in fact, accredited investors.

The bill does not allow that any 19- or 20-year-old can go out on their own and buy securities. It is limited to accredited investors that can only be done through the family office.

The bill also includes some important limitations: The family office has to have at least \$5 million in assets, which is the same limitation that applies to trusts in the current accredited investor rule. The family office also has to have its investments directed by a sophisticated investment professional, which provides yet another layer of protection.

So, really, this bill is very narrowly tailored and provides what I consider to be a technical fix that will allow family offices to better serve their own family members.

I urge my colleagues to support this bill.

Mr. BARR. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield back the balance of my time.

Mr. BARR. Mr. Speaker, I have no further requests at this time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 3972, as amended.

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

A motion to reconsider was laid on the table.

OTTO WARMBIER NORTH KOREA NUCLEAR SANCTIONS ACT

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3898) to require the Secretary of the Treasury to place conditions on certain accounts at United States financial institutions with respect to North Korea, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3898

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 “Otto Warmbier North Korea Nuclear Sanctions Act”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) On June 1, 2016, the Department of the Treasury’s Financial Crimes Enforcement Network announced a Notice of Finding that the Democratic People’s Republic of Korea is a jurisdiction of primary money laundering concern due to its use of state-controlled financial institutions and front companies to support the proliferation and development of weapons of mass destruction (WMD) and ballistic missiles.

(2) The Financial Action Task Force (FATF) has expressed serious concerns with the threat posed by North Korea’s proliferation and financing of WMD, and has called on FATF members to apply effective countermeasures to protect their financial sectors from North Korean money laundering, WMD proliferation financing, and the financing of terrorism.

(3) In its February 2017 report, the U.N. Panel of Experts concluded that—

(A) North Korea continued to access the international financial system in support of illicit activities despite sanctions imposed by U.N. Security Council Resolutions 2270 (2016) and 2321 (2016);

(B) during the reporting period, no member state had reported taking actions to freeze North Korean assets; and

(C) sanctions evasion by North Korea, combined with inadequate compliance by member states, had significantly negated the impact of U.N. Security Council resolutions.

(4) In its September 2017 report, the U.N. Panel of Experts found that—

(A) North Korea continued to violate financial sanctions by using agents acting abroad on the country’s behalf;

(B) foreign financial institutions provided correspondent banking services to North Korean persons and front companies for illicit purposes;

(C) foreign companies violated sanctions by maintaining links with North Korean financial institutions; and

(D) North Korea generated at least \$270 million during the reporting period through the violation of sectoral sanctions.

(5) North Korean entities engage in significant financial transactions through foreign bank accounts that are maintained by non-North Korean nationals, thereby masking account users’ identity in order to access financial services.

(6) North Korea’s sixth nuclear test on September 3, 2017, demonstrated an estimated explosive power more than 100 times greater than that generated by its first nuclear test in 2006.

(7) North Korea has successfully tested submarine-launched and intercontinental ballistic missiles, and is rapidly progressing in its development of a nuclear-armed missile that is capable of reaching United States territory.

SEC. 3. CONDITIONS WITH RESPECT TO CERTAIN ACCOUNTS AND TRANSACTIONS AT UNITED STATES FINANCIAL INSTITU- TIONS.

(a) CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by a foreign financial institution that the Secretary finds knowingly facilitates a significant transaction or transactions or provides significant financial services for a covered person.

(2) PENALTIES.—

(A) CIVIL PENALTY.—A person who violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this subsection shall be subject to a civil penalty in an amount not to exceed the greater of—

(i) \$250,000; or

(ii) an amount that is twice the amount of the transaction that is the basis of the violation with respect to which the penalty is imposed.

(B) CRIMINAL PENALTY.—A person who willfully commits, willfully attempts to commit, or willfully conspires to commit, or aids or abets in the commission of, a violation of regulations prescribed under this subsection shall, upon conviction, be fined not more than \$1,000,000, or if a natural person, may be imprisoned for not more than 20 years, or both.

(b) RESTRICTIONS ON CERTAIN TRANSACTIONS BY UNITED STATES FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to prohibit a United States financial institution, and any person owned or controlled by a United States financial institution, from knowingly engaging in a significant transaction or transactions with or benefitting any person that the Secretary finds to be a covered person.

(2) CIVIL PENALTY.—A person who violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this subsection shall be subject to a civil penalty in an amount not to exceed the greater of—

(A) \$250,000; or

(B) an amount that is twice the amount of the transaction that is the basis of the violation with respect to which the penalty is imposed.

SEC. 4. OPPOSITION TO ASSISTANCE BY THE INTERNATIONAL FINANCIAL INSTI- TUTIONS AND THE EXPORT-IMPORT BANK.

(a) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Bretton Woods Agreements Act

(22 U.S.C. 286 et seq.) is amended by adding at the end the following:

“SEC. 73. OPPOSITION TO ASSISTANCE FOR ANY GOVERNMENT THAT FAILS TO IM- PLEMENT SANCTIONS ON NORTH KOREA.

“(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at the international financial institutions (as defined under section 1701(c) of the International Financial Institutions Act) to use the voice and vote of the United States to oppose the provision of financial assistance to a foreign government, other than assistance to support basic human needs, if the President determines that, in the year preceding consideration of approval of such assistance, the government has knowingly failed to prevent the provision of financial services to, or freeze the funds, financial assets, and economic resources of, a person described under subparagraphs (A) through (E) of section 7(2) of the Otto Warmbier North Korea Nuclear Sanctions Act.

“(b) WAIVER.—The President may waive subsection (a) for up to 180 days at a time with respect to a foreign government if the President reports to Congress that—

“(1) the foreign government’s failure described under (a) is due exclusively to a lack of foreign government capacity;

“(2) the foreign government is taking effective steps to prevent recurrence of such failure; or

“(3) such waiver is vital to the national security interests of the United States.”.

(b) EXPORT-IMPORT BANK.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

“(14) PROHIBITION ON SUPPORT INVOLVING PERSONS CONNECTED WITH NORTH KOREA.—The Bank may not guarantee, insure, or extend credit, or participate in the extension of credit in connection with the export of a good or service to a covered person (as defined under section 7 of the Otto Warmbier North Korea Nuclear Sanctions Act).”.

SEC. 5. TREASURY REPORTS ON COMPLIANCE, PENALTIES, AND TECHNICAL AS- SISTANCE.

(a) QUARTERLY REPORT.—

(1) IN GENERAL.—Not later than 120 days following the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Treasury shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

(A) a list of financial institutions that, in the period since the preceding report, knowingly facilitated a significant transaction or transactions or provided significant financial services for a covered person, or failed to apply appropriate due diligence to prevent such activities;

(B) a list of any penalties imposed under section 3 in the period since the preceding report; and

(C) a description of efforts by the Department of the Treasury in the period since the preceding report, through consultations, technical assistance, or other appropriate activities, to strengthen the capacity of financial institutions and foreign governments to prevent the provision of financial services benefitting any covered person.

(2) FORM OF REPORT; PUBLIC AVAILABILITY.—

(A) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(B) PUBLIC AVAILABILITY.—The unclassified portion of such report shall be made available to the public and posted on the website of the Department of the Treasury.

(b) TESTIMONY REQUIRED.—Upon request of the Committee on Financial Services of the

House of Representatives or the Committee on Banking, Housing, and Urban Affairs of the Senate, the Under Secretary of the Treasury for Terrorism and Financial Intelligence shall testify to explain the effects of this Act, and the amendments made by this Act, on North Korea's access to finance.

(C) INTERNATIONAL MONETARY FUND.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following:

“SEC. 1629. SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.

“The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to support the use of the administrative budget of the Fund for technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism.”.

(d) NATIONAL ADVISORY COUNCIL REPORT TO CONGRESS.—The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in the report required by section 1701 of the International Financial Institutions Act (22 U.S.C. 262r) for the fiscal year following the date of the enactment of this Act a description of—

(1) the activities of the International Monetary Fund in the most recently completed fiscal year to provide technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism, and the effectiveness of the assistance; and

(2) the efficacy of efforts by the United States to support such technical assistance through the use of the Fund's administrative budget.

SEC. 6. SUSPENSION AND TERMINATION OF PROHIBITIONS AND PENALTIES.

(a) SUSPENSION.—The President may suspend, on a case-by-case basis, the application of any provision of this Act, or provision in an amendment made by this Act, for a period of not more than 180 days at a time if the President certifies to Congress that—

(1) the Government of North Korea has—

(A) committed to the verifiable suspension of North Korea's proliferation and testing of WMD, including systems designed in whole or in part for the delivery of such weapons; and

(B) has agreed to multilateral talks including the Government of the United States, with the goal of permanently and verifiably limiting North Korea's WMD and ballistic missile programs; or

(2) such suspension is vital to the national security interests of the United States, with an explanation of the reasons therefor.

(b) TERMINATION.—

(1) IN GENERAL.—On the date that is 30 days after the date on which the President makes the certification described under paragraph (2)—

(A) section 3, subsections (a) and (b) of section 5, and section 6(a) of this Act shall cease to have any force or effect;

(B) section 73 of the Bretton Woods Agreements Act, as added by section 4(a), shall be repealed; and

(C) section 2(b)(14) of the Export-Import Bank Act of 1945, as added by section 4(b), shall be repealed.

(2) CERTIFICATION.—The certification described under this paragraph is a certification by the President to the Congress that—

(A) the Government of North Korea—

(i) has ceased to pose a significant threat to national security, with an explanation of the reasons therefor; or

(ii) is committed to, and is taking effective steps to achieving, the goal of permanently

and verifiably limiting North Korea's WMD and ballistic missile programs; or

(B) such termination is vital to the national security interests of the United States, with an explanation of the reasons therefor.

SEC. 7. DEFINITIONS.

For purposes of this Act:

(1) TERMS RELATED TO NORTH KOREA.—The terms “applicable Executive order”, “Government of North Korea”, “North Korea”, “North Korean person”, and “significant activities undermining cybersecurity” have the meanings given those terms, respectively, in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202).

(2) COVERED PERSON.—The term “covered person” means the following:

(A) Any designated person under an applicable Executive order.

(B) Any North Korean person that facilitates the transfer of bulk cash or covered goods (as defined under section 1027.100 of title 31, Code of Federal Regulations).

(C) Any North Korean financial institution.

(D) Any North Korean person employed outside of North Korea, except that the Secretary of the Treasury may waive the application of this subparagraph for a North Korean person that is not otherwise a covered person and—

(i) has been granted asylum or refugee status by the country of employment; or

(ii) is employed as essential diplomatic personnel for the Government of North Korea.

(E) Any person acting on behalf of, or at the direction of, a person described under subparagraphs (A) through (D).

(F) Any person that knowingly employs a person described under subparagraph (D).

(G) Any person that facilitates the import of goods, services, technology, or natural resources, including energy imports and minerals, or their derivatives, from North Korea.

(H) Any person that facilitates the export of goods, services, technology, or natural resources, including energy exports and minerals, or their derivatives, to North Korea, except for food, medicine, or medical supplies required for civilian humanitarian needs.

(I) Any person that invests in, or participates in a joint venture with, an entity in which the Government of North Korea participates or an entity that is created or organized under North Korean law.

(J) Any person that provides financial services, including through a subsidiary or joint venture, in North Korea.

(K) Any person that insures, registers, facilitates the registration of, or maintains insurance or a registration for, a vessel owned, controlled, commanded, or operated by a North Korean person.

(L) Any person providing specialized teaching, training, or information or providing material or technological support to a North Korean person that—

(i) may contribute to North Korea's development and proliferation of WMD, including systems designed in whole or in part for the delivery of such weapons; or

(ii) may contribute to significant activities undermining cybersecurity.

(3) FINANCIAL INSTITUTION DEFINITIONS.—

(A) FINANCIAL INSTITUTION.—The term “financial institution” means a United States financial institution or a foreign financial institution.

(B) FOREIGN FINANCIAL INSTITUTION.—The term “foreign financial institution” has the meaning given that term under section 1010.605 of title 31, Code of Federal Regulations.

(C) NORTH KOREAN FINANCIAL INSTITUTION.—The term “North Korean financial institution” includes—

(i) any North Korean financial institution, as defined in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202);

(ii) any financial agency, as defined in section 5312 of title 31, United States Code, that is owned or controlled by the Government of North Korea;

(iii) any money transmitting business, as defined in section 5330(d) of title 31, United States Code, that is owned or controlled by the Government of North Korea;

(iv) any financial institution that is a joint venture between any person and the Government of North Korea; and

(v) any joint venture involving a North Korean financial institution.

(D) UNITED STATES FINANCIAL INSTITUTION.—The term “United States financial institution” has the meaning given the term “U.S. financial institution” under section 510.310 of title 31, Code of Federal Regulations.

(4) KNOWINGLY.—The term “knowingly” with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentleman from California (Mrs. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. BARR. 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 this bill.

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

There was no objection.

Mr. BARR. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am pleased to sponsor H.R. 3898, the Otto Warmbier North Korea Nuclear Sanctions Act, which imposes the most far-reaching financial sanctions ever directed at North Korea.

Since 2006, North Korea has undertaken six nuclear tests and, earlier this summer, test-launched intercontinental ballistic missiles capable of reaching United States territory. The most recent nuclear device that the country detonated on September 3 had an estimated explosive power 10 times greater than the bomb dropped at Hiroshima. We must not allow the North to threaten a U.S. city with such weapons.

In short, Mr. Speaker, this bill would impose secondary sanctions on foreign financial institutions that do business with virtually anyone that trades with North Korea. In addition, H.R. 3898 would essentially cut off Pyongyang's ability to earn hard currency through North Korean laborers working abroad, and it would use our leverage at the IMF, the World Bank, and other international financial institutions to incentivize countries to crack down on North Korea's illicit activities.

As many of my colleagues know, North Korea is already subject to both U.S. and international sanctions, the latter deriving from a series of U.N. Security Council resolutions. These sanctions have fallen short, however, for two main reasons:

First, they have not given sufficient attention to North Korea's enablers in third countries, especially foreign banks and middlemen in China, Southeast Asia, and other parts of the world.

Second, even though U.N. Security Council resolutions are supposed to bind U.N. members to enforce them, implementation has been weak. As the U.N. Panel of Experts concluded earlier this year, member nations' compliance with sanctions has been so lax that North Korea retains access to the international financial system.

As the Trump administration has made clear, U.N. sanctions are a floor, not a ceiling, for U.S. action. H.R. 3898 embodies this principle through the use of secondary sanctions.

Here is how such sanctions would work, Mr. Speaker:

The front companies and middlemen that North Korea relies on in third countries still need banks. Those banks, in turn, use correspondent or payable-through accounts held at U.S. financial institutions to process international transactions. It is counterproductive for U.S. policy to permit foreign banks to do business in America as well as business that ultimately helps North Korea. It is time for those banks to choose between aiding and abetting the North Korean Government or standing for peace with America and its allies.

□ 1415

H.R. 3898 forces foreign banks to make that choice. Foreign banks can either do business benefiting North Korea or business with the United States. They cannot do both.

Under an executive order issued in September, the President authorized the Treasury Department to levy sanctions on foreign banks that finance North Korean trade. While this was a crucial step forward, H.R. 3898 would widen the net still further.

Under this legislation, Congress would be codifying mandatory sanctions on foreign banks. If someone is dealing with North Korea, there is nowhere to run or hide: a foreign financial institution is subject to sanctions for doing business with you, even if that bank claims that it is not directly financing the trade.

H.R. 3898 also covers more economic activity than any previous sanctions on North Korea, including the current U.N. sanctions round. That means this bill goes after banks involved with petroleum, labor, and virtually any kind of investment or North Korean use of shipping vessels.

In addition, H.R. 3898 targets the knowledge and technological support that North Korea needs for its weapons program and hacking activities.

Pyongyang's threats against cybersecurity are critical for the regime to get its hands on financing.

The goal, Mr. Speaker, is to show North Korea that the path they are on has devastating costs and leads to nowhere regardless. H.R. 3898 provides an off-ramp for North Korea if the country wants sanctions relief, but it is up to Pyongyang to take it. Until then, the sanctions we will be passing today hold tremendous economic pain in store for the Kim Jong-un regime and its foreign enablers.

Finally, Mr. Speaker, we are honored to dedicate this bill to the memory of Otto Warmbier, a young man who traveled to North Korea to understand the country with his own eyes, and whose life was cut short by the regime's brutality. Otto was a student at the University of Virginia, my alma mater, and a special community that continues to mourn the loss of this special young man. Otto held out his hand in friendship to the people of North Korea, as we do. It is Pyongyang's nuclear ambitions, though, that threaten what Otto represented: a world of openness, understanding, and a desire for peaceful relations between our country and North Korea. It is fitting that this legislation bears Otto's name, and that its goals embody his spirit.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

First, allow me to say that I am very pleased that, by naming this legislation after Otto Warmbier, we are able to honor him and let his family know that we will not forget him. Nor will we forget the brutal, lethal treatment of this young, decent American student by the Government of North Korea.

There is simply no justification for the fury with which the Kim regime turned the massive power of the state on this young American man, who is alleged to have done nothing more than take a poster from a hotel. It is this kind of brutality—and the ongoing fundamental depravity of the North Korean regime—that will keep it from being a member of the global community of nations.

This is also why the rapid acceleration in the scale and range of North Korea's nuclear and missile programs is so alarming, including the launch of two intercontinental ballistic missiles in July, one of which experts believe could have had the capacity to reach the continental United States. Then, in September, the regime tested its sixth nuclear explosive device, and, according to U.S. and international estimates, this thermonuclear test was significantly higher in magnitude and yield than any previous test.

This has led to a bipartisan consensus in the Financial Services Committee that a new policy towards North Korea involving a maximum pressure campaign of financial isolation is the best chance we have to resolve this situation peacefully.

Such a strategy must entail a dramatically greater level of pressure than North Korea has faced to date, one strong enough to change Kim Jong-un's calculus about whether he is safer with or without his nuclear program.

The legislation before us today, H.R. 3898, calls for just such a U.S. strategy towards North Korea—and it is one that has the advantage of presenting an option other than a military-first response. As many experts have called for, this legislation takes a page from the Iran sanctions playbook by mandating the use of secondary sanctions, which were widely credited with forcing Iran to the negotiating table.

In the context of North Korea, an American program of secondary sanctions wouldn't just ban U.S. companies from doing business with North Korea, it would also force companies, individuals, banks, and governments to make a choice: stop doing business with North Korea and its enablers or be cut off from the global financial system.

Although we saw in the Iran context just how powerful this approach can be when carefully fashioned as part of a broad coalition, we must remember that sanctions alone are not a strategy. Sanctions are a tool, and in order for them to work, they must be linked to a broader strategic effort, with the high level of skill in their design and implementation, and with a clear understanding of the policy goals we are trying to achieve.

According to Adam Szubin, who formerly served as the Under Secretary of the Treasury for Terrorism and Financial Crimes, when Congress adopted a series of secondary sanction measures in 2010, aimed at containing Iran's nuclear program, the administration was already staffed, well-resourced, and ready to immediately deploy senior officials around the world.

Specifically, senior Treasury, White House, and State Department officials traveled around the world to explain the new U.S. sanctions regime and pressure governments, bankers, traders, and companies to enforce these sanctions in a tough and meaningful way.

Today, there is widespread recognition that a successful strategy to isolate and pressure North Korea must not only entail the effective implementation of sanctions, but also arguably an even more complex and sophisticated degree of statecraft in order to coordinate with our allies, and, in particular, to convince China that we have shared objectives when it comes to addressing the increasing destabilizing North Korean threat.

It is extremely concerning, therefore, that President Trump has shown virtually no capacity or willingness for the hard work necessary to secure concessions from North Korea, or enlist China and other key players to do their part to isolate the Kim regime. In fact, President Trump's reckless threats, his vow to destroy the Kim regime, his

name-calling, warmongering, and rejection of diplomacy contradict key administration officials, and leading experts, who continue to stress the importance of imposing pressure on the Kim regime. It also demonstrates a Commander in Chief who lacks the discipline and quality of leadership it takes to convince our allies to join us in dealing with the North Korean threat.

Given the high-stakes objectives; the lack of a unified, coherent policy from the executive branch; and concern about U.S. credibility on the global stage, I am pleased that, on this critical issue, Members from both sides of the aisle were able to come together behind a concrete strategic objective to force Pyongyang into nuclear diplomacy with the goal of permanently and verifiably limiting North Korea's WMD and ballistic missile programs.

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

The SPEAKER pro tempore. Members are advised to not engage in personalities toward the President.

Mr. BARR. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 3898, the Otto Warmbier North Korea Nuclear Sanctions Act, which our committee, the Financial Services Committee, passed on a unanimous basis.

I thank the gentleman from Kentucky (Mr. BARR), who is leading this debate today, for his leadership on our committee and for this bill. I also thank his ranking member, Ms. MOORE, the gentlewoman from Wisconsin, for her work on this bipartisan bill as well.

I also think that it is a good and proper thing, Mr. Speaker, that this bill is named after Otto Warmbier, a young life that was tragically ended far too soon, who, in his untimely demise, has become an international symbol of the crushing brutality of the North Korean regime.

So it is with his memory that this bill is designed. And, simply put, Mr. Speaker, the bill before us today represents the toughest set of financial sanctions ever directed against the nuclear armed North Korean regime, a regime that still represents a clear and present danger to the global community.

The sanctions our committee is bringing to the House today target foreign financial institutions that, in some way, are connected to North Korea's economic activity—activity that ultimately allows this rogue regime to both develop and proliferate weapons of mass destruction.

Under H.R. 3898, those foreign financial institutions are going to be confronted with a choice. As my colleague from Kentucky put it, they can either do business that benefits North Korea or they can do business with the United States, they cannot do both.

Given the far-reaching impact of the sanctions, our committee does not take them lightly. They are reserved for the gravest threats to our national security, and their application should be targeted at clear and achievable goals. That is why H.R. 3898 cuts off virtually any path that North Korea can take to generate hard currency, yet it holds out the prospect of sanctions relief, if there are real and verifiable limits to the regime's weapons program.

As punishing as these sanctions will be, there is a way out for North Korea, if it chooses to take it, and that is to comply. Otherwise, the Kim regime and its foreign enablers will learn that hostility towards America carries enormous cost.

Mr. Speaker, I again thank the gentleman from Kentucky for his effort, and I urge all of my colleagues to support this vitally needed legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the ranking member for yielding and for her leadership on this committee.

Mr. Speaker, I rise today in support of H.R. 3898.

In August, I was part of a congressional delegation led by Senator MARKEY that visited South Korea, Japan, and the border between China and North Korea. It is just a short drive from Seoul, a city of about 10 million people, to the DMZ, which is the border line with North Korea. Standing there, you understand and see firsthand that even though the United States would prevail unquestionably in any armed conflict, the casualties suffered by South Korea would be horrendous.

Later, I hosted a meeting with Congresswoman WAGNER with South Korean Foreign Minister Kang here in the Congress. From these two meetings, I came back more convinced than ever that we have to leave no stone unturned to solve the most dangerous problem of our times peacefully through negotiations.

I firmly believe that the only way to drive North Korea to the negotiation table is to increase the financial pressure on this reckless rogue regime, which is what this bill does. It is one of the toughest sanction bills financially we have ever considered, and may be the toughest.

The fact that the dollar is the world's Reserve currency gives our country a very important bit of leverage. Companies doing business all over the world want to be paid, need to be paid, in dollars, not in any other currency. So if we restrict international and U.S. financial institutions from doing business with North Korea, then no matter how determined they might be to continue their destabilizing reckless course, they simply will not be able to get the dollars to buy the tools of terror that they need on the international market.

□ 1430

This is not the kind of action we should ever take lightly. This is not a tool to use, an action to take indiscriminately. But in this rare case, in the case of North Korea, such action is not only justified, it is necessary for the defense of our Nation and the defense of other nations.

If North Korea cannot buy the materials necessary to build long-range, nuclear-tipped missiles because they just don't have the dollars, then every country, every person on this globe can breathe a little easier and be a little safer.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this is really an urgently needed bill that not only directly addresses our own security needs, but also does a great service to the community of nations.

I would like to thank my friend, Mr. BARR, for all of his creative and hard work on this bill. I thank Chairman HENSARLING and Ranking Member WATERS for their leadership and support.

Mr. Speaker, I urge my colleagues to support this important bill.

Mr. BARR. Mr. Speaker, I, too, appreciate the bipartisan work on this piece of legislation, but I just do have to respond to my friend, the gentlewoman from California, and her comments about the Trump administration and the shift in policy.

It is hard to dispute that President Trump's public statements and official actions on North Korea have gotten Beijing's attention in a way that previous American Presidents have not. President Trump's tough rhetoric and tough talk on North Korea matches a shift in policy away from strategic patience to one that uses enhanced pressure through sanctions and the credible threat of military force to give substance and meaning to our diplomacy.

Even the Democrat witness in our hearing on this legislation admitted that the President's strong language had made a difference in giving us additional leverage in our negotiations with China.

Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, I strongly urge my colleagues to support Mr. BARR's legislation, the Otto Warmbier North Korea Nuclear Sanctions Act.

North Korea has continued to prove a dangerous and destabilizing force to the northeast Asian region, as well as to the United States and its allies. Its repeated missile tests, nuclear weapons tests, and heinous human rights violations demand that the United States continue its diplomatic and economic isolation campaign.

Today's bill is named for my constituent, Otto Warmbier, from Wyoming, Ohio, in the greater Cincinnati area.

Otto passed away on June 19 after spending 18 months in detention by the North Korean regime, the brutality of which was far beyond human decency or civility. The pain and heartache endured by Otto, his family, and his friends can never be undone or erased, but Congress can continue to take action by passing H.R. 3898 today and imposing the most far-reaching sanctions yet to be directed at North Korea.

There is no simple solution to countering such complex national security threats, but it is critical that we utilize both economic and diplomatic tools to hold hostile regimes like North Korea accountable when they act repeatedly and aggressively against our interests, our allies, our citizens, and our security.

Mr. Speaker, I strongly and sincerely urge support of this bill by every Member of this Chamber.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

To my colleague on the opposite side of the aisle who was responding to part of my statement, of course there are many in this country who worry about President Trump's reckless threats, his promise of fire and fury, his vow to destroy the Kim regime, his name-calling, warmongering, and rejection of diplomacy.

It directly contradicts his leading Cabinet officials who continue to stress the importance of imposing pressure on the Kim regime. It also demonstrates a Commander in Chief who lacks the discipline and the capacity to convince our allies to join us in dealing with the North Korean threat.

The SPEAKER pro tempore. The gentlewoman is reminded not to engage in personalities toward the President.

Ms. MAXINE WATERS of California. The gentlewoman will happily not engage in personalities except to say that the rhetoric to call Kim Jong-un the little rocket man is not productive and it does not do us well.

We have a situation in which nearly every high-level official in the U.S. Government believes the threats posed by the North Korean nuclear and missile programs must be front and center in U.S. national security decision-making.

This is a time for U.S. diplomatic and foreign policy efforts to be aggressively focused on intensifying economic and diplomatic coordination with our allies and China in a strategy that would entail sophisticated policymaking capacity and coordination across the U.S. Government. Instead, a week ago, in a move that I believe history will strongly condemn, President Trump refused to recertify the Iran nuclear deal, throwing into question continued U.S. support for the landmark nuclear accord.

Whether you support or hate the Iran nuclear deal, it is widely viewed, at

least so far, as successfully containing Iran's nuclear ambitions, and will for many years.

There can be no question that President Trump's threat to walk away from the international nuclear accord will have a direct and profoundly negative effect on our ability to convince Kim Jong-un or our allies that America will honor any commitment to integrate North Korea into the global community if it gives up its nuclear and missile programs.

In short, the President's threat to withdraw from the Iran nuclear deal undermines our credibility as a negotiating partner and throws into question the prospect of any effective nuclear diplomacy with North Korea. At a time when we are facing a nuclear crisis with North Korea, raising questions about our commitment to the Iran nuclear deal not only defies strategic logic, but it also undermines our national security.

On that issue, I would welcome, as I do with the legislation before us today, a stronger, more unified, bipartisan front.

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

Mr. BARR. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the vice chairman of the Financial Institutions Subcommittee.

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman from Kentucky for yielding.

Mr. Speaker, I rise in strong support of this bipartisan legislation sponsored by my friend and colleague, Mr. BARR from Kentucky.

This legislation sends a clear message to the rest of the world: you can either do business with the United States and the free world or you can do business with the brutal dictatorship of Kim Jong-un and the Democratic People's Republic of North Korea. You cannot deal with both.

Mr. Speaker, the gravest threat facing our Nation today is North Korea, the world's worst perpetrator of human rights. Kim's contempt for human life animates both his human rights record and his nuclear ambitions.

Just this past June, we learned how Kim's regime tortured University of Virginia student Otto Warmbier. His parents, Cindy and Fred, went public with the details of their son's suffering in September during an interview with CNN.

These are just a few of the details that Fred and Cindy shared in that interview: "Halfway up the stairs, we hear this loud, guttural howling, inhuman sound."

They found him strapped to a stretcher. He has a shaved head. His eyes are darting around. He is blind, he is deaf, he is on a feeding tube. His bottom teeth looked like they had been taken with a pair of pliers and rearranged. His mother, Cindy, described how his hands and legs were totally deformed.

Otto's story serves as a very real and very tangible reminder, and teaches a new generation of Americans of what happens under totalitarian governments and communist dictators.

Now, as the brutal Kim regime continues its nuclear quest, the same barbarism that killed Otto threatens all Americans. This July, the dictatorship claimed they had the capacity to send an intercontinental ballistic missile anywhere in the world. In September, they conducted their sixth nuclear weapons test and claimed to have detonated a hydrogen bomb that could be mounted on an intercontinental ballistic missile. These actions must not be ignored.

This legislation adds secondary sanctions to those passed in May. It not only prevents persons from trading with, facilitating trade with, investing in or participating in a joint venture with a North Korean entity, but it also targets foreign financial institutions from aiding in such actions. Simply put, this bill forces banks to cut off all participation with North Korea-related business interests, freezing out the capital that funds North Korea.

Mr. Speaker, 56 years ago, at the height of the Cold War, when another godless communist regime threatened the world, President Kennedy reminded us of America's exceptional nature and consequent leadership in the world. His inaugural address included this reflection: "And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that the rights of man come not from the generosity of the state, but from the hand of God."

Mr. Speaker, I urge my colleagues to support this legislation not just for Otto and his family, but for all those who might be harmed by North Korea if we do not act now.

Mr. Speaker, I again thank the gentleman from Kentucky for his leadership on this vital issue.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL), a distinguished member of the Financial Services Committee.

Mr. HILL. Mr. Speaker, I thank our distinguished subcommittee chairman for yielding. I am proud to support my colleague from Kentucky on his bill, H.R. 3898, the Otto Warmbier North Korea Nuclear Sanctions Act.

I think it is important for all of us in this Chamber to know, as well as the people across this country, that there is no daylight between the two political parties in this capital, and there is no daylight between the United States Government and our Allied Governments around the world in working together to develop sanction regimes both bilaterally here in the United States and multilaterally across the world to end this nuclear threat.

For 24 years, Mr. Speaker, we have had three Presidencies—we are in our

fourth Presidency—dealing with this issue. This issue has not been handled. We have not sanctioned this regime. We have not enforced those sanctions. We have not obtained multilateral sanctions. We have not ever given the Kim dictatorship one reason to think that our government and our allied friends around the world are serious about ending the nuclear threat from North Korea.

Mr. Speaker, I thank my friend from Kentucky for standing up in the Financial Services Committee and leading the way for secondary sanctions. I thank my friends, Chairman ROYCE and Ranking Member ENGEL in the Foreign Affairs Committee, for their work with this administration to end this threat to not only north Asia, our economic allies, our national security allies, but also our friends around the world.

Mr. Speaker, I urge all my colleagues to support this important legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BUDD), a member of the Financial Services Committee.

Mr. BUDD. Mr. Speaker, I rise today in support of Representative BARR's bill, the Otto Warmbier North Korea Nuclear Sanctions Act.

Mr. Speaker, how is it that a tiny, isolated country like North Korea has the ability to fund and develop a nuclear weapons program with the capability to strike American soil?

The answer to that question is found in part through correspondent and payable-through accounts, which are tools used by North Korea to bypass the existing U.S. and U.N. sanctions against them.

Non-North Korean actors use these accounts to fund the government through shell and front companies. While these sanctions are implemented in good faith, it is time to acknowledge that sometimes they just don't work.

There is some good news, Mr. Speaker. If enacted, this bill requires the Treasury Secretary to impose strict conditions on those who knowingly do business with North Korea through those accounts.

We have also seen the United Nations take action recently by banning North Korea's export of iron ore, which is another legitimate step in stopping the continued development of their nuclear weapons program.

Finally, the Trump administration's executive orders will help us more easily target companies that do business with North Korea.

These actions, plus the enactment of this legislation, will create the most debilitating sanctions package Pyongyang and their financial surrogates have ever seen.

Of all the positive things in this bill, though, I am most excited by the language amending the Bretton Woods Agreement Act to instruct U.S. executive directors at international finan-

cial institutions, like the IMF and the World Bank, to use our "voice and vote" to oppose financial assistance to governments that knowingly support the Kim regime.

□ 1445

The United States has long used its economic influence, a more aggressive element of soft power, to advance an agenda that liberates the oppressed in the darkest corners of the world like North Korea.

Mr. Speaker, I thank the gentleman from Kentucky for introducing this bill, and I urge its adoption.

Mr. BARR. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore. The gentleman from Kentucky has 3 minutes remaining, and the gentlewoman from California has 7 minutes remaining.

Mr. BARR. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. HOLLINGSWORTH), another distinguished member of the Financial Services Committee.

Mr. HOLLINGSWORTH. Mr. Speaker, I, too, rise in strong support of this legislation.

Every single week, I make phone calls to Hoosiers back home, and I hear every night on those phone calls how hard they are working to build a better and brighter future for themselves, for their families, and for their children; but they understand that, in order to have a brighter, better future, they must have a future. I hear on the phone every single night how concerned they are that there won't be a future with all that they see, all that they read, all that they hear about these threats from North Korea.

We in Congress have heard their pleas to do something, that enough is enough, that threats against Guam, that ICBMs flying off the Peninsula, that nuclear tests, that the time has come for decisive action, and decisive action is what we are taking here.

The toughest financial sanctions ever put in place, that is what this bill does, and that is what we need to put in place to ensure that we demand real change from North Korea, that we demand that they stop threatening Americans and the American way of life.

Mr. Speaker, I support this legislation, support the work that is being done to confront this challenge once and for all, and this bill demands the question: Will you do business with the United States or will you do business with North Korea?

Mr. Speaker, I am excited to stand up in support of this legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield back the balance of my time.

Mr. BARR. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. MESSER), another distinguished member of the Financial Services Committee.

Mr. MESSER. Mr. Speaker, I want to thank my colleague from Kentucky for

his leadership and my colleague from Indiana for his leadership on this legislation as well.

Mr. Speaker, from day one, President Trump's message to North Korea has been clear: the U.S. will not tolerate any North Korean actions that threaten American lives.

Hoosiers appreciate President Trump's leadership and understand the crisis we face. North Korea is an erratic and brutal regime. We simply cannot accept a world in which North Korea has nuclear weapons that can reach American shores.

Unfortunately, with each missile test, we are moving closer to that world becoming a reality. That is why I am proud to work with my colleague from Kentucky and other colleagues on the Otto Warmbier North Korean Nuclear Sanctions Act. With this bill, we will give foreign financial institutions a clear choice: you can either do business with Kim Jong-un in North Korea, or you can do business with the United States—but not both.

By imposing the toughest financial sanctions ever on North Korea, this bill cuts off crucial resources that the regime relies on to finance its weapons program.

Mr. Speaker, I urge my colleagues to support this measure, help us meet the North Korean threat head-on, and do what is necessary to protect our country.

Mr. BARR. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 3898, 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. BARR. 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.

STRENGTHENING CYBERSECURITY INFORMATION SHARING AND COORDINATION IN OUR PORTS ACT OF 2017

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3101) to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3101

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 "Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017".

SEC. 2. IMPROVING CYBERSECURITY RISK ASSESSMENTS, INFORMATION SHARING, AND COORDINATION.

The Secretary of Homeland Security shall—

(1) develop and implement a maritime cybersecurity risk assessment model within 120 days after the date of the enactment of this Act, consistent with the National Institute of Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity and any update to that document pursuant to Public Law 113-274, to evaluate current and future cybersecurity risks (as such term is defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148));

(2) evaluate, on a periodic basis but not less often than once every two years, the effectiveness of the maritime cybersecurity risk assessment model under paragraph (1);

(3) seek to ensure participation of at least one information sharing and analysis organization (as such term is defined in section 212 of the Homeland Security Act of 2002 (6 U.S.C. 131)) representing the maritime community in the National Cybersecurity and Communications Integration Center, pursuant to subsection (d)(1)(B) of section 227 of such Act;

(4) establish guidelines for voluntary reporting of maritime-related cybersecurity risks and incidents (as such terms are defined in section 227 of such Act) to the Center (as such term is defined subsection (b) of such section 227), and other appropriate Federal agencies; and

(5) request the National Maritime Security Advisory Committee established under section 70112 of title 46, United States Code, to report and make recommendations to the Secretary on enhancing the sharing of information related to cybersecurity risks and incidents, consistent with the responsibilities of the Center, between relevant Federal agencies and—

(A) State, local, and tribal governments;

(B) relevant public safety and emergency response agencies;

(C) relevant law enforcement and security organizations;

(D) maritime industry;

(E) port owners and operators; and

(F) terminal owners and operators.

SEC. 3. CYBERSECURITY ENHANCEMENTS TO MARITIME SECURITY ACTIVITIES.

The Secretary of Homeland Security, acting through the Commandant of the Coast Guard, shall direct—

(1) each Area Maritime Security Advisory Committee established under section 70112 of title 46, United States Code, to facilitate the sharing of cybersecurity risks and incidents to address port-specific cybersecurity risks, which may include the establishment of a working group of members of Area Maritime Security Advisory Committees to address port-specific cybersecurity vulnerabilities; and

(2) that any area maritime transportation security plan and any vessel or facility security plan required under section 70103 of title 46, United States Code, approved after the development of the cybersecurity risk assessment model required by paragraph (1) of section 2 include a mitigation plan to prevent, manage, and respond to cybersecurity risks (as such term is defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)).

SEC. 4. VULNERABILITY ASSESSMENTS AND SECURITY PLANS.

Title 46, United States Code, is amended—

(1) in section 70102(b)(1)(C), by inserting “cybersecurity,” after “physical security,”; and

(2) in section 70103(c)(3)(C), by striking “and” after the semicolon at the end of clause (iv), by redesignating clause (v) as

clause (vi), and by inserting after clause (iv) the following:

“(v) prevention, management, and response to cybersecurity risks; and”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentleman from Texas (Mr. VELA) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. MCCAUL).

GENERAL LEAVE

Mr. MCCAUL. 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 material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act.

More than \$1.3 trillion in cargo travels through American seaports along our coasts every year. A safe but constant and unrestricted flow of goods and services through our maritime transportation system have played a vital role in allowing the United States to become the global superpower it is today. To put it simply, our seaports are the gateways to our economic survival.

Unfortunately, as our port systems increasingly benefit from new technology, high-capacity information technology, and computer systems, they are also increasingly finding themselves in the crosshairs of those who are waging a cyber war against the United States. These attacks originate from rogue hackers, terrorist groups, and adversarial nation-states, and America is a constant target.

In recent years, China successfully stole over 20 million security clearances from OPM. Russia has waged a cyber war against our political system. Equifax had a breach that jeopardized sensitive information on over 43 million people.

In June, the Port of Los Angeles, one that several of our committee members will be visiting next week, was briefly shut down because of a cyber attack. This is one of our busiest ports, and it is estimated that it cost nearly \$300 million in economic damage. We must do more to strengthen cybersecurity of these essential maritime hubs.

Fortunately, we have that opportunity. The legislation before us requires the Department and the Secretary of Homeland Security to implement a risk assessment model which focuses on cybersecurity vulnerabilities and risk. This assessment will be reviewed periodically so we can determine the best security practices to implement at each port.

The bill also requires that the DHS Secretary work with the National and

Area Maritime Security Advisory Committees to analyze and share cyber risks and to report to Congress measures that have been taken to improve cybersecurity at our Nation's ports. This bill will strengthen the security of our homeland and protect our economic assets.

Mr. Speaker, I want to thank Congresswoman TORRES and other members of the Homeland Security Committee for their hard work on this issue. I urge my colleagues to support this commonsense bill, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, October 19, 2017.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

I write concerning H.R. 3101, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Transportation and Infrastructure will forego action on the bill. However, this is conditional on our mutual understanding that foregoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Further, this is conditional on our understanding that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration. Lastly, should a conference on the bill be necessary, I request your support for the appointment of conferees from the Committee on Transportation and Infrastructure during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy this letter and your response acknowledging our jurisdictional interest be included in the bill report filed by the Committee on Homeland Security, as well as in the Congressional Record during consideration of the measure on the House floor, to memorialize our understanding. I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, October 19, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 3101, the “Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017.” I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will forego further consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration of this bill at this time, the Committee on Transportation and

Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee represented on the conference committee. Further, the Committee on Homeland Security agrees that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration.

I will insert copies of this exchange in the report on the bill and in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

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

Mr. Speaker, I stand today in support of H.R. 3101, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act.

Port facilities serve as a vital economic function for our Nation and the communities in which they are located. The approximately 360 commercial maritime ports operating across the United States handle more than \$1.3 trillion in cargo, annually.

To facilitate and maintain this level of economic activity, the maritime sector increasingly relies on technology to facilitate the movement of cargo into and through port facilities. Collectively, navigation, operations, and communication technologies enhance the competitiveness, safety, and reliability of the U.S. maritime sector.

However, as port operations have become more automated, exposure to cyber threats and attacks have also increased. This homeland security threat is not unique to the maritime sector. In fact, since 2003, the Government Accountability Office has warned about the vulnerability of critical infrastructure and has called on the Federal Government to support efforts to bolster cybersecurity.

To better protect port facilities from cyber attacks, Congress must ensure that expertise in both the private and public sector is leveraged effectively. H.R. 3101 would direct DHS to be more proactive in how it addresses cybersecurity risks at our Nation's ports.

The first step in reducing cyber vulnerabilities is identifying the weak points in network security through risk assessments. H.R. 3101 requires these assessments. The bill directs the Coast Guard to provide port facilities with guidelines on how to report cybersecurity risks in order to enhance the ability of both the Coast Guard and port operators to respond effectively to such attacks.

By promoting cybersecurity information sharing and coordination between public and private partners at maritime facilities, H.R. 3101 seeks to make a positive difference in how quickly terminal and port operators are able to prevent, mitigate, and recover from such attacks.

H.R. 3101, if enacted, will help foster an environment in which DHS, the

Coast Guard, ports, and port stakeholders work together to enhance the cybersecurity at our Nation's ports.

Lastly, I would like to note the bipartisan support for this bill in the Homeland Security Committee. I thank Chairman MCCAUL, Ranking Member THOMPSON, and my colleague Congresswoman TORRES for their hard work and leadership in this matter.

Mr. Speaker, when this bill was considered last Congress and earlier this fall, committee colleagues on both sides of the aisle agreed that H.R. 3101 is a timely and worthwhile measure to support. I urge my colleagues to support H.R. 3101.

Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Speaker, before I begin, I want to thank the chairman and also Ranking Member THOMPSON and Ranking Member VELA and all of their committee staff for their great work and support of this very important legislation. We would not be here today without their commitment to keeping our ports safe. Thank you.

Mr. Speaker, you can't turn on the television or visit your favorite website without seeing cyber threats dominating the news. All industries, including our own Federal agencies, have been targets, costing our economy dearly and exposing the personal information of hundreds of millions of employees.

This is a growing problem that is not going away. Rather, these threats are becoming more common and more severe. From the interference in our elections to attacks on government workers, email hacks, and the theft of credit card information, cyber threats are everywhere, and it is time that we modernize the Federal Government's planning and response to these threats.

In June, a Danish shipping company was infected with malware that affected 17 of its shipping container terminals worldwide. The virus spread to 2 million computers within a 2-hour period. As a result, the largest terminal at the Port of Los Angeles shut down for 4 days from the cyber attack.

A recent study estimated the cost of a shutdown of the Port of Los Angeles and Long Beach at \$1 billion per day to the local economy.

More than \$1.3 trillion in cargo moves, annually, through our Nation's 360 commercial ports, and many of the goods that enter through the Port of Los Angeles and the Port of Long Beach come to my district before being shipped to the rest of the country.

With this much economic activity and the increased use of cyber technology to manage port operations ranging from communications and navigation to engineering, safety, and cargo, it is critical to protect our maritime cyber infrastructure.

□ 1500

It is time that Congress modernize our Federal agencies. This is why I am

proud to bring the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act to the floor today.

This legislation would improve information sharing and cooperation in addressing cybersecurity risks at our Nation's ports through several measures: setting standards for reporting, providing guidance to ports, bringing port representatives to the table for future planning, and modernizing how the Coast Guard addresses cyber threats.

Mr. Speaker, these are commonsense measures. This bill has bipartisan support. The Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act passed the House unanimously last year, and I am confident that passage today will push the Senate into action.

This legislation is supported by the Port of Los Angeles, Congressional PORTS Caucus chairs, and it is endorsed by the Maritime & Port Security Information Sharing and Analysis Organization. I urge my colleagues to support this legislation because we simply can't afford not to. Ports are too critical to our economy and our Nation.

Mr. MCCAUL. Mr. Speaker, I have no other speakers. If the gentleman from Texas has no other speakers, I am prepared to close once the gentleman does.

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

Mr. VELA. Mr. Speaker, I yield myself the balance of my time.

H.R. 3101 will help improve the way we manage cybersecurity risks at our Nation's commercial maritime ports. With the increased need for and use of technology at maritime facilities, it is in our national and economic interest for there to be better cyber information sharing and coordination efforts at our Nation's ports.

By assessing cyber risks at individual port facilities and establishing countermeasures to mitigate these risks, the U.S. maritime sector will be better prepared to protect these important centers of economic activity.

Mr. Speaker, I encourage my colleagues to support H.R. 3101, and I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield myself the balance of my time.

I once again urge my colleagues to support this important legislation. I want to thank Congresswoman TORRES for her strong leadership on this bill, Mr. VELA, Ranking Member THOMPSON.

Mr. Speaker, we have passed over 50 bills out of my committee, out of the House floor, and sent them to the Senate, where they still sit there with no action whatsoever. And when it comes to homeland security measures, I believe that it is dangerous to do nothing, and I urge the Senate to take up action on this bill and the other 50 bills that we have sent over to the Senate.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 3101, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017.

I thank Congresswoman TORRES for introducing this important piece of legislation that addresses security at our nation's ports.

H.R. 3101 requires the Department of Homeland Security (DHS) to facilitate increased information sharing about cybersecurity among maritime interests.

The bill requires DHS to:

Develop, implement, and continually review a maritime cybersecurity risk assessment model to evaluate current and future cybersecurity risks;

Seek input from at least one information sharing and analysis organization representing maritime interests in the National Cybersecurity and Communications Integration Center;

Establish voluntary reporting guidelines for maritime-related cybersecurity risks and incidents;

Request that the National Maritime Security Advisory Committee report and make recommendations to DHS about methods to enhance cybersecurity and information sharing among security stakeholders from federal, state, local, and tribal governments; public safety and emergency response agencies; law enforcement and security organizations; maritime industry participants; port owners and operators; and maritime terminal owners and operators; and

Ensure that maritime security risk assessments include cybersecurity risks to ports and the maritime border of the United States.

As a senior member of the House Committee on Homeland Security and former Ranking Member of the Committee's Subcommittee on Border and Maritime Security, I am well aware of the hard work that the Houston Port Authority, and the Department of Homeland Security has done to secure the port, its workers, and the millions of tons of imports and exports that traverse the waters of the Port of Houston each week.

According to the U.S. Department of Transportation the U.S. maritime border covers 95,000 miles of shoreline with 361 seaports.

Ocean transportation accounts for 95 percent of cargo tonnage that moves in and out of the country, with 8,588 commercial vessels making 82,044 port calls in 2015.

The Port of Houston is a 25-mile-long complex of diversified public and private facilities located just a few hours' sailing time from the Gulf of Mexico.

In 2012, ship channel-related businesses contributed 1,026,820 jobs and generated more than \$178.5 billion in statewide economic activity.

In 2014, among U.S. ports the Port of Houston was ranked:

1st in foreign tonnage;

Largest Texas port with 46 percent of market share by tonnage and 95 percent market share in containers by total TEUS in 2014;

Largest Gulf Coast container port, handling 67 percent of U.S. Gulf Coast container traffic in 2014;

2nd in total foreign cargo value (based on U.S. Dept. of Commerce, Bureau of Census).

The Government Accountability Office (GAO) reports that the Port of Houston port, and its waterways, and vessels are part of an economic engine handling more than \$700 billion in merchandise annually.

The Port of Houston houses approximately 100 steamship lines offering services that link Houston with 1,053 ports in 203 countries.

The Port of Houston is a \$15 billion petrochemical complex, the largest in the nation and second largest worldwide.

These statistics clearly communicate the potential for a terrorist attack using nuclear or radiological material may in some estimations be low, but should an attack occur the consequences would be catastrophic, and for this reason we cannot be lax in our efforts to deter, detect and defeat attempts by terrorists to perpetrate such a heinous act of terrorism.

The Department of Homeland Security (DHS) plays an essential role in domestic defense against the potential smuggling of a weapon of mass destruction in a shipping container or the use of a bomb-laden small vessel to carry out an attack at a port.

Earlier this year, a global malware attack occurred that caused significant harm to international shipping giant A.P. Moller-Maersk.

That attack revealed serious vulnerabilities in our nation's maritime security, which is still being assessed.

The only way port operations were able to resume following the attack at one of our nation's busiest ports was to revert to a manual system to process cargo and ships.

This was not the first time that cyber criminals used technology against port operations.

Approximately \$1.3 trillion in cargo passes through our nation's 360 commercial ports.

The convenience, precision and accuracy provided by digital technology in processing cargo through our nation's ports adds to their capacity to manage tonnage.

Securing cyber technology to manage port operations, ranging from communication and navigation to engineering, safety, and cargo, is critical to protect our nation's maritime cyber infrastructure.

Government leaders and security experts are concerned that the maritime transportation system could be used by terrorists to smuggle personnel, weapons of mass destruction, or other dangerous materials into the United States.

They are also concerned that ships in U.S. ports, particularly large commercial cargo ships or cruise ships, could be attacked by terrorists.

A large-scale terrorist attack at a U.S. port, experts warn, could not only cause local death and damage, but also paralyze global maritime commerce.

This is of particular concern at the Port of Houston, which is the busiest port in the United States in terms of foreign tonnage, second-busiest in the United States in terms of overall tonnage, and fifteenth-busiest in the world.

DHS, through U.S. Customs and Border Protection, the Transportation Security Administration, and the U.S. Coast Guard, administers several essential programs that secure our Nation's ports and waterways.

I include in the RECORD a letter dated March 30, 2017, that I sent to the Chair and Ranking Member of the Committee on Homeland Security requesting a field hearing on the topic of port security.

I ask my colleagues join me in voting to pass H.R. 3101, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 30, 2017.

Hon. MICHAEL MCCAUL,
Chair, House Committee on Homeland Security,
House of Representatives, Washington, DC.

Hon. BENNIE THOMPSON,
Ranking Member, House Committee on Homeland Security, House of Representatives,
Washington, DC.

DEAR CHAIRMAN MCCAUL AND RANKING MEMBER THOMPSON: Your leadership to secure the homeland from terrorist attacks by putting the needs of the nation first in matters before the Committee is commendable. I am writing to request that as Chair and Ranking Member that you invite senior members of the Committee to join you for a meeting with Houston Port facility security and industrial manufacturing professionals to discuss the work and industry that takes place at that port.

The issue of port security remains integral to our Committee's work, and this opportunity for you, and senior members of the committee to learn more about modern ports is appreciated. Ports are indispensable to our nation's economic health as engines of commercial transportation as well as the gateway for food and essential goods to the nation's interior. The evolution of major ports, like the Port of Houston into co-location sites for manufacturing means port security challenges have expanded.

Thank you for your work to secure our nation from terrorist threats by keeping the committee abreast of the most critical security issues facing our nation. I look forward to your positive reply to this request.

Very truly yours,

SHEILA JACKSON LEE,
Member of Congress.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, H.R. 3101, as amended.

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

A motion to reconsider was laid on the table.

STOP SETTLEMENT SLUSH FUNDS ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. 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. 732.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 577 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. 732.

The Chair appoints the gentleman from Oklahoma (Mr. LUCAS) to preside over the Committee of the Whole.

□ 1504

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. 732) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, with Mr. LUCAS 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.

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Last Congress, the House Judiciary Committee commenced an investigation into the Obama Justice Department's pattern or practice of requiring settling defendants to donate money to third-party groups. In its final 2 years, the Obama DOJ directed nearly \$1 billion to third parties entirely outside of Congress' spending and oversight authority.

All along, the Obama Justice Department strained to deny the obvious problem: that mandatory donation provisions create opportunities to play favorites. Deputy Associate Attorney General Geoffrey Graber testified that the Department was not "in the business of picking and choosing which organization may or may not receive any funding under the agreement."

But internal DOJ documents tell a different story. They show that, contrary to Graber's sworn testimony, the donation provisions were structured to aid the Obama administration's political friends and exclude conservative groups.

From the outset, Graber's boss, Associate Attorney General Tony West, was keenly interested in choosing the organizations that would receive settlement money. In the lead-up to the first troubling settlement, West's deputy emailed the Office of Legal Counsel asking: "Can you explain to Tony the best way to allocate some money toward an organization of our choosing?"

Explaining the final settlement to the press team, West's deputy wrote that the donation provisions require banks to "make donations to categories of entities we have specified, as opposed to what the bank might normally choose to donate to."

Sure enough, Congress received testimony, in 2016, that the donation beneficiaries were Obama administration allies. These include the Neighborhood Assistance Corporation of America, whose director calls himself a bank terrorist.

But aiding their political allies was only the half of it. The evidence of the Obama DOJ's abuse of power shows that Tony West's team went out of its way to exclude conservative groups.

On July 8, 2014, 6 days before DOJ finalized its settlement with Citi, Tony West's top deputy circulated a draft of the agreement's mandatory donation terms. A senior official from the Office of Access to Justice, who had been working closely with Tony West to direct settlement money to legal aid organizations, responded, requesting a word change.

She explained that the rewording would achieve the aim of "not allowing Citi to pick a statewide intermediary like the Pacific Legal Foundation," which she explained, "does conservative property-rights free legal services." The change was made.

It is not every day in congressional investigations that we find a smoking gun. Here we have it.

Unfortunately, the chief architect of this outrage was lauded, not punished. The recipients of the donations, from which PLF was excluded, circulated an email seeking ways to recognize "Tony West who, by all accounts, was the one person most responsible for including the donation provisions."

One organization replied: "Frankly, I would be willing to have us build a Tony West statue and then we could bow down to this statue each day after we get our \$200,000-plus."

Mr. West's abuse of power stands in stark contrast to the reassertion of integrity by the current Attorney General Sessions shut down the use of mandatory donations to benefit outside groups, barring the practice through a policy directive issued earlier this year.

This legislation, however, remains necessary because history shows that we cannot rely on the current DOJ policy remaining in place. In point of fact, in 2009, the incoming Obama administration reversed course from previous DOJ guidance that had started imposing limits on settlement payments to nonvictims. This reversal led to the abuses I highlighted.

H.R. 732 is a bipartisan bill that would make the ban on settlement payments to nonvictim third parties binding on future administrations. The bill makes clear that payments to provide restitution for actual harm directly caused, including harm to the environment, are permitted.

It was obvious, from the outset, that mandatory donation provisions create opportunities for abuse; that such abuses actually occurred is now proven.

Mr. Chairman, I call on my colleagues from both sides of the aisle to support this good governance measure, and I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Stop Settlement Slush Funds Act would prohibit the Federal Government from entering into or enforcing any settlement agreement requiring donations to remediate harms that are not "directly and proximately" caused by a wrongdoer's unlawful conduct.

I, regretfully, oppose this measure for several reasons. To begin with, the bill would prohibit these types of settlement agreements even though they have been successfully used to remedy various harms, particularly those caused by reckless corporate actors.

For example, these settlement agreements helped facilitate an effective and comprehensive response to the predatory and fraudulent mortgage lending activities of financial institutions that nearly caused the economic collapse of our Nation, and that led to the Great Recession.

In fact, settlement agreements with two of these culpable financial institutions, Bank of America and Citigroup, required a donation of less than 1 percent of the overall settlement amount to fund foreclosure prevention and remediation programs to help harmed consumers.

Now, contrary to the majority's claim, the Justice Department did not use any of these settlement agreements to fund active groups. Notwithstanding the production of hundreds of pages of documents by the Justice Department, along with hundreds of pages of documents produced by private parties, we have not seen a shred of evidence that the government included unlawful or politically motivated terms in its settlement agreements with Bank of America or Citigroup.

The majority also asserts that these settlement agreements are used by the Justice Department and other agencies to circumvent the congressional appropriations process. But existing law already prevents agencies from augmenting their own funds.

By law, donations included in settlement agreements must have a clear nexus to the prosecutorial objectives of the enforcement agency. And both the Government Accountability Office and the Congressional Research Service have concluded that settlement agreements providing for secondary remediation do not violate Congress' constitutional power of the purse.

Finally, H.R. 732 would prevent the remediation of systemic harms in civil and criminal enforcement actions.

These settlement agreements allow parties to resolve their civil or criminal liability by voluntarily remediate the harms caused by their unlawful conduct. For some types of unlawful conduct, such as discrimination based on race or religion, secondary remediation of harms may be the only remedy available for systemic violations of the law.

□ 1515

The victims of such conduct are typically not themselves parties to the underlying action. Therefore, secondary remediation in the form of voluntary compliance and training programs serves as an important tool in these cases to protect victims of discrimination. Yet H.R. 732 would effectively prohibit such relief.

Given these serious problems and some others presented by the bill, I strongly am led to oppose H.R. 732.

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

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

At this time, I would like to include in the RECORD a number of exhibits:

Exhibit A, in which under oath we had testimony that said the Department of Justice did not want to be in the business of picking or choosing organizations that may or may not receive any funding under an agreement.

Yet, exhibit B, in which the number three at Department of Justice under President Obama said, "Can you explain to Tony the best way to allocate money toward organizations of our choosing," in a \$9 billion settlement.

And in exhibit C, in which they specifically said they had concerns, including not allowing Citibank to pick a statewide intermediary like Pacific Legal Foundation that does conservative causes.

EXHIBIT A

Chairman GOODLATTE. Well, let me just add that this committee will not stand silent, nor will, I am sure, the Financial Service Committee, and you can expect that this will escalate if you do not provide the documentation that we requested over 2 months ago.

Secondly, did anyone at the Department of Justice ever consider the serious appearance of impropriety in requiring banks to make available to activist organizations the lion's share of funding that Congress has previously cut off to them? That is one of the reasons why we want to see the communications. We want to know what considerations went into making this decision to take this action.

Mr. GRABER. Thank you, Mr. Chairman. Again, understand the concern. And I can tell you that one of the reasons that the Department wanted to use a preexisting list, the one that I believe you are referring to, the HUD approved counseling agency list, is because that list is preexisting. The Department did not want to be in the business of picking and choosing which organization may or may not receive any funding under the agreement.

Chairman GOODLATTE. No, but it is the Congress' responsibility to appropriate funds, and the Congress' responsibility to be picking and choosing who gets appropriations for expenditures. And we want to know what connection there is between the fact that cuts were made and . . .

EXHIBIT B

From: Taylor, Elizabeth G. (OAAG)
Sent: Wednesday, November 06, 2013 10:58 AM
To: (OLC); Seitz, Virginia A (OLC)
Cc: Martinez, Brian (OAAG); Graber, Geoffrey (OAAG) (OLC)
Subject: back again with questions

I'm sorry to be a pest. We keep tinkering with the settlement agreement and I want to make sure that we are doing it right. I also am not sure that I am a good messenger between you and Tony because he asks me follow up questions that I'm not sure I can answer. Do you have a few minutes today to meet with Tony and let him ask you questions directly?

Here are our current issues:

Can you explain to Tony the best way to allocate some money toward an organization of our choosing? We have been discussing having the agreement provide that JPM agreed to pay \$9 billion but that, if, by the time we sign the settlement agreement, JPM

has given \$60 million to x organization, they will only have to pay \$8.04 billion. I think that's ok. We understand that we would have no control over what x organization does with the money.

Thanks

EXHIBIT C PART I

From: Frimpong, Maame Ewusi-Mensah (OAAG)

Sent: Wednesday, July 09, 2014 1:07 PM

To: (A2J)

Subject: RE: new language

Thanks! We made the proposal. They had one question whenever you have a moment.

From: (A2J)

Sent: Wednesday, July 09, 2014 9:47 AM

To: Frimpong, Maame Ewusi Mensah (OAAG)

Subject: RE: new language

You go girl. The prospective settlement was on NPR this morning, in case you didn't have your radio on . . .

Acting Senior Counselor for Access to Justice

U.S. Department of Justice

From: Frimpong, Maame Ewusi Mensah (OAAG)

Sent: Wednesday, July 09, 2014 9:42 AM

To: (A2J)

Subject: RE: new language

Cool. I will keep you posted.

From (A2J)

Sent: Wednesday, July 09, 2014 9:34 AM

To: Frimpong, Maame Ewusi Mensah (OAAG)

Cc: (A2J)

Subject: RE: new language

Importance: High

Got it. Ok, this will hopefully address the concerns we'd like to avert:

Donations to state-based Interest on Lawyers' Trust Account (IOLTA) organizations (or other statewide bar-association affiliated intermediaries) that provide funds to legal aid organizations, to be used for foreclosure prevention legal assistance and community redevelopment legal assistance.

Concerns include: a) not allowing Citi to pick a statewide intermediary like the Pacific Legal Foundation (does conservative property-rights free legal services) or a statewide pro bono entity (will conflict out of most meaningful foreclosure legal aid) we are more likely to get the right result from a state bar association affiliated entity; b) making

EXHIBIT C PART II

sure that it's legal assistance provided, not a scenario where the bank can direct IOLTA or other intermediary to give to even a legal aid organization but to do only housing counseling, for example, under the umbrella "foreclosure prevention assistance."

This get you closer?

Acting Senior Counselor for Access to Justice

U.S. Department of Justice

From: Frimpong, Maame Ewusi Mensah (OAAG)

Sent: Tuesday, July 08, 2014 6:10 PM

To: (A2J)

Subject: new language

H

I think we are going to have to be as thin as possible here, not add new definitions, and not limit to particular states. What do you think about the following:

Donations to state-based Interest on Lawyers' Trust Account (IOLTA) organizations or other statewide intermediaries that provide funds to legal aid organizations, to be used for foreclosure prevention assistance and community redevelopment assistance.

Regards,

Maame

Maame Ewusi-Mensah Frimpong

Principal Deputy Associate Attorney General

Office of the Associate Attorney General

U.S. Department of Justice

EXHIBIT D

From: Frimpong, Maame Ewusi-Mensah (OAAG)

Sent: Friday, August 15, 2014 4:01 PM

To: Canale, Ellen (OPA)

Subject: "stretching by the banks"

Hi Ellen

Here are some examples of consumer relief items that we believe require the banks to do more than they would be economically motivated to do on their own in Citi:

Make donations to categories of entities we have specified (as opposed to what the bank might normally choose to donate to).

I hope this is helpful. Let me know if you have questions or need more. Big picture, we are requiring the bank to change its behavior and at the very least, choose the actions we prefer among various options that it might be economically motivated to take. This in itself is valuable because we are pushing them to focus their activities on the borrowers and areas and relief of most concern to us and that we believe will have the greatest impact in redressing the harm their actions caused to consumers and communities.

Thanks!

Maame

EXHIBIT E

From: Martinez, Brian (OAAG)

Sent: Friday, November 15, 2013 1:04 PM

To: Graber, Geoffrey (OAAG)

Subject: Consumer Relief

Geoff, this is what we received from HUD a little while ago.

From: Smith, Damon Y

Sent: Friday, November 15, 2013 12:06 PM

To: Taylor, Elizabeth G. (OAAG)

Cc: Martinez, Brian (OAAG)

Subject: RE: update for Tony?

Attached is a clean and redline of where we are. Don't be afraid of the extent of the redline. Much of it is shifting around and the preamble, footnotes and other language are all new so we're just getting down to negotiating it.

Let me know if you have any questions or concerns.

Thanks,

Damon

From: Taylor, Elizabeth G. (OAAG)

Sent: Friday, November 15, 2013 11:48 AM

To: Smith, Damon Y (HUD)

Cc: Martinez, Brian (OAAG)

Subject: update for Tony?

Right after I sent my email, Tony called me asking for an update, especially on where we are on liquidated damages and on one or more third party beneficiaries. Can you get on a call with Tony (and me) and update him? I'm copying Brian to assist in scheduling. Let me know if you think Sec. Donovan needs to be included, but I'm sure that would complicate scheduling and Tony really just want to know where things are.

EXHIBIT F

From (A2J)

Sent: Tuesday, June 17, 2014 9:28 AM

To: Frimpong, Maame Ewusi Mensah (OAAG)

Cc: (A2J)

Subject Memo re: bank settlement

Hi Maame,

Hope all is well and that you are settling in on the 5th floor.

We wanted to give you a heads up that we will be sending a memo your way today. By way of background, Cindy contacted yesterday about an issue that we've been discussing with Tony for months and one that we've been meaning to connect with you on adding language that incorporates legal aid into the Department's large bank settlement agreements (as part of consumer/victim relief). We understand that Tony wants a quick

turnaround on this, so please feel free to reach out to us with any questions.

Best,
an
Senior Counsel
Access to Justice Initiative
U.S. Department of Justice

EXHIBIT G

DELIBERATIVE AND PRE-DECISIONAL DOCUMENT

U.S. DEPARTMENT OF JUSTICE

MEMORANDUM

To: Maame Ewusi-Mensah Frimpong

From: an

Date: June 23, 2014

Subject: Including Legal Aid Organizations in Distribution of Bank Settlement Funds

As requested by Associate Attorney General Tony West, ATJ has researched options for incorporating legal aid into the Department's large bank settlement agreements. Based on our current understanding of the potential scale, we identified three options that would best align with organizational capacity and litigation goals, and achieve the ASG's goal of a distribution mechanism that reaches a broad coalition of legal aid organizations.

The options listed below could be pursued either separately or in some combination. As set out below, we recommend a combination of options 1 and 2:

1) distribute the majority of funds set aside for legal aid to IOLTA foundations; and

2) reserve sufficient funds for a national organization to establish Consumer Protection Fellowships in specific states pursuant to the settlement, to focus on foreclosure prevention solutions that help people keep their homes and prevent future mortgage abuses.

IOLTA foundations are especially appropriate intermediaries in cases involving banks because a) they have capacity to effectively distribute large sums of money; and b) the historically low bank interest rates from the beginning of 2008 to the present, have meant the loss of hundreds of millions of dollars to legal aid programs nationally, while the need for free legal services has grown.

Legal aid offices respond to the wide range of legal problems faced by low-income communities in distress, with lawyers working on cases involving housing and consumer protection as well as family law matters and access to public benefits. Often clients have multiple, interrelated legal problems, such as a loss of housing that may exacerbate or lead to other debt problems or an acute need to access other public benefits. Some larger organizations also have expertise in broader community development work, like working on behalf of citizen groups to negotiate community benefits agreements (such as requiring development to include affordable housing or prioritize local labor). Typically, as non-profit organizations subject to oversight by boards of directors, legal aid offices have a formal process for setting local priorities with oversight and input from their boards. It could be logistically difficult for large scale funding through IOLTA to have subject matter restrictions on it (such as only for housing cases). Like most IOLTA funding, and like federal funds from the Legal Services Corporation, it is best to have as few strings as possible—both to respect established local priorities and avoid overly burdensome accounting. However, for the smaller portion of funding in option 2, it makes sense to be targeted both as to geography and subject matter.

Finally, while we recommend as few restrictions as possible on funding going to legal aid organizations, we note that some organizations already live with funding re-

strictions—such as not being allowed to pursue class actions. If, to build support for these ideas generally, there is a need to fashion reasonable restrictions, then ATJ can help with further development of such options.

EXHIBIT H

From: Bob LeClair

To: Charles Dunlap; david; Amy Sings in the Timber; Judith Baker; Shannon Scruggs; Amy Johnson; Libhart, Stephanie S.; Choy, Stephanie; Norsworthy, Nancy; Alvaro Flores; comalley; lphillips

Cc: Groudine, Beverly

Subject: RE: NAIP letter to Tony West at DOJ

Date: Friday, August 22, 2014 2:32:43 PM

Great idea! We should do a resolution, and we also should do some formal plaque that would say "for outstanding service" or other such words.

Frankly, I would be willing to have us build a statue and then we could bow down to this statue each day after we get our \$200,000+.

Heap big fun!

Bob LeClair.

From: Charles Dunlap

Sent: Friday, August 22, 2014 12:21 PM

To: david; Amy Sings in the Timber; Judith Baker; Shannon Scruggs; Amy Johnson; Libhart, Stephanie S.; Bob LeClair; Choy, Stephanie; Norsworthy, Nancy; Alvaro Flores; comalley; lphillips

Cc: Groudine, Beverly

Subject: NAIP letter to Tony West at DOJ

Hi NAIP Board members. Now that it has been more than 24 hours for us all to try and digest the Bank of America settlement, I would like to discuss ways we might want to recognize and show appreciation for the Department of Justice and specifically Associate Attorney General Tony West who by all accounts was the one person most responsible for including the IOLTA provisions. I am in the process of sending him a thank you letter today on behalf of NAIP and all of its members. I also wanted to see if there are any other ideas to honor him and the DOJ in a more meaningful way (resolution, other award, ceremony at the midyear?) and am looking for any creative ideas to try and show him how important this is to our community and more importantly what a huge impact it will have on those in need. Any ideas are appreciated. Thanks again for your suggestions.

Chuck

INDIANA BAR

Charles R. Dunlap

Executive Director

EXHIBIT I PART I

The Leadership Conference on Civil and Human Rights

The Leadership Conference

MEMORANDUM

TO: Elizabeth Taylor, US Department of Justice

FROM The Leadership Conference on Civil and Human Rights

RE: JPMorgan Chase Toxic MBS Accountability in Prince William County, VA

DATE: November 8, 2013

Thank you for taking my call earlier today. I thought our conversation was helpful, and I appreciate your willingness to hear my suggestions regarding a "pilot project on community reinvestment" in Prince William County, Virginia, as an element of the anticipated JPMorgan Chase settlement. For the record, it is important that I offer the following disclaimer: this proposal is made on our own initiative, and without the encouragement, approval, or suggestion by either you or the Department of Justice.

By way of background, The Leadership Conference on Civil and Human Rights is the

nation's leading civil and human coalition. We have been actively involved for many years in housing and lending policies both before and in the wake of nation's financial crisis. As I mentioned when we spoke, we are working with several community-based organizations in Prince William County that seek to promote the public interest through leveraged investments in neighborhoods that have been hard hit by home foreclosures.

For example, VOICE, a broad-based citizens organization with 50 religious and community institution members in Northern Virginia, has asked The Leadership Conference to assist them in their fight to get JPMorgan to reinvest a portion of the more than \$300 million in equity it stripped from Prince William County, VA communities and families through predatory loans, toxic Mortgage-backed Securities (MBSs), and foreclosures (see attached one-page summary of JP Morgan's Prince William track record).

We are asking DOJ officials negotiating with JPMorgan Chase to consider including in any settlement significant equity capital or grant funds to promote and capitalize a Prince William County Restoration Fund (see attached concept paper) which will revitalize blighted neighborhoods, rebuild homeownership, and address

EXHIBIT I PART II

Metro IAF

VOICE for justice

NATIONAL COMMUNITY RESTORATION FUND

JP MORGAN CHASE & FEDERAL GOVERNMENT

MBS SETTLEMENT

Goal: Require JPMorgan Chase to reinvest some of the equity its predatory mortgages stripped from communities as part of the US Department of Justice's proposed \$13 Billion Settlement with JPMorgan over regulatory issues and mortgage-backed securities (MBSS).

Metro Industrial Areas Foundation, a network of 22 broad-based citizens organizations in the East, Midwest, and South, proposes that this occur in one of two ways:

Ideal Proposal: The Federal Government should require JPMorgan Chase to pay \$2 billion in cash to capitalize a National Community Restoration Fund that would help restore communities and be available on a competitive basis. The National Restoration Fund could capitalize 50 local community restoration equity funds to rebuild communities across the country that were destroyed by JPMorgan's predatory loans and toxic MBSS.

Alternative Proposal: The Federal Government should include in its consent agreement, as part of the consumer relief portion, a requirement that JPMorgan Chase capitalize local community restoration equity funds through significant grants (at least \$10 million+ each) or Equity Equivalent (EQ2) investments over 20+ years on a non-recourse basis at very low interest rates (0%-1%) to rebuild communities devastated by foreclosure. JPMorgan Chase could be given enhanced credit towards its settlement requirements for this type of grant or investment.

Background: JPMorgan Chase's predatory loans—packaged into toxic MBSS—did not just hurt investors and individual homeowners; they destroyed entire communities for which JPMorgan should be held accountable to reinvest. MBSS allowed predatory lenders to originate trillions of dollars of sub-prime loans that were structured to fail, targeted at low-wealth and minority borrowers, and concentrated in low-income neighborhoods in cities and aging suburbs throughout the US. The cumulative effect of these failed mortgages was to:

Leave large-numbers of blighted and vacant homes that depress property values,

preventing remaining homeowners from securing a loan modification because they are underwater. These properties also attract crime and other public safety issues;

Devastate homeownership rates, replacing owners with renters vulnerable to negligent absentee investors and destabilizing neighborhoods;

Create pressures on available affordable rental housing as demand rises from families recently foreclosed, raising rents and making rental housing unaffordable;

Deny large swaths of former homeowners, who are stuck in high-priced rental housing,

EXHIBIT J

Best,
Peter J. Kadzik
Principal Deputy Assistant Attorney General

Office of Legislative Affairs

From: Martin Trimble
Sent: Saturday, February 15, 2014 6:13 PM
To: Kadzik, Peter J (OLA)
Cc: Luke Albee; Michelle Malwurm; Clyde Ellis; Keith Savage; Wilson Michael; Frank McMillan

Subject: VOICE/Metro IAF Meeting with US Deputy Attorney General Tony West

MR. KADZIK: It was good to talk with you on Wednesday. Thank you for agreeing to speak with US Deputy Attorney General Tony West about meeting with VOICE—Virginians Organized for Interfaith Community Engagement Leaders—to discuss VOICE & Metro Industrial Areas Foundation's (Metro IAF) proposal to create a \$5 Billion National Community Equity Restoration Fund to rebuild communities devastated by predatory loans and toxic Mortgage Backed Securities issued by financial institutions.

The VOICE-Metro IAF National Community Equity Restoration Fund concept paper is attached. As you know, VOICE worked with Senator Mark Warner, Federal officials, and other allies to get "grants to capitalize community equity restoration funds" included as one way JP Morgan Chase can fulfill its consumer relief obligations under the Department of Justice-JP Morgan Chase \$13 billion toxic Mortgage Backed Securities settlement. This precedent potentially creates a vital resource to rebuild communities hard hit by predatory loans and foreclosures. We will brief Deputy Attorney General West on how community equity restoration funds established by VOICE/Metro IAF sister groups are transforming blighted communities on a large scale in Baltimore, New York, Milwaukee as well as the VOICE restoration plan for Prince William County, VA. VOICE & Metro IAF will make the case that the Department of Justice should make "grants to capitalize community equity restoration funds" mandatory in all future settlements.

Below is background information on VOICE and its organizing to hold financial institutions accountable for the predatory loan and foreclosure crisis in Prince William County, VA as well as Metro IAF. Watch this short video for the story about VOICE's organizing: VOICE Foreclosure Organizing Video. The concept paper has details on the effectiveness of community equity restoration funds in rebuilding blighted communities.

Thank you for your consideration and I look forward to talking with you again soon. Sincerely,

Martin Paul Trimble

EXHIBIT K

From: West, Tony (OAAG)
Sent: Tuesday, March 04, 2014 1:51 PM
To: Taylor, Elizabeth G. (OAAG)
Cc: Martinez, Brian (OAAG); Graber, Geoffrey (OAAG)
Subject: RE: meeting with VOICE
Let's discuss later today.

From: Taylor, Elizabeth (OAAG)
Sent: Tuesday, March 04, 2014 12:50 PM
To: West, Tony (OAAG)
Cc: Martinez, Brian (OAAG); Graber, Geoffrey (OAAG)
Subject: meeting with VOICE

I met today, on your behalf, with a VOICE—Virginians Organized for Interfaith Community Engagement. They would like us to include in the consumer relief portion of the next rmbs settlement a requirement that the bank contribute to a National Community Equity Restoration Fund, which, in turn, would capitalize community equity restoration funds in communities across the country that were harmed by the banks' creation and securitization of toxic mortgages. I explained the limits of what we can do in a securities settlement, including the facts that the suit is aimed at harm to investors and that the federal government could not administer such a fund. Still, proposal is According to , this kind of community equity restoration fund has been successful in developing affordable housing and restoring blighted neighborhoods in New York, Baltimore, Philadelphia, DC and Milwaukee. I will invite you and any of us who are interested to come see the work they have done in Baltimore and DC. Damon.

Damon but says that BofA has already committed \$10 million to making low interest loans in Virginia. I'll try to find out whether BofA is getting credit toward the NMS for this money. claims that they shamed BofA into this by storming their shareholder meeting. Perhaps we can discuss this more when we meet this afternoon. I'll also scan the proposal and send it around.

EXHIBIT L CITY SETTLEMENT 7/14/14

Annex 2
E. Donations to state-based Interest on Lawyers Trust Account (IOLTA) organizations (or other statewide bar-association affiliated intermediaries) that provide funds to legal aid organizations, to be used for foreclosure prevention legal assistance and community redevelopment legal assistance E. \$1.00 payment = \$2.00 Credit* * *

Menu Item 4E Minimum = \$15 million payment

F. Donations to HUD-approved housing counseling agencies to provide foreclosure prevention assistance and other housing counseling activities F. \$1.00 payment = \$2.00 Credit* * *

Menu Item 4F Minimum = \$10 million payment

115% Early Incentive Credit for Menu Items 4A-F

Mr. ISSA. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Chair, I thank the gentleman for yielding, and I thank Chairman GOODLATTE for bringing forth this legislation.

Mr. Chair, I am a lawyer, like many of our members on the Judiciary Committee. I served as a prosecutor and as a judge, and we have a lot of those legal beagles on our Judiciary Committee.

Although I worked primarily in State court as a judge and a prosecutor, I have always had great respect for those people in the Justice Department who work on behalf of the people of the United States in Federal court. However, over the last few years, my opinion of the Justice Department has changed, and it has changed not for the better.

It has changed because I see that the Justice Department is acting as a political entity. I didn't say partisan entity. I said as a political entity, making decisions that appear to be based on politics rather than the law and policy.

This legislation does one thing: it tries to elevate the Justice Department back to a nonpolitical entity, which it has, unfortunately, in my opinion, become a political entity. It is unfortunate that it has become that. Some of the things that the Justice Department has done, and this legislation I think would prevent, would be to make sure that the Justice Department does not become a political entity in determining settlements of lawsuits that the Justice Department files on behalf of the American public.

So what happens is that these lawsuits are settled, and then the Justice Department tells the defendant: We the people are suing. You contribute to this entity and this will all go away. This case will be settled. There won't have to be a trial.

So that is what has been happening over the last few years.

In 2012, the Department of Justice forced Gibson Guitars to pay a \$50,000 "community service payment" to the National Fish and Wildlife Foundation, even though the Foundation was not a victim of the crime that Gibson Guitars was involved in. It had no connection to that case.

The National Fish and Wildlife Foundation received a bigger windfall again in 2012, when the government required British Petroleum—we all remember the BP spill—to donate \$2.5 billion to the Foundation over a 5-year period in connection with the criminal investigation of the Gulf of Mexico oil spill.

Discretion on the part of the Department of Justice on where the money goes smells, Mr. Chairman. It doesn't pass the smell test.

In 2006, the Department of Justice forced a wastewater plant that had been accused of violating the Clean Water Act to give \$1 million to the United States Coast Guard Alumni Association. Now, I love the Coast Guard. We probably all love the Coast Guard. But government shouldn't be making a decision to give taxpayer money, or money, to any association. It is political decisions that the Justice Department has been making.

The wastewater treatment firm was also forced to pay another \$1 million to the Greater New Haven Water Pollution Control Authority in Connecticut to fund unspecified environmental improvement projects.

A recent attack on the DOJ bank settlement with Goldman Sachs required a \$250 million fee to be assessed, financing donations toward affordable housing. This is a political decision by the Justice Department. And there are many other examples that we will put into the RECORD. This should not be a Department of Justice decision on a settlement. If they sue somebody and

they settle the case, the money should go to the victims of that lawsuit. It should not go to the Department of Justice's discretion to pick political entities.

Remember, I didn't say partisan. I just said political entities. Go to the victim. Go to the Victims of Crime Act. Go to where crime victims get funds. Go back to the U.S. Treasury, but the money should not be discretionary with the Justice Department.

The CHAIR. The time of the gentleman has expired.

Mr. ISSA. Mr. Chair, I yield an additional 1 minute to the gentleman.

Mr. POE of Texas. But let's take the politics, the decisionmaking, and the credibility—or lack of credibility—of the Justice Department in settling cases on behalf of the United States people, and take it away from the Justice Department and put it where it is supposed to go: to the victims of that lawsuit.

That is where it should go. And if it doesn't go there, then it should go to the Victims of Crime Act, a Federal Government entity where funds for criminal violations go into a fund. Or it should go to the United States Treasury.

Remove the politics no matter who the President is. Remove the politics of the Justice Department so they can regain credibility with the American people for being involved in justice, not politics.

And that is just the way it is.

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a distinguished member of the House Judiciary Committee, who is ranking member on the Subcommittee on Regulatory Reform, Commercial and Antitrust Law.

Mr. CICILLINE. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I rise in opposition to H.R. 732, the inaptly titled Stop Settlement Slush Funds Act of 2017, which would flatly ban the enforcement of any settlement agreement that seeks to remedy the general harms caused by unlawful conduct.

This prohibition would broadly apply to all civil and criminal settlements with limited exception, encroaching on the Justice Department's longstanding legal authority to negotiate and enter settlement agreements.

Since its establishment in 1870, the Justice Department has possessed plenary authority to litigate on behalf of the government in all civil and criminal litigation except as otherwise provided by law.

Since at least as early as 1888, the Supreme Court has upheld this broad grant of authority, holding that it extends to settling litigation on behalf of the government or making enforcement decisions in light of priorities and resources.

In *Heckler v. Chaney*, for example, the Court held in 1985 that, in many cases, enforcement decision within the Justice Department's expertise make it

"far better equipped than the courts to deal with the many variables involved in the proper ordering of its priorities."

This rationale also extends to the terms of settlement agreements, which "involve numerous complicated technical issues as well as important judgments respecting the use of limited prosecutorial resources" and are "best left in the hands of expert agencies and prosecutors, rather than dictated by Congress or the Federal courts," as environmental law professor Joel Mintz has noted.

H.R. 732 undermines this longstanding policy by strictly curtailing the enforcement discretion of the Justice Department and the other enforcement agencies when resolving a party's civil or criminal liability on behalf of the Federal Government.

As the Justice Department observed last Congress in the context of a substantively similar bill, "limiting the Department's discretion to negotiate appropriate terms of settlement, which are voluntary and agreed to by the parties, may result in fewer settlement agreements, protracted litigation, and delays for victims who need the relief."

Without this discretionary authority, the Department concluded that, "the government may not be able to adequately address the full scope of the harms that a defendant's illegal actions caused."

In contrary to the arguments of the gentleman from Virginia, despite 2 years of investigation by the Judiciary Committee into the Justice Department's use of settlement agreements, no evidence was found to show that the mortgage fraud settlements contain terms that were politically motivated. But we did learn that the sole mission of the Justice Department's settlements under the prior administration was to aid the families whose economic security was jeopardized by reckless Wall Street behavior and prevent them from losing their homes due to fraudulent mortgage practices.

There are many examples where generalized harm is impossible to calculate or impractical to quantify in the courts. Without this ability by the Justice Department to enter into these settlement agreements, corporate wrongdoers are going to be free to do whatever they want.

I give you one example: Deepwater Horizon, which destroyed the coastline. As part of that settlement, there was State-based cleanup that was provided. There was funding for the National Fish and Wildlife Foundation for remediation; things that were directly responsive to the harm caused. But you couldn't quantify to an individual person, and that is what this legislation will prevent.

Mr. Chair, I urge my colleagues to oppose this measure.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

If the minority has not gone through the discovery that we have, that we

placed in the RECORD, I will be glad to give Mr. CICILLINE or anyone else a copy.

I am just going to repeat, though, after receiving testimony that they didn't pick winners and losers, what we are marking as exhibit B and exhibit C make it clear they were, and specifically choosing, to exclude a "conservative group."

I think the important things here, though, Mr. Chairman, are if they want to have money in a settlement, such as the Deepwater Horizon tragedy, they certainly could, as long as it directly provides aid to the victims; which, of course, cleanup did. But when we look at these others, one of the great things is if they want to put it into a victim's fund as part of it, a government-controlled fund, they can if they want.

If the Department of Justice wants specific authority the way they do, for example, in water settlements, particularly related to Native American Tribes, they offer a deal, they put one together, and, Mr. Chairman, they come to Congress. This Congress, in the last Congress, settled multiple longstanding disputes with Tribes. What is interesting is they made sure the money went to those who had been harmed when they came to Congress and said: Please codify this agreement.

But in the many agreements that seems to go on in the Obama administration—and we now have the smoking gun of that—they made political decisions. Making political decisions is why you have to put this back in the light of day and with real congressional oversight.

What is amazing is, during the markup of this bill, there were a number of Members of the other party who specifically talked about not trusting the current occupant of the White House and the current Attorney General. It baffles me that they would not want to take back this authority knowing that the Department of Justice could bring to us a request for a bill that would authorize a specific settlement that could have outside groups or grant authority on a case-by-case basis.

□ 1530

The reality is the slush fund system has to stop. That is why Chairman GOODLATTE's bringing this bill today was so critical.

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

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. You have got a minority report you are putting in which cites lists of abuses; is that correct?

Mr. ISSA. It is majority. Yes, you have copies of it.

Mr. COHEN. I just wondered, do you have in there all the things Chris Christie did that came up in a hearing that we held in 2009 in our committee showing the abuses of the system by Chris Christie?

The CHAIR. The Chair would remind Members to address their remarks to the Chair, please.

Mr. ISSA. Mr. Chairman, the gentleman asks for a colloquy.

Although I don't have them, I am sure they prove the same point: that the light of day, the cleanliness of sunlight, and congressional oversight and appropriation would have protected against the abuses the gentleman is probably describing.

Mr. COHEN. Mr. Chairman, Mr. PASCRELL will discuss it in more detail.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield the gentleman from Tennessee an additional 30 seconds.

Mr. COHEN. Mr. Chairman, Mr. PASCRELL will go into this in some detail.

But we held hearings on this, and we didn't have any support from the other side of the aisle when we pointed out all of the abuses that were going on in New Jersey. Mr. Chairman, with monitors being appointed that were making \$52 million—Mr. Ashcroft, in particular—other monitors who had involvement in cases that Mr. Christie was involved in, which his brother was involved in, and where money was given to Mr. Christie's law school and other pet projects. Nobody on the other side criticized it. It was only when they cared about Obama.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman's points are good. I am afraid his conclusion may be the part I have to differ slightly with, Mr. Chairman.

The gentleman from Tennessee is right to note past and other indiscretions. That is why we have this bill before you today. In fact, it is why passage is so important.

We don't want to have anybody of either party—the current occupant of the White House is from my party, a Republican. The current Attorney General is from my party, a Republican and former Republican Senator. The fact is that now is the time not to necessarily disparage any past activity but to stop it.

We are not a body that is supposed to trust as much as we are a body to have some trust and to verify. When we find wrongdoing, it is our job to make sure it doesn't happen again. This bill, including the comments of the gentleman from Tennessee, seeks to do that. I am convinced that it is good for that reason, and it is even good for the example that Mr. COHEN suggests.

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

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER), who is the ranking member on the Subcommittee on Courts, Intellectual Property, and the Internet.

Mr. NADLER. Mr. Chairman, I rise in strong opposition to H.R. 732. This misguided legislation would restrict the government's flexibility to resolve lawsuits against corporate wrongdoers and would make it harder to provide a remedy to all those who are harmed by the company's malfeasance.

Under well-established law, when settling claims with some corporate defendants, the Department of Justice may seek to include among the terms a contribution by the defendant to a third-party organization. Because it is often difficult to identify each individual who was harmed by the company's actions, particularly those who suffered the secondary effects of such wrongdoing, these third-party payments are intended to address the generalized harms caused by corporate bad actors. But this bill would prohibit any payment to a party that is not for restitution or to remedy a harm that is "directly and proximately" caused by the defendant. Such restrictions will needlessly hamper the Department of Justice's ability to efficiently resolve claims and to provide relief to all those injured by a defendant's actions.

For example, in the wake of the financial crisis, the Department of Justice, under Attorney General Holder, sued several large banks whose egregious misconduct destabilized the housing market and threw millions of people out of their homes, with millions more placed on the brink of foreclosure, all while the banks reaped massive profits. The banks agreed to resolve these claims by paying record-setting fines to the government in recognition of the tremendous damage they had caused.

Some of these voluntary agreements also included payments to housing counseling agencies and legal aid organizations responsible for assisting homeowners devastated by the foreclosure crisis that those banks helped create. The Republican majority sneers at these nationally recognized community organizations, however, and dismisses them as nothing more than activist groups. Republicans are so concerned that funds were going to organizations that help level the playing field between corporations and individuals that they drafted this legislation to prohibit the government from entering into a settlement that provides for any third-party payments.

Homeowners and communities across the country are still struggling with the aftermath of the foreclosure crisis, and the third-party payments negotiated by the Obama administration have been vital in helping both the direct victims and all those who suffered the collateral consequences of the banks' misconduct.

Attorney General Sessions recently announced that his Justice Department will not include such terms in the settlements it negotiates. But supporters of this bill insist that we must tie the hands of future administrations as well, weakening their ability to efficiently resolve claims and preventing them from using this tool to seek relief for the victims of corporate misdeeds.

This unnecessary and irresponsible legislation is yet another attempt by the Republican majority to favor wealthy corporations over individuals, and I urge my colleagues to oppose it.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to make sure I provide a little clarity. We are not talking about leftwing, rightwing, or other groups who get it. What we are talking about is a basic question of fungibility of money.

If something has been done wrong and a judge or the Department of Justice has X amount of determination of wrongdoing, the first question is: How much of that money can get to the victims? In a perfect world, the victims are made 100 percent whole. In a perfect world, 100 percent of the money passes from the perpetrator to the victim.

The Department of Justice making a decision not to a left- or rightwing group, but a political decision to give \$1 million to the Coast Guard, to their charitable foundation, was a decision that clearly was not part of the mitigation but, rather, a general charitable decision. That was \$1 million that did not go to the victim, did not go to the general Treasury, but it went to the whims of a bureaucrat.

We seek to make sure that, if that is an appropriate action, they come to Congress with that and not decide that charity begins with some unelected individual in the Department of Justice.

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

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON), who is a member of the Judiciary Committee.

Mr. JOHNSON of Georgia. Mr. Chairman, I thank the gentleman from Michigan for the time.

Mr. Chairman, I rise in opposition to H.R. 732, which would prohibit the U.S. Government from entering into settlement agreements or enforcing settlement agreements if the settlement agreement includes a term that provides a payment to be made to a third party. In the class action context, these donations are known as cy-pres.

Under existing laws, settlements from Federal enforcement actions can include payments to third parties to advance programs that assist with recovery, benefits, and relief for communities harmed by lawbreakers to the extent such payments further the objectives of the enforcement action. This bill would cut that ability off. It cuts off any payments to third parties other than individualized restitution and other forms of direct payment for actual harm. That restriction would handcuff Federal enforcement officials from actually doing justice.

This legislation arose out of the Wall Street too-big-to-fail episode in 2008, which resulted in the Great Recession, where millions of Americans lost their homes to foreclosure because of the actions of these too-big-to-fail banks insofar as the subprime mortgage crisis is concerned.

So the Department of Justice sued these big banks, which, by the way,

have continued to just get bigger and bigger after they received their Wall Street bailout, and the American people who lost their homes did not receive a bailout.

This legislation is to protect those same banks, and I would add that we have got Steve Mnuchin now as the head of the Treasury Department in the Trump administration. So this legislation is in keeping with that which would protect and coddle these Wall Street thugs who have now ascended to the seat of government and look to lock down their control. With this legislation, they prevent themselves from being sued.

My friends on the other side of the aisle are complicit. They support too big to fail. They support the big banks. It is at the expense of the little guy, the people who work hard every day working for a salary, an honest day's work for an honest day's pay, which seems to be harder and harder to do these days because of the legislation that this Congress passes.

This is just another in a long line of pieces of legislation that coddles and protects those who really need no protection. They should be under the jail for what they have done to the American people.

I fight against this kind of legislation. It is wrong for America, and it is wrong for its citizens. It is great for the big banks.

Mr. ISSA. Mr. Chairman, I yield myself 1 minute in short response.

Mr. Chairman, sometimes the obvious is missed in the debate. The gentleman from Georgia talks about locking down power. Quite frankly, Republicans do have a majority in the House and a slim majority in the Senate, and the current occupant of the White House is from my party. So when we are trying to reduce potential misconduct by the executive branch, we are not doing it to take any money away.

As a matter of fact, this law would clearly cause more money to flow from the same amount of initial payment, more money to flow to the victims. So we are trying to flow more money to the victims. We are in no way reducing any aspect of settlements other than, if the current occupant of the White House, the President, and the Attorney General want to give to the charity of their choice, they can either do it with their own money or they can come to Congress for authority.

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

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, the Department of Justice, the same Federal agency that obtained benefits for the homeowners who were hurt by the excesses of the big banks, that Justice Department is now controlled by Jefferson Beauregard Sessions, who is not very keen on trying to recover damages on behalf of the

people. If he has to get permission from Steve Mnuchin of the Treasury Department to do it, they work so hand in hand, you know that there is not going to be any relief for the homeowners of this country.

Mr. ISSA. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, Mr. Ranking Member, Chairman GOODLATTE, I start by expressing my appreciation to Chairman GOODLATTE for acknowledging the actions that were taken by the Governor of New Jersey when he was the U.S. attorney back in 2006 to 2007.

By the way, the former Justice Department was not even in existence yet.

I agree with much, on both sides, of what has been said here, but I think we are missing the point. The legislation is needed to prohibit this from happening again.

Congressman POE, the gentleman from Texas, wants to take the political preference out of the Justice Department. He is absolutely correct, I agree, but not just about where the money is going to go.

We have a major problem here. I have been shouting from the rooftops about the need to reform the Justice Department's settlement agreement process for almost a decade on this floor.

When we talk about lawsuits being settled, deferred prosecutions are to get rid of the defendant so that the defendant, at the cost of doing business, pays a fine. That is how it is done. This bill does nothing about that—zero.

□ 1545

Many of the corporations that stood before the courts—and I am not a lawyer, as most of you guys and gals are—they stood before the courts for 15 years, representing those corporations, and what they got out of it was: Look, we are going to slap you on the wrist. We are going to give you a little fine. At that time, you can give the money to whoever you wish. And then you go away. Nobody is prosecuted. Nobody goes to jail. Nobody is going to go to jail with these banks that cheated middle class folks. Nobody. Guaranteed.

But under the guise of “ensuring accountability,” H.R. 732 is a political exercise missing real reprimand for these practices, reforms to the system, or redress to actual victims.

For years, we have known deferred prosecution agreements get out of hand, regardless of whether there is a Democrat running the Presidency or a Republican. So for anybody to stand up there and just say this was Obama's problem, they don't know history.

I suggested a modest reform to improve the transparency of these agreements. I was rebuffed by some of the very people who are in this room.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chair, I yield an additional 30 seconds to the gentleman.

Mr. PASCRELL. There is much to be said here, but if we remember the Bristol-Myers Squibb case, they avoided prosecution for securities fraud in exchange for \$5 million to the Governor's law school alma mater. Now, that is what is going on.

Mr. Chairman, you don't accept that. If you are on the Judiciary Committee, you can't accept that either. You have got to be kidding me. To allow the courts to do something like this—and any administration, Democrat or Republican, to go along with this—no wonder the people have little faith in the justice system in the United States of America.

I simply want fairness, Mr. Chairman. I have asked for it many times. This is not a new subject to me, and I will be back talking about it again.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to take a moment to agree with the gentleman from New Jersey. The idea that you can pay a fine to get out from underneath criminal prosecution is one that I would like to see either eclipsed to where it is almost invisible and rarely used or done away with altogether. I would certainly agree to join with the gentleman in finding further prohibitions to that practice.

It has been too often that a corporation able to pay large amounts of money not only escapes its actions, but, of course, it escapes the prosecution of key individuals who may, in some cases, be responsible for the loss of life and/or health.

So I want to join with the gentleman from New Jersey. That is not what this bill is about. It doesn't deal with it, nor does it fail to deal with it. It is not the subject of the bill.

I urge the gentleman, who does agree with a portion of what we have to say, to work with me. I will be happy to be his cosponsor on a piece of legislation to try to curtail that practice.

Today, we are trying to curtail a practice in which we have examples of both Republicans and Democrats in the Office of the Attorney General, their justice departments, from making settlements that seem to have political bias. And that is what we are here to stop.

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

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the ranking member of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Chair, I would only offer to say that there is not one Judiciary Committee Democrat on this so-called bipartisan bill. That is where you first start the bipartisanship: you work with members who may, in fact, believe that some of the issues that have been raised by my

good friend from California may have merit.

Maybe this bill could have been drafted in a way that would have responded to some of the failures, if there are some, such as evidenced by our good friend from New Jersey, who recalled a lot of failures not by Democrats but by Republicans. But when you start off with a bill talking about slush funds, then you negate the good work of so many organizations that have benefited to do the very good that the consent decree was intended to do.

Today, I stood with the Latinas Against Domestic Violence. They came here to stand against the violence against women that goes on and on and on. Some of them may be in the gallery.

But what I would say, Mr. Chairman, is: Why would we not want to give that organization funds if they were in line to get dollars to help prevent or intervene in the vileness of domestic violence?

So the idea that our friends on the other side are missing is the value some of these entities have been given.

The only word that I have heard over and over again, as I have heard from the administration, I have heard from the Attorney General, the former Secretary of Health and Human Services, is one word. In fact, I think the English language has been limited to one word on the floor of the House: Obama. I like to call him President Barack Obama. That is the respect I give him.

Every legislative initiative has come forward on the shoulders of a man who finishes 8 years, might I say, with a great deal of respect.

So here is what the bill the people are opposed to will do:

This bill would not give dollars to those victims who are harmed and could engage in workplace monitoring, as well as other payments to remedy generalized harm, including remedies designed to prevent the recurrence of sexual violence or discrimination in the workplace.

They wouldn't give it to an environmental remedy project, such as needed cleanup efforts following the hazardous toxic pollutant spills that spoil protected areas, preventing families and children from enjoying recreation on State lands designed for public use.

They wouldn't give it to federally certified housing counseling intermediaries by preventing housing counseling, relief to communities that have been preyed upon by financial institutions that have broken the law.

I even hate to use the term "slush." They are dollars out of a consent decree that are managed and monitored by career professionals to those in need.

So I am opposed to the underlying bill, and I will offer an amendment.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chair, I yield an additional 20 seconds to the gentleman.

Ms. JACKSON LEE. I will also be on this floor offering letters opposing, again, not only this dastardly named legislation—who would want to see this in the CONGRESSIONAL RECORD: slush fund—undermining, as I said, the professionalism of our career employees in the DOJ and undermining American citizens and nonprofits who are working every day to make the life of America and America's children better.

This is a bad bill. Vote it down. It is not bipartisan. No Judiciary Committee Democrat saw fit for it to be legitimate.

Mr. Chair, I rise in strong opposition to H.R. 732, the "Stop Settlement Slush Funds Act of 2017."

The proposed legislation, as currently drafted, is intended to preclude all third-party payments in settlement agreements, other than restitution to identifiable victims.

Specifically, this legislation seeks to block federal law from including payments that provide relief in negotiated settlements to victims, such as in cases of predatory lending, employment discrimination and pollution through environmental hazardous.

For the average American, this harmful bill translates as thwarting settlement donations to legitimately harmed victims for:

1. Workplace monitoring, as well as, other payments to remedy generalized harm, including remedies designed to prevent the recurrence of sexual violence or discrimination in the workplace;

2. Environmental remedy projects, such as needed clean-up efforts following the hazardous, toxic pollutant spills that spoil protected areas, preventing families and children from enjoying recreation time on state lands designed for public use; or

3. Federally-certified housing counseling intermediaries by preventing housing counseling relief to communities that have been preyed upon by financial institutions that have broken the law.

This legislation fails to recognize the critical role and positive benefits that housing counseling organizations now play in addressing and ensuring that the discriminatory practices and abuses, like those that led to the housing and financial crisis, never happen again.

The Republican narrative suggests that this bill attempts to make technical changes to the way that courts operate; but in reality, for the everyday hard working American, this legislation along with its companion bills (H.R. 720, the "Lawsuit Abuse Reduction Act," and H.R. 725, the "Innocent Party Protection Act,") is merely a concerted effort to chip away at Americans' ability to seek justice and, therefore, must be opposed.

This legislation is intended to cut off proceeds from government settlements to "third-party" entities, which would stop a critical source of funding for the nonprofit sector—including public interest community organizations, foundations or trusts and other similar groups.

Oftentimes, allowing these monies to be available to third-parties is the best way to assure harmed persons will be made whole.

By barring government settlements from directing payments to non-profit organizations, this legislation would thereby hamstring the parties' ability to fully remedy the wrongdoing underlying the lawsuit.

Congress lacks the time, expertise, and resources to properly review and make enforcement decisions on behalf of Federal agencies.

The cost of delays associated with this scheme would have devastating consequences for the public health, environment, and local communities.

H.R. 732 would greatly strain Congress' already limited legislative resources and scarce time, while opening the doors to industry influence and obstruction in routine enforcement matters.

This legislation pushes the everyday hard working American to the margins of the justice system by requiring restitution only in cases with a showing of actual harm directly and proximately caused by the party making the payment.

The bill's definition excludes any payment by a party to provide restitution for, or otherwise, remedy the actual harm, directly and proximately caused by the alleged conduct of the party that is the basis for the settlement agreement, including payments requiring monitoring and other payments for generalized harm.

This exception is too narrowly drawn to allow for numerous beneficial uses of settlement monies, especially for vulnerable plaintiffs trying to access the courts in search of restitution from legitimate harm.

As you know, following the subprime meltdown, the U.S. Department of Justice pursued lawsuits against mortgage lenders and banks that engaged in discriminatory lending practices, such as those targeted by this legislation.

Research shows that African Americans and Latinos were discriminated against and steered into subprime loans even when they qualified for conventional loans.

Moreover, African Americans and Latinos were two to three times more likely than white homebuyers to receive subprime loans which resulted in foreclosure rates 10 times that of conventional loans.

Pursuant to the settlement agreements, available under current law, the Justice Department ordered that financial institutions dedicate a portion of their settlement payments to U.S. Department of Housing and Urban Development (HUD) certified housing counseling intermediaries to provide consumer relief in the communities that were hit hardest.

HUD has approved thirty-seven housing counseling intermediaries that financial institutions have the discretion to choose as third-party providers of consumer relief under the terms of the Justice Department settlement agreements.

Additionally, these HUD-certified housing counseling providers deliver financial education and coaching to individuals to inform them of their home-buying options and rights, and to ensure they become and remain homeowners.

In fact, since 2008, 40 affiliates have provided housing counseling services—to date serving more than 200,000 clients in mostly underserved areas.

The success of housing counseling programs is undisputed.

Borrowers who have used housing counseling are one-third less likely to be seriously delinquent on their loan payments, and those who are in default are 60 percent more likely to save their homes.

The benefits of these programs are tangible and must continue to be made available to the public.

This example is particularly pertinent as Houston recovers from hurricane Harvey, a tragedy that displaced tens of thousands of my constituents.

There are still over 61 thousand people living in hotels throughout Texas.

The public has found itself in need of protection from environmental harms caused by absconding deep pocket defendants.

To ensure these protections, the Environmental Protection Agency (EPA) may request Supplemental Environmental Projects (SEPs) in settlement agreements to offset the harms of unlawful conduct by requiring parties to undertake an environmentally beneficial project or activity that "is not required by law," but that a defendant agrees to undertake as part of the settlement of an enforcement action.

In workplace discrimination cases, victims are guarded by the Civil Rights Act passed by Congress in 1964 to remove discriminatory barriers and to promote equality in employment opportunities.

Cases, nonetheless, involving workplace discrimination claims often occur without identifiable victims and tend to affect the interests of persons who are not likely to receive compensation for unlawful conduct (e.g., unidentifiable victims such as former and future employees).

In these cases, a settling party that violated antidiscrimination laws may seek to resolve its civil liability through workplace monitoring or training programs that seek to remedy systemic unlawful conduct.

Furthermore, the claim that the funding received by organizations to provide home counseling services to harmed individuals amount to a "slush fund," is an egregious and shameless attempt to smear and impugn the integrity of longstanding and trusted nonprofits and civil rights organizations.

As the Justice Department has observed, remedies can correct both noncompliance and recidivism through settlement terms that require a party to undertake activity to prevent future misconduct.

Not only is this legislation an unnecessary intrusion into the province of the federal courts, it is a part of a larger push to limit Americans' ability to seek justice in a court of law.

An innocent-sounding name aside, this bill poses a grave threat to our court system—the nation's stronghold for protecting our democracy.

In the current political climate, where the justice system is the last line of defense for our nation's values, I urge my colleagues not to cede that ground.

Congress should applaud and elevate the benefits of housing counseling, and the good work of frontline organizations, in righting the injustices of the past and present.

The working men and women of America, as well as their families deserve fair and impartial access to real justice when major corporations, inadvertently as it may be, inflict harm.

It is our duty as guardians of the judicial system to ensure real restitution is available to all, including the most vulnerable.

For these reasons, I urge all Members to vote against H.R. 732.

Mr. Chairman, I include in the RECORD a letter from National Urban League and a letter from Public Citizen.

NATIONAL URBAN LEAGUE,
New York, NY, February 1, 2017.

Re Opposition to H.R. 732—The Stop Settlement Slush Funds Act of 2017.

Hon. BOB GOODLATTE,
Chairman, Judiciary Committee,
Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, Judiciary Committee,
Washington, DC.

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: As President and CEO of the National Urban League, the nation's largest historic civil rights organization dedicated to economic empowerment of African Americans and other underserved urban communities, I write to urge you to oppose H.R. 732, the Stop Settlement Slush Funds Act of 2017. This legislation seeks to block federal law enforcement from including in negotiated settlements payments that provide relief to victims of predatory lending. Specifically, the bill targets federally certified housing counseling intermediaries such as the National Urban League by preventing these organizations from providing housing counseling relief to communities that have been preyed upon by financial institutions that have broken the law. H.R. 732 fails to recognize the critical role and positive benefits that housing counseling organizations now play in addressing and ensuring that the discriminatory practices and abuses, like those that led to the housing and financial crisis, never happen again.

As you know, following the subprime meltdown, the U.S. Department of Justice pursued law suits against mortgage lenders and banks that engaged in discriminatory lending practices. Research shows that African Americans and Latinos were discriminated against and steered into subprime loans even when they qualified for conventional loans. Moreover, African Americans and Latinos were two to three times more likely than white homebuyers to receive subprime loans which resulted in foreclosure rates 10 times that of conventional loans. Pursuant to the settlement agreements, the Justice Department ordered that financial institutions dedicate a portion of their settlement payments to U.S. Department of Housing and Urban Development (HUD) certified housing counseling intermediaries to provide consumer relief in the communities that were hit hardest.

The National Urban League is one of thirty-seven HUD-approved housing counseling intermediaries that financial institutions have the discretion to choose as third-party providers of consumer relief under the terms of the Justice Department settlement agreements. The National Urban League is accredited by the Better Business Bureau and has a 4-star rating from Charity Navigator, placing it in the top 10 percent of all U.S. charities for adhering to good governance, fiscal responsibility and other best practices.

As a HUD-certified housing counseling provider, the National Urban League successfully delivers financial education and coaching to individuals to inform them of their home-buying options and rights, and to ensure they become and remain homeowners. In fact, since 2008, 40 of our affiliates have provided housing counseling services—to date serving more than 200,000 clients in mostly underserved areas.

The success of housing counseling programs provided by National Urban League and others is undisputed. Borrowers who have used housing counseling are one-third less likely to be seriously delinquent on their loan payments, and those who are in default are 60 percent more likely to save their homes. The benefits of these programs are tangible and must continue to be made available to the public.

On a separate note, it has come to my attention the National Urban League and National Council of La Raza have been singled out during recent hearings on this legislation. The claims made during congressional testimony that the funding received by our organizations to provide home counseling services amounts to a "slush fund," is an egregious and shameless attempt to smear and impugn the integrity of longstanding and trusted nonprofits and civil rights organizations. Congress should applaud and elevate the benefits of housing counseling, and the good work of frontline organizations, like the National Urban League, in righting the injustices of the past and present.

Therefore, I respectfully urge you to oppose H.R. 732 and any efforts to include similar provisions in legislation moving through Congress.

Sincerely,

MARC H. MORIAL,
President and CEO.

PUBLIC CITIZEN,
Washington, DC, February 1, 2017.

Re Oppose the assault on civil justice.

HOUSE OF REPRESENTATIVES,
Judiciary Committee,
Washington, DC.

DEAR HONORABLE MEMBERS OF THE U.S. HOUSE JUDICIARY COMMITTEE: On behalf of Public Citizen, a non-profit membership organization with more than 400,000 members and supporters nationwide, we express extreme opposition to a slate of three harmful bills scheduled to be marked-up in Committee tomorrow: the Lawsuit Abuse Reduction Act of 2017 (H.R. 720), the Innocent Party Protection Party Act of 2017 (H.R. 725), and the Stop Settlement Slush Funds Act of 2017 (H.R. 732). Seen separately, these bills attempt to make technical changes to the way that courts operate; taken together they are a concerted effort chip away at Americans' ability to seek justice and, therefore, must be opposed.

LAWSUIT ABUSE REDUCTION ACT OF 2017 (H.R. 720)

The proposed Rule 11 changes in H.R. 720 will make federal litigation more complicated, costly, and inaccessible to consumers and employees. We urge you to reject this legislation.

Currently, judges have discretion to impose sanctions on a lawyer or a party in litigation to deter sanctionable conduct in pleadings, motions, and other court papers. The so-called Lawsuit Abuse Reduction Act, or LARA, would revise Rule 11 of the Federal Rules of Civil Procedure to require sanctions, rather than leaving the decision whether to impose sanctions to the discretion of federal judges. This proposal would make litigation longer and more expensive.

The problems with this bill are not theoretical, but proven. In 1983, changes to Federal Rule 11 removed judicial discretion for issuing sanctions. Those changes were overturned a decade later, because the 1983 Rule caused a marked increase in business-to-business litigation and abusive Rule 11 motion practice by lawyers arguing more about sanctions than about the merits of the cases. Because 1983 changes proved to discourage lawyers from cooperating with each other, the changes prolonged litigation, rather than advancing the goal of coming to a just conclusion. We must not repeat this failed experiment.

Additionally, LARA would obstruct Americans' access to justice, especially in cases such as those alleging civil rights violations, as those types of cases can be based on novel legal theories. In those cases, LARA would chill the filing of meritorious suits, and justice for some will go unserved.

INNOCENT PARTY PROTECTION PARTY ACT OF
2017 (H.R. 725)

H.R. 725, the Innocent Party Protection Act (called the Fraudulent Joinder Protection Act in previous Congresses) is a supposed fix for an imagined problem. It addresses a federal district court's consideration of a plaintiff's motion to remand a case to state court, after a defendant has removed the case from the state court in which it was filed to federal district court on the theory that the plaintiff had fraudulently joined a non-diverse defendant for the purpose of defeating federal-court jurisdiction. The purpose of the bill is to assist defendants in keeping cases in federal court after removal. The bill purports to achieve this purpose by specifying that the federal court consider evidence, such as affidavits, and by specifying four findings that would require a federal district court to deny a plaintiff's motion to remand.

Congress should not get into the business of micro-managing the motion practice of the federal courts without strong evidence that current court procedures are not serving their purpose: facilitating justice. In this instance, there is no evidence to support the assumption that the district courts are not denying motions to remand in appropriate cases. Congress has no basis to revise the courts' procedures when the current standards are not producing unjust results. The Committee should hesitate before taking the step into micromanagement of the federal courts' consideration of one specific type of motion, where that motion has existed for more than a century and there are only the flimsiest of arguments in favor of changing it.

STOP SETTLEMENT SLUSH FUNDS ACT OF 2017
(H.R. 732)

This legislation is intended to cut off proceeds from government settlements to "third-party" entities, which would stop a critical source of funding for the nonprofit sector—including public interest community organizations, foundations or trusts and other similar groups.

The bill would bar government settlements from directing payment to non-profit organizations, thereby hamstringing the parties' ability to fully remedy the wrongdoing underlying the lawsuit. Oftentimes, allowing these monies to be available to third-parties is the best way to assure harmed persons will be made whole.

Not only are these three bills unnecessary intrusions into the province of the federal courts, they are part of a larger push to limit Americans' ability to seek justice in a court of law. Their innocent-sounding names aside, these bills pose a grave threat to our court system—the nation's stronghold for protecting our democracy. In the current political climate, where the justice system is the last line of defense for our nation's values, we urge you not to cede that ground.

Sincerely,

LISA GILBERT,
Director, Public Citizen's Congress Watch division.

SUSAN HARLEY,
Deputy Director, Public Citizen's Congress Watch division.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

The gentlewoman spoke quickly, and I know she had a lot of important information there. Some of it simply was wrong.

One of them is that she touched on environmental cleanup. Very clearly, nothing in this legislation would limit

the cleanup related to the wrongdoing or the damage. Not so. A third party could be hired to do the cleanup.

Additionally, nothing stops a settlement from requiring a company to have counseling or other mitigation. It simply stops the Department of Justice from picking a charity of its choosing to go to do it.

Now what I would really like the gentlewoman—who may not be on the floor any longer—to understand is that the Department of Justice has grant authority and does multiple grants every single month of the year to some of the very same groups under its authority that these settlements are going toward. Congress has allowed it a certain amount of money to provide grants for general harm.

Additionally, every year, Congress allocates hundreds of millions of dollars to some of the very same groups and efforts the gentlewoman knows that we are talking about.

So, although her speech was quick, the thing that she said that may have misled some people here in the Chamber I think needs to be corrected. Direct harm will be mitigated. It can be done by anyone. A company can agree and be forced under supervision to mitigate and to hire people to help in that effort.

Very clearly, many of the groups being talked about here today already receive money through the grant process or through direct appropriation by Congress. That is the right way to do it. It is the reason this is a bipartisan bill and this is an effort by our Congress to make sure that we hold the reins of authority where they should be under the Constitution.

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

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Chairman, I thank the gentleman for yielding.

I wish what the gentleman from California was saying was right, but as I listen to these tax cuts that are being talked about, many of these fine programs that help individuals from being thrown out of their house or in need of illegal aid are being cut back.

Each time I have seen on the floor the priorities of the party of the gentleman from California, I see that these essential, consumer-oriented not-for-profits are losing their funding.

So I rise today to urge my colleagues to vote "no" on H.R. 732. This bill would tie the hands of prosecutors that go after financial fraud, including the mortgage schemes that led to the 2008 crisis.

Apparently, my Republican colleagues have forgotten that not just Democrats, but all Americans, faced the negative effects of the mortgage fraud that led to the worst financial crisis since the Great Depression.

Americans lost nearly \$13 trillion in wealth, the unemployment rate reached a high of 10 percent, and 11

million Americans lost their homes. We all saw business opportunities evaporate in our communities and good-paying jobs wither away.

To reverse these wrongs, the Obama administration reached record settlements with firms that engaged in fraud. Through these settlement agreements, the Department of Justice directed billions of dollars toward: number one, affordable housing initiatives, including downpayment programs that would help young people enter the housing market; number two, financial counseling programs that would help consumers avoid unsafe financial products; and number three, community development initiatives that would spur economic growth in rural and urban communities alike.

So I am baffled that my colleagues would want to prevent our prosecutors from ensuring fraudulent firms to right their wrongs.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chair, I yield an additional 1 minute to the gentleman.

Mr. MEEKS. This should not be a partisan issue, Mr. Chairman; not at all. Americans from the East, from the West, from the North, from the South, from middle America; Americans who are Democrats, Republicans, and Independents have all suffered as a result of what the Justice Department has done by fighting to make sure that we correct this wrong by fighting and winning decisions on making sure that those who have no voice, have a voice.

Many of the individuals who were funded here were giving a voice to the voiceless. Without that voice, those who have will continue to do and perpetuate the fraud that is committed upon many.

So this should not be a red issue; this should not be a blue issue. Just as former President Barack Obama said, this should be a red, white, and blue issue. It is a red, white, and blue issue where justice should be given a fair chance to prevail for all of America's people.

Mr. ISSA. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am putting this sign up not for the people in the Chamber, because people in the Chamber on the other side have continued to read the same talking points from their leadership that says there is no evidence.

This is in the record. This is a bigger part of it. So for the people in their offices who will come down to vote, if there is not a motion to recommit, they are not going to get an opportunity to see this.

So I hope that they will look just now and realize this is one of those things you don't normally get. As Chairman GOODLATTE said, this is a smoking gun. This is a clear statement that an ideological bent against a non-profit was very specifically there, while other emails in the same chain of emails shows that they were picking who they wanted.

□ 1600

That is the politics that was going on. It is the politics we are trying to prevent. As I said in my previous statement, the Department of Justice is given a number of dollars for grant programs, and we may not always agree with how those grant programs are run, but we give them that.

Additionally, the Congress appropriates a tremendous amount of money, much of it going to the same groups. A little over 1½ years ago, 2 years ago, this body came together on the reauthorization on Violence Against Women, which has and will continue to do very good work in exactly the area that people are talking about.

This is the reason we have legislation before us today. We have had political activity that has been going on, according to the Democrats, by Republican Attorneys General; according to this document, by the last Attorneys General. The fact is, we need the legislation. We have to have it.

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

Mr. CONYERS. Mr. Chairman, in closing, I note that a broad coalition of public interest organizations, including Public Citizen, Americans for Financial Reform, the National Urban League, among others, strongly oppose H.R. 732. They warn: "This measure would undermine law enforcement goals by reducing the availability of suitable remedies to address these kind of injuries to the public caused by illegal conduct."

This bill is, in effect, a gift to lawbreakers that comes at the expense of families and communities impacted by injuries that cannot be addressed by direct restitution, and so I have to ask: Why are we giving a gift to lawbreakers in the guise of H.R. 732?

If you value, as I do, upholding the rule of law, then you will join me and many others in opposing this seriously flawed measure.

I thank everyone who has participated in this discussion, and I yield back the balance of my time.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in closing, I don't believe there is any question at all but that the minority has missed the point. In no way, shape, or form are we changing. We intend to make sure the Department of Justice prosecutes wrongdoing, both criminal and civil.

The gentleman from New Jersey (Mr. PASCRELL) rightfully said we shouldn't have money paid in lieu of criminal prosecution; it should be both. I agree with him.

What we are dealing with here is a recognition that, under Republican and Democratic administrations, we have had mandatory donations that, in fact, went to charities, if you will, or organizations of the choice of those political entities. The fact is what we are doing is reining in—reining in—wrongdoing that is actual and has been observed, nothing more.

One of the challenges we face every day and one of the reasons I am imploring both sides to come together on this vote, one of the challenges we face is how much of our obligation we have ceded to the executive branch, often then only to be horrified when, behind closed doors, unelected, unaccountable people make decisions that would never be made on the House floor or the Senate floor, and this is one of them.

We are scrutinized when we pick non-profits to provide funding to on the left, on the right, or, if there is such a thing left in America, in the middle. We are scrutinized. But when we scrutinize the Department of Justice's action, according to my colleagues, under Republicans, there has been clear wrongdoing. According to the documents that we put in the RECORD today and showed on the floor, in the last administration, there was clear partisan politics.

We are simply saying, if they want to make that kind of a settlement, bring it to Congress; otherwise, it is very clear that they must—and I repeat, must—stop the action of taking money that would otherwise go to the victims and moving it to nondescript third parties of their choosing, no matter how benevolent they might be, including the Coast Guard Foundation. It can't continue to happen. We have to have the money that is in settlements flow to the victims or flow to the Treasury.

Mr. Chairman, I urge passage of the bill, and I yield back the balance of my time.

The Acting CHAIR (Mr. FITZPATRICK). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendments recommended by the Committee on the Judiciary, printed in the bill, shall be considered as adopted, and the bill, as amended, shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 732

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 "Stop Settlement Slush Funds Act of 2017".

SEC. 2. LIMITATION ON DONATIONS MADE PURSUANT TO SETTLEMENT AGREEMENTS TO WHICH THE UNITED STATES IS A PARTY.

(a) LIMITATION ON REQUIRED DONATIONS.—An official or agent of the Government may not enter into or enforce any settlement agreement on behalf of the United States, directing or providing for a payment or loan to any person or entity other than the United States, other than a payment or loan that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment or loan, or constitutes payment for services rendered in connection with the case or a payment pursuant to section 3663 of title 18, United States Code.

(b) PENALTY.—Any official or agent of the Government who violates subsection (a), shall be subject to the same penalties that would apply in the case of a violation of section 3302 of title 31, United States Code.

(c) EFFECTIVE DATE.—Subsections (a) and (b) apply only in the case of a settlement agreement concluded on or after the date of enactment of this Act.

(d) DEFINITION.—The term "settlement agreement" means a settlement agreement resolving a civil action or potential civil action, a plea agreement, a deferred prosecution agreement, or a non-prosecution agreement.

(e) REPORTS ON SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Beginning at the end of the first fiscal year that begins after the date of the enactment of this Act, and annually thereafter, the head of each Federal agency shall submit electronically to the Congressional Budget Office a report on each settlement agreement entered into by that agency during that fiscal year that directs or provides for a payment or loan to a person or entity other than the United States that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment or loan, or constitutes payment for services rendered in connection with the case, including the parties to each settlement agreement, the source of the settlement funds, and where and how such funds were and will be distributed.

(2) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

(3) SUNSET.—This subsection shall cease to be effective on the date that is 7 years after the date of the enactment of this Act.

(f) ANNUAL AUDIT REQUIREMENT.—

(1) IN GENERAL.—Beginning at the end of the first fiscal year that begins after the date of the enactment of this Act, and annually thereafter, the Inspector General of each Federal agency shall submit a report to the Committees on the Judiciary, on the Budget and on Appropriations of the House of Representatives and the Senate, on any settlement agreement entered into in violation of this section by that agency.

(2) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 115-363. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-363.

Mr. GOODLATTE. 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 3, line 17, insert "and, to the extent any victim thereof was an identifiable person, suffered by the payee or lendee," before "or constitutes".

Page 3, insert after line 19 the following (and redesignate succeeding subsections accordingly):

(b) LIMITATION ON *CY-PRES*.—Amounts remaining after all claims have been satisfied shall be repaid proportionally to each party who contributed to the original payment.

Page 3, line 21, insert after “subsection (a)” the following: “or (b)”.

Page 4, line 1, strike “and (b)” and insert “, (b), and (c)”.

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

The Stop Settlement Slush Funds Act of 2017 prohibits settlements that provide for payments to nonvictim third parties. But what happens to leftover money if the settlement does not specifically provide for its disposition?

It turns out that this situation is ripe for abuse.

In 2013, a shocking New York Times expose revealed that the Obama administration bilked over a billion dollars from the taxpayer-funded Judgment Fund and handed it to special interests. The case, called *Keepseagle*, concerned claims against the Department of Agriculture.

The settlement, spearheaded by then Assistant Attorney General Anthony West, vastly overstated the number of claims against the government. One result was a \$60 million windfall for the plaintiff's lawyer, who was on President Obama's transition team the year before.

The other result was \$380 million in funds left over. This was taxpayer money. But instead of demanding it back, the Department of Justice agreed to direct it to nonvictim third parties to be selected by the same plaintiff's lawyer and member of President Obama's transition team. This, quite rightly, troubled the presiding judge.

My amendment would close this loophole by requiring that money left over after all victims have been compensated must be returned to wherever it came from.

This amendment also clarifies that permitted remedial payments must go to victims who suffered the injuries on which plaintiffs' claims are based. This prevents situations in which a payment is classified as remedial but is directed to an intermediary.

The abuses of power that I outlined today in the settlement context are truly disturbing. This is our opportunity to stop the abuse. We should be as comprehensive as possible.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. Mr. Chair, Members of the House, this amendment makes a bad bill even worse. To begin with, it would prohibit *cy-pres* distributions pursuant to which parties attempt to find the next best use of funds that remain after a class action settlement has been finally administered. *Cy-pres* is especially important in actions where the recovery is so small for an individual class member that he or she may not bother to make a claim or where a distribution is not practical.

For example, courts under *cy-pres* may permit unclaimed settlement funds to provide indirect compensation to the class, such as future price reductions or remediation efforts. As a result of this amendment, however, the unclaimed settlement funds would be returned to the very entities that caused the injury in the first place. Simply put, this amendment would benefit the wrongdoers to the detriment of the victims they harmed.

In addition, this amendment would restrict the amount of compensation a victim could receive under a settlement agreement to the extent the victim was actually harmed by the wrongdoer. The amendment completely ignores the pragmatic realities of systemic harms, such as widespread long-term or latent environmental damage like lead-contaminated public water drinking systems—think of Flint, Michigan—where the extent of a victim's exposure to such harms may be difficult and, perhaps, even impossible to quantify.

In a letter opposed to this amendment, a group of public interest organizations, including Earthjustice, Public Citizen, Alliance for Justice, the Center for Justice & Democracy, and the American Association for Justice, said it is terrible public policy because wrongdoers would benefit from a windfall for cheating and harming consumers, undoing the accountability or deterrence function of the entire settlement. This is absolutely the wrong result, and so I urge that this amendment be rejected.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I urge my colleagues to support this important amendment which strengthens the legislation, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE). The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-363.

Mr. COHEN. 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 3, line 11, insert after “settlement agreement” the following: “(except as provided in subsection (g))”.

Add at the end of the bill the following:

(g) EXCEPTION.—The provisions of this Act do not apply in the case of a settlement agreement in relation to discrimination based on race, religion, national origin, or any other protected category.

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, the reason I have this amendment is because I don't think the bill is a good bill, and it shouldn't affect settlement agreements on the basis of race, religion, national origin, or any other protected category.

I was kind of shocked that it was put in order; I will be even more shocked if it passes. But the reality is it doesn't make any difference because this bill isn't going anywhere in the Senate.

□ 1615

Most of what we do in the Judiciary Committee is highly partisan matters that won't go anywhere in the Senate. We are one of the four committees of jurisdiction that can deal with matters dealing with the White House, with Russian interference in our election, and with issues concerning obstruction of justice and the firing of James Comey with Emoluments Clause violations, abuse of power, and attacks on the judiciary.

The Senate and House Intelligence Committees have investigations. So does the Senate Judiciary Committee. Only our committee has done absolutely nothing. Absolutely nothing.

Today, Senator JEFF FLAKE, a gentleman who I served with in the House and a man of moral rectitude, said he cannot continue to serve in the Senate because to be quiet on issues concerning the White House in relation to decency, truth, and other matters would involve complicity. He couldn't remain complicit.

By our committee not taking any actions concerning activities in the White House, we are complicit. We should be the most responsible committee in the Congress because we are the people's House, and we have the judiciary, the FBI, and elections all within our purview, yet we have remained silent.

Part of the reason that has been said is because other groups are investigating. Well, we are the group that should be doing the investigating because we are the people's House. We don't not take up bills like this because the Senate is not going to pass them. We take them up all the time, throw them over there, and they don't come back.

So I am distraught by the fact that my friend JEFF FLAKE, who is one of the finest people I have served with, a man of rectitude, is not going to run for reelection. He wasn't a knee-jerk Republican, just like BOB CORCKER is not a knee-jerk Republican. And both

have said many truths today about what is going on in the executive branch.

We are an equal branch of government that has responsibility to be a check and balance, and the House Judiciary Committee has that responsibility. I once again call on the chairman of the committee to hold hearings on elections, on Russian interference in our elections, on threats to our democracy, on violations of the Emoluments Clause, obstruction of justice, and the firing of the FBI Director.

The FBI is under our charge. We should have hearings. We should have hearings on emoluments. We should have hearings on all of these issues and not be complicit. Being complicit is the same as being guilty.

Mr. Chairman, I ask that we pass the amendment, and I yield back the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chairman, the amendment is unnecessary because it would exempt certain discrimination settlements from the bill's ban on third-party payments. But nothing in the underlying bill prevents a victim of discrimination from obtaining relief, and that is the important point.

The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who are directly and proximately harmed by the defendant's wrongdoing. Nor does the bill preclude wider conduct remedies used in discrimination cases.

For example, nothing in the bill bars the Department of Justice from requiring a defendant to implement workplace training and monitoring programs. The ban on third-party payments merely ensures that the defendant remains responsible for performing these tasks itself and is not forced to outsource set sums for the work to third parties who might be friendly with a given administration.

Accordingly, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Louisiana. 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 Tennessee will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115-363.

Mr. JOHNSON of Georgia. 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 3, line 11, insert after "settlement agreement" the following: "(except as provided in subsection (g))".

Add at the end of the bill the following:

(g) EXCEPTION.—The provisions of this Act do not apply in the case of a settlement agreement that directs funds to remediate the indirect harms caused by unlawful conduct, including the intentional bypassing, defeating, or rendering inoperative a required element of a vehicle's emissions control system in violation of section 203 of the Clean Air Act (42 U.S.C. 7522).

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise to offer an amendment to this so-called Stop Settlement Slush Funds Act. It is not a slush fund at all. It is a fund that goes to compensate people who are harmed due to the wrongdoing of mostly large multinational corporations. So this is misnamed. It talks about a slush fund. There is no slush fund involved here.

This is an unwise and odious bill. What my amendment would do would be to exempt cases concerning manipulations of emissions standards from the harshness of this bill. In other words, the Federal Government, through the EPA, could institute a lawsuit against a firm or company, large multinational foreign company like Volkswagen, as it did a couple of years ago, and obtain benefits that would accrue to not just the direct recipients of the harm from Volkswagen, but also to society at large that was harmed by Volkswagen's fraudulent activity.

What happened was that Volkswagen sold about 590,000 diesel-powered vehicles here in the United States. These vehicles were supposed to conform with U.S. law insofar as emissions standards are concerned. What Volkswagen did was put a mechanism in the cars that would defeat the ability of the regulators who wanted to check to find out whether or not the vehicles complied with emissions standards. So Volkswagen cheated. They sold 590,000—almost 600,000—vehicles on America's roads that were unknowingly polluting the very air that all of us breathe. So we all suffered a harm as a result of Volkswagen's fraud. But there were 590,000 vehicle owners who had to be protected as well.

So the EPA sued Volkswagen. Volkswagen knew they were wrong. They settled the case. It was about \$15 billion. That shows you how much money they have and how much money they are trying to protect here with this bill. The \$15 billion was to go to compensate the aggrieved vehicle owners as well as society at large for the harm that was done due to the fraudulent conduct.

Now, what this legislation would do would be to cut the ability of the U.S. Government to sue a corporate wrongdoer and receive benefits that it would then put into the hands of the individuals who were harmed, as well as to rectify the harm done to society.

This amendment would exempt this kind of case, the Volkswagen case, from the harsh restrictions of this legislation. So I would ask, in the interest of our environmental consciousness, that this body would vote in favor of this amendment.

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

Mr. JOHNSON of Louisiana. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chairman, this amendment is unnecessary because it would exempt settlements that direct funds to remedy indirect harm resulting from violations of the Clean Air Act and other violations. But that is precisely the problem.

How best to address indirect harm is a policy question that is properly decided by the elected representatives of Congress only and not by agency bureaucrats or prosecutors.

An example that highlights this is the \$2.7 billion mitigation fund that the Department of Justice required in its settlement of claims against Volkswagen. That fund mitigated direct harm, which is permitted under this bill.

The problem was that, through a second fund, the Obama Justice Department required Volkswagen to spend an additional \$2 billion on an administration electric vehicle initiative after Congress twice refused to appropriate funds for it. It is that subversion of Congress' power of the purse that this bill is designed to target. Nothing in this bill lets corporate polluters off the hook, and it is nonsense to say otherwise.

If direct remediation of the harm is impossible or impractical, the full penalty is still paid, but it goes to the Treasury. After that, the decision on how best to use it is left to the people's elected representatives in Congress rather than the executive branch.

Accordingly, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, it is nonsense to say that this bill protects corporate polluters and corporate wrongdoers—that is what we just heard—and that the amendment is unnecessary because it addresses indirect harm, and that indirect harm should be addressed by not bureaucrats in the EPA, but by Congress.

Now, we all know how gridlocked Congress has been over the years. There has been nothing coming out of this Congress. I predict they won't even be able to do—they couldn't do repeal and replace. They were at it for 9 months, stalled everything else out,

couldn't do repeal and replace. So now they are on comprehensive, what they call, tax reform, which is only tax breaks for the top 1 percent when you peel everything back.

They are not going to be able to do that because my friends in the Freedom Caucus will prevent them from adding \$1.5 trillion to the national debt. I support them in that endeavor. They can count on my vote for that.

But this is nonsense, ladies and gentlemen. We have to stop protecting these corporate wrongdoers and put the hands back into the courts and to the American people.

Mr. Chairman, I yield back the balance of my time.

Mr. CICILLINE. Will the gentleman yield?

Mr. JOHNSON of Louisiana. I yield to the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, I just want to ask the gentleman a question.

You made reference to the decision of—I forget the word you used to describe bureaucrats.

Mr. JOHNSON of Louisiana. I have the script right here. Let me tell you how I define them.

I don't know. Bureaucrats. You tell me.

Mr. CICILLINE. I think you said some pejorative word describing bureaucrats.

But I just want to ask the gentleman—the settlements that are described or the subject of this legislation, of course, are settlements that would require court approval and enforcement. So I think in fairness, when you say it is so that a bureaucrat doesn't get to decide this, this is pursuant to litigation which the parties come to an agreement that then the court must approve.

So this is really about respecting the ability of the court to assess the propriety of a judgment. And I think there was a very famous decision where one of the courts said the purpose of the Clean Water Act was not to endow the Treasury, but to prevent harm. So the idea is not just to generate money for the government, but to actually remediate and respond to the harm that was caused by the corporate wrongdoer.

I think that is why Mr. JOHNSON's amendment is important, brilliant, and deserves our support.

Mr. JOHNSON of Louisiana. Mr. Chairman, reclaiming my time about the brilliant amendment, it is, again, not necessary.

And in response to the question, the court does not always approve every one of these; and that is the point.

The gist of this amendment and the purpose of the bill is to restore and strengthen our Article I power under the Constitution. You may not like the way Congress operates, you may not like all of the decisions that are made here, but in their infinite wisdom, this is how the Founders designed our system. It has worked very well, and it will continue to do so. For that reason, I oppose the 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 Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Louisiana. 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 Georgia will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115-363.

Ms. JACKSON LEE. 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 3, line 11, insert after "settlement agreement" the following: "(other than an excepted settlement agreement)".

Page 4, strike line 4, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term "excepted settlement agreement" means a settlement agreement that pertains to providing restitution for a State.

(2) The term "settlement agreement"

The Acting CHAIR. Pursuant to House Resolution 577, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I think, when we come to the floor, we are obligated to as much educate our colleagues who may be back in their offices or in meetings as it is to educate the general public.

□ 1630

The name of this bill is distorted and incorrect. I think it is important to note what happens when the Department of Justice engages in lawsuits on behalf of the American people, and they are the American people's lawyer, or they are sued.

In many instances, there is something called a consent decree and a settlement that generates funds that can be utilized for the betterment of the American people.

So why don't you view this side of the aisle with the betterment of the American people because we are questioning legislation that would eliminate the opportunity for those who are doing good work to be funded by career professionals in the Justice Department.

So the basis of this bill is to throw this money over into the Congress, of which I have great respect in terms of its Article I powers, requiring a congressional appropriation for each beneficiary fund established as relief in a lawfully negotiated settlement to victims, such as in the case of predatory

lending, employment discrimination, pollution, environmental hazards, and would greatly strain Congress' already limited legislative resources and scarce time.

They want us to now, line by line, disseminate these funds that can be done by career professionals dealing with improving on the issue upon which the government was sued. It opens the doors to industry influence and obstruction.

I don't believe we have earmarks anymore. I happen to be a supporter of getting moneys to the community. We don't have an appropriations bill now, we don't have a budget now. So it is almost November, and the Congress has not yet appropriated funds to run the government nor have they passed a budget. That would be the maze of which you would throw a very proficient process of allowing these funds to be distributed.

The Jackson Lee amendment would exempt from this confused bill settlement agreements that would provide restitution to States that are not parties to the litigation. That means, for example, after Hurricane Harvey, there was an explosion at the Arkema chemical plant. Nine trailers exploded and several first responders went to the hospital. I would want to seek funds to be able to help them.

We also understand that there are many organizations representing the people. Public Citizen, a nonprofit membership organization, they are against it. The Urban League is against it. The counties have issued a resolution, local counties. They are against it.

I think there is no clearer evidence to vote this particular bill down, but to support the Jackson Lee amendment.

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

Mr. JOHNSON of Louisiana. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chairman, the amendment would exempt settlements providing restitution to a State, the idea presumably being that the State could then distribute money as it sees fit for generalized harm to its citizens, but nothing in this bill prevents Congress from making block grants to States to address generalized harm. Indeed, Congress regularly appropriates money to States to deal with challenges, including environmental cleanups. Examples of this include the EPA Superfund and the Brownfields grants.

This bill merely insists that decisions on when such grants are appropriate and in what amounts, that those decisions be made by accountable representatives in Congress and not agency bureaucrats and prosecutors.

Compensating direct victims is a job for the Justice Department. Broader projects are a policy question that should be decided by Congress.

Mr. Chair, accordingly, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, this is my very point. My very point is a transparent and clear system of distribution of funds, and the career professionals determining what entities need those funds is a clearer system than what would occur if moneys were dumped onto Congress outside of the normal budgetary and appropriations process, of which we are having a very difficult time as we speak.

The process that we have now, my amendment says that these settlement agreements that provide restitution to States that are not parties to the litigation, they shouldn't be covered by the elimination of the right for the career professionals to distribute these funds.

It also acknowledges the respect for the Congress and the work that it has to do, but it also acknowledges counties like Jefferson County, Texas, the resolution to the National Association of Counties. They are against this bill because it would disallow funds derived from court settlements for injuries to the environment from being distributed to States, counties, and parishes, borrowers in proximity to the pollution event. These are real people representing real people right on the ground asking for us to not pass this legislation.

I would say to my good friend, why don't we use our Article I powers to begin investigations on the separation of powers relevant to the administration and its actions. Why don't we begin looking at whether there are high crimes and misdemeanors.

I mean, there are many things that our Article I powers can do, but, in this instance, I think that this has not proven to be a failure, and the only failure in it is the obsession that my friends have with the past administration.

I want to have something that has worked for the county governments, people who live in counties and cities and States. If they were harmed during Hurricane Harvey, for example, by an explosion and 23 first responders went to the hospital and many houses were evacuated, I believe it would be appropriate to leave the system in which those dollars can go directly to those counties and cities and States and to improve the quality of life.

Mr. Chair, I ask my friends to support the Jackson Lee amendment.

Mr. Chair, the proposed legislation, as currently drafted, could be construed to preclude all third-party payments in settlement agreements, other than restitution to identifiable victims.

Requiring a congressional appropriation for each beneficiary fund established as relief in a lawfully negotiated settlement to victims, such as in cases of predatory lending, employment discrimination and pollution through environmental hazardous, would greatly strain Congress' already limited legislative resources and scarce time, while opening the doors to indus-

try influence and obstruction in routine enforcement matters.

Congress lacks the time, expertise, and resources to properly review and make enforcement decisions on behalf of Federal agencies.

The cost of delays associated with this scheme would have devastating consequences for the public health, environment, and local communities.

Accordingly, the Jackson Lee Amendment would except cases where funds are directed to states to remediate the generalized harm of unlawful conduct beyond harms to identifiable victims.

Specifically, the Jackson Lee Amendment would exempt from H.R. 732 settlement agreements that provide restitution to states that are not parties to litigation.

As you know, following the subprime meltdown, the U.S. Department of Justice pursued lawsuits against mortgage lenders and banks that engaged in discriminatory lending practices, such as those targeted by this legislation.

Research shows that African Americans and Latinos were discriminated against and steered into subprime loans even when they qualified for conventional loans.

Moreover, African Americans and Latinos were two to three times more likely than white homebuyers to receive subprime loans which resulted in foreclosure rates 10 times that of conventional loans.

Pursuant to the settlement agreements, available under current law, the Justice Department ordered that financial institutions dedicate a portion of their settlement payments to U.S. Department of Housing and Urban Development (HUD) certified housing counseling intermediaries to provide consumer relief in the communities that were hit hardest.

HUD has approved 37 housing counseling intermediaries that financial institutions have the discretion to choose as third-party providers of consumer relief under the terms of the Justice Department settlement agreements.

Additionally, these HUD-certified housing counseling providers deliver financial education and coaching to individuals to inform them of their home-buying options and rights, and to ensure they become and remain homeowners.

In fact, since 2008, 40 affiliates have provided housing counseling services—to date serving more than 200,000 clients in mostly underserved areas.

The success of housing counseling programs is undisputed.

Borrowers who have used housing counseling are one-third less likely to be seriously delinquent on their loan payments, and those who are in default are 60 percent more likely to save their homes.

The benefits of these programs are tangible and must continue to be made available to the public.

This example is particularly pertinent as Houston recovers from hurricane Harvey, a tragedy that displaced tens of thousands of my constituents.

There are still over 61 thousand people living in hotels throughout Texas.

Under current law, the Environmental Protection Agency (EPA) may include Supplemental Environmental Projects (SEPs) in settlement agreements to offset the harms of unlawful conduct by requiring parties to under-

take an environmentally beneficial project or activity that "is not required by law," but that a defendant agrees to undertake as part of the settlement of an enforcement action.

In 2012, the EPA and Justice Department resolved the civil liability of MOEX Offshore through a settlement agreement resulting from the Deepwater Horizon oil spill, that included funds to several Gulf states, including Texas, where Texas was not a party to the complaint, but received \$3.25 million for SEPs and other responsive actions.

H.R. 732, would prohibit these agreements and many of the important benefits now provided by EPA.

The bill's definition excludes, "any payment by a party to provide restitution for or otherwise remedy the actual harm (including to the environment), directly and proximately caused by the alleged conduct of the party that is the basis for the settlement agreement."

This exception is too narrowly drawn to allow for numerous beneficial uses of settlement monies.

Thus, for example, the bill would appear to ban the following entirely legitimate, appropriate uses of settlement funds that are currently permitted by EPA:

(1) Pollution prevention projects that improve plant procedures and technologies, and/or operation and maintenance practices, that will prevent additional pollution at its source;

(2) Environmental restoration projects including activities that protect local ecosystems from actual or potential harm resulting from the violation;

(3) Facility assessments and audits, including investigations of local environmental quality, environmental compliance audits, and investigations into opportunities to reduce the use, production, and generation of toxic materials;

(4) Programs that promote environmental compliance by promoting training or technical support to other members of the regulated community; and

(5) Projects that provide technical assistance or equipment to a responsible state or local emergency response entity for purposes of emergency planning or preparedness.

Each of these programs provide important protections of human health and the environment in communities that have been harmed by environmental violations.

However, because they are unlikely to be construed as redressing "actual (environmental) harm, directly and proximately caused" by the alleged violator, the bill before this committee would prohibit every one of them.

On August 31, 2017, in the aftermath of Hurricane Harvey, dangerous chemicals at the Arkema chemical facility in Crosby, Texas, exploded and burned.

Nine trailers at the plant contained organic peroxides that first exploded and burned, sending 23 first responders to the hospital. In addition, despite a 1½ mile radius evacuation from the chemical releases, dozens of residents were effected for days by the noxious fumes, including headaches, dizziness, vomiting, and burning eyes.

This recent incident is a prime example of how restitution to a community under an enforcement settlement should work. EPA should (not sure if they are) engage in enforcement activities against Arkema, including civil fines and restitution to the community. There were

clear health impacts on many in the community and a settlement could, as an example, fund health care assistance short term, or even long term monitoring of lung health. However, if H.R. 732 were law, only first responders would likely have the ability to seek restitution. This is not okay. It utterly fails to help make a community whole after such a terrible event.

Background facts:

23 first responders were sent to the hospital due to exposure to chemical fumes.

Residents within a 1½ mile radius were asked to evacuate, though in this low-income neighborhood in the aftermath of the storm, many were unable to.

Congressman TED POE (R-TX), and original cosponsor of H.R. 732 and representative of the district that plant and affected community are located in, at the time told ABC News as events were unfolding that the situation was “very dangerous . . . (and) . . . the worst-case scenario is that this chemical plant could explode.”

For these reasons, I urge my colleagues to join me in support of the Jackson Lee Amendment.

PROPOSED RESOLUTION ON THE STOP SETTLEMENT SLUSH FUNDS ACT

A resolution from Jefferson County, Texas to the National Association of Counties seeking to maintain the status quo for states, counties, parishes and boroughs being able to receive damages payments for environmental crimes in proximity to them (e.g., Exxon Valdez and Deepwater Horizon).

Issue: H.R. 732, a bill that may restrict or disallow Department of Justice Supplemental Environmental Plans from benefiting states, counties, parishes and boroughs in proximity to pollution events that result in court settlements for environmental damages.

Proposed Policy: The National Association of Counties (NACo) opposes any provisions within the final version of H.R. 732 that would disallow funds derived from court settlements for injuries to the environment from being distributed to states, counties, parishes and boroughs in proximity to the pollution event.

Background: On Jan 30, 2017, Representative Goodlatte, along with 34 other cosponsors, introduced the Stop Settlement Slush Funds Act of 2017 (H.R. 732) which could ban or restrict the current practice involving Supplemental Environmental Projects’ distribution of court settlement proceeds to states, counties, parishes and boroughs.

H.R. 732 has been referred to the U.S. House of Representatives Judiciary Committee and assigned to the Regulatory Reform, Commercial & Antitrust Law Subcommittee.

Members of the Committee are unclear about H.R. 732’s provisions relating to payments to remediate direct harm, including environmental harm, done by defendant’s wrongful activity.

This is particularly important in the environmental context, in which the injury to the environment may be diffuse and there may be no identifiable victims.

Currently, the U.S. Department of Justice and the Congress may both have roles in determining eligibility for states, counties, parishes and boroughs in proximity to a pollution event for receiving funds from a settlement agreement.

H.R. 732 is unclear on this issue, prompting dissenting opinions about whether the bill prevents states, counties, parishes and boroughs in proximity to pollution events (e.g., the Exxon Valdez and Deepwater Horizon oil

spills) from receiving funds derived from court settlements.

NACo should oppose any provision in H.R. 732 that modifies or restricts current practice in distributing proceeds from court settlement agreements for environmental damage events.

Fiscal/Urban/Rural Impact: Congressional concurrence with this NACo resolution upholds the status quo practice in court settlement agreements for environmental events.

Sponsor: Jeff R. Branick, Judge, Jefferson County, Texas

Ms. JACKSON LEE. Mr. Chair, I yield back the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chair, I would just respond to my learned colleague by quoting a renowned liberal legal scholar, the late Abner Mikva, who explained in a law review article back in 1986, that even if it were less efficient to go through Congress, that would be no reason to cede the point of principle. This is what he wrote:

“To ensure that Congress would act as the first branch of government, the constitutional Framers gave the legislature virtually exclusive power to control the Nation’s purse strings. . . . They knew that the power of the purse was the most far-reaching and effectual of all governmental powers. . . . Doubtless they understood that a collection of diverse individuals representing diverse interests . . . would less efficiently and less coherently devise fiscal policy than would a single ‘treasurer’ or ‘fiscal czar.’ Yet they chose, for good reason, to suffer this cost and bear its risks.”

That is from a liberal legal scholar, and, of course, conservatives agree.

The system that the Founders set up, the reason and purpose for Article I, is to allow these major decisions to be made by the elected Representatives of Congress, and, for that reason, we oppose the amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR (Mr. DONOVAN). The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. 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 Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115-363.

Mr. CICILLINE. 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 3, line 11, insert after “settlement agreement” the following: “(except as provided in subsection (g))”.

Add at the end of the bill the following:

(g) EXCEPTION.—The provisions of this Act do not apply in the case of a settlement agreement that resolves the criminal or civil liability of a financial institution for the predatory or fraudulent packaging, securitization, marketing, sale and issuance of residential mortgage-backed securities.

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chair, I rise in support of my amendment, which would exempt from H.R. 732 any settlement agreement that directs funds to reduce the effects of the mortgage foreclosure crisis through foreclosure prevention assistance programs.

There is little debate that predatory and fraudulent activity in the residential mortgage securities market was the primary cause of the mortgage foreclosure crisis.

As U.S. District Court Judge Max Cogburn observed in 2014, one need not “be an expert in economics to take notice that it was the trading of toxic RMBS”—residential mortgage-backed securities—“between financial institutions that nearly brought down the banking system in 2008.”

The financial crisis blighted entire cities and communities, resulting in more than 13 million Americans losing their homes between 2006 and 2014, an average of 850,000 per year.

Beyond the life-changing hardship and stress placed on families by unlawful conduct in the housing market, the exponential rise in foreclosures imposed significant external costs on families and communities across the Nation.

Fraudulent activity in the housing market depressed home and commercial real estate values, undermined economic development and municipal revenue, deprived communities of public services, and resulted in increases of violent crime in communities of significant foreclosure activity.

Leading studies have also documented the contagious effects of foreclosures, and not just the neighborhood immediately affected by the foreclosures, but nearby vicinities as well, underscoring the diffuse and systemic impacts of unlawful mortgage securities practices.

In response to the financial crisis, President Obama announced in 2012, the creation of an investigatory unit within the Justice Department to: “. . . hold accountable those who broke the law, speed assistance to homeowners, and help turn the page on an era of recklessness that hurt so many Americans.”

This unit secured more than \$40 billion in civil penalties, compensation, and consumer relief through settlement with five financial institutions for alleged misconduct involving the packaging, marketing, and sale of residential mortgage-backed securities.

Geoffrey Graber, who directed this effort within the Justice Department,

testified in 2015 that these settlements meaningfully addressed the vicious cycle of harm caused by fraud in the housing market by achieving accountability from financial institutions that engaged in wrongdoing related to residential mortgage-backed securities, and to the extent possible, bringing some measure of relief to homeowners who suffered as a result of the financial crisis.

In addition to civil penalties, these settlements included statements of fact describing the pervasive fraud that permeated the mortgage market. In just one example, a bank employee stated that he would not be surprised if half of these loans went down, and that the banks should start praying.

The settlements also included consumer relief provisions designed to enable many Americans to stay in their homes by directing funds to distressed homeowners, community reinvestment and stabilization, and income-based lending for borrowers who lost homes to foreclosure.

The Department's settlement with Citigroup and Bank of America additionally directed \$50 million in funds to charitable housing council programs and legal aid organizations to provide counsel to homeowners entitled to relief under the settlement because they were directly affected by the fraudulent and predatory conduct of the settling banks.

As the Center for American Progress has noted, these funds account for less than 1 percent of the overall amount of each settlement, and will support services provided by housing counselors and other trusted intermediaries that enable consumers to access the consumer relief to which they are entitled under the settlements.

We should be doing everything in our power to keep American families in their homes and off the streets, not letting big banks off the hook for their predatory and fraudulent practices, and so I urge my colleagues to adopt this amendment that will address this very important issue.

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

Mr. JOHNSON of Louisiana. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chair, this amendment would exempt settlements resolving allegations of predatory or fraudulent conduct involving residential mortgage-backed securities, as we have heard. Ironically, it creates an exception in the very situation in which the abuses we highlighted earlier arose.

The key point here is that nothing in the underlying bill prevents direct victims of mortgage fraud from obtaining relief.

The concern of this amendment is that there may be cases of generalized harm to communities that cannot be addressed by restitution, but this misses the fundamental point.

The Department of Justice has authority to obtain redress for victims. Federal law defines victims to be those "directly and proximately harmed" by the defendant's acts.

Once those victims have been compensated, deciding whether additional moneys, other than for penalties, should be allocated to address related problems becomes a policy question properly decided by elected representatives in Congress and not agency bureaucrats or prosecutors.

Indeed, Congress already funds homeowner assistance programs through the annual appropriations process, balancing it against competing priorities.

As we have repeated throughout this debate, the spending power is one of Congress' most effective tools in reining in the executive branch. This is true, by the way, no matter which party is in the White House.

This amendment would weaken that essential congressional power, and, for that reason, we urge Members to oppose it on institutional grounds.

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

Mr. CICILLINE. Mr. Chair, if I might just say briefly, the notion that Congress can just do these appropriations itself sort of misses the point. It is the responsibility of Article III courts to hear disputes, supervise litigation, and enforce settlements.

It is an odd moment for Congress to take on the work of another branch of government when we can't even do our own work here.

Mr. Chair, I yield the balance of my time to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank the gentleman, my friend, for yielding.

Mr. Chair, this is a subject that I think we have a great deal of experience on in this country. It is only a decade since the housing crisis wreaked havoc, not just on individual families, but on whole communities.

□ 1645

The notion that one of the available tools that we can deploy to deal with the consequence of this sort of predatory activity by going right at the source of that predation and require them to supply the resources to offset the impact of that activity is something that we really ought to think carefully about.

Mr. Chair, mortgage foreclosures wreck families, but also wreck communities. We ought to use every tool we can to prevent them by ensuring that individuals know and have access to the resources they need in order to prevent this from happening again. The impact is devastating, and we ought to do everything we can to prevent it from happening again.

Mr. CICILLINE. Mr. Chair, I yield back the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chairman, I would just respond by saying that those compelling policy arguments should be made appropriately in

this Chamber, and it is the elected representatives of the people in this Chamber who can make those fateful decisions. There may be good arguments. There may be things that we need to do, but the point is that we are the persons who have the constitutional authority to make those decisions, not bureaucrats, not prosecutors.

Mr. Chair, for these reasons, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CICILLINE. 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 Rhode Island will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115-363.

Mr. CONYERS. 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 3, line 11, insert after "settlement agreement" the following: "(except as provided in subsection (g))".

Add at the end of the bill the following:

(g) EXCEPTION.—The provisions of this Act do not apply in the case of a settlement agreement that directs funds to remediate the indirect harms caused by unlawful conduct resulting in an increase in the amount of lead in public drinking water.

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, my amendment would exempt from H.R. 732 settlement agreements that direct funds to remediate the indirect but catastrophic effects of unlawful conduct resulting in lead contamination in public drinking water.

Lead contamination in public drinking water is potentially a national public health crisis as older cities continue to rely on aging lead pipes for the delivery of public drinking water.

A report from the American Water Works Association estimates that this problem could potentially affect millions of water service lines. For example, Highland Park, located in my district, has been dealing with issues resulting from aging lead pipes. Just last month, officials closed public water fountains and fixtures due to unsafe samples of lead in public drinking water.

The well-publicized Flint water crisis is another painful example of the disastrous consequences of lead contamination in public drinking water.

The director of the pediatric residents at Hurley Children's Hospital in Flint wrote: "To understand the contamination of this city, think about drinking water through a straw coated in lead. As you sip, lead particles flake off into the water and are ingested. Flint's children have been drinking water through lead-coated straws."

The Flint water crisis has generated numerous lawsuits by individuals, local and State agencies, and public interest organizations such as the Natural Resources Defense Council and the American Civil Liberties Union.

While these cases tend to involve numerous victims directly affected by unlawful conduct, they can also affect the interests of persons who are not parties to the case or are likely to receive compensation for unlawful conduct.

Given the systemic nature of lead contamination in drinking water, settlement agreements resolving civil and criminal liability related to the Flint water crisis may require setting aside funds for unidentifiable victims, directing payments to address generalized harm, or establishing an environmental compliance program to avoid lead contamination in the future.

Unfortunately, these entirely legitimate forms of indirect remediation of environmental harms would be prohibited by H.R. 732.

Mr. Chair, accordingly, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chair, this amendment undercuts Congress' power. It is another attempt to do so, and it should be opposed for that reason.

It would exempt settlements that direct funds to remedy indirect harm resulting from lead in drinking water. It is a terrible problem. The amendment is forced to focus on indirect harm because nothing in the bill prevents remediation of direct harm.

But settlement provisions addressing indirect harm are precisely why this bill is needed. The bill's guiding principle is that once direct victims have been compensated, deciding the best use of additional funds to address related problems—whether that is addressing indirect harms or otherwise—is, again, a policy question properly decided by elected representatives in Congress and not agency bureaucrats or prosecutors.

We have proven the point. Last year, Congress actually acted on this. Congress appropriated \$120 million to address drinking water problems in Flint, Michigan. If there is further need, Congress can make additional appropriations. The Department of Justice should not be permitted to augment those funding decisions entirely outside of the congressional appropriations and oversight processes because

they are important to protect and preserve.

Again, the spending power is one of Congress' most effective tools in reining in the executive branch, and we cannot afford to weaken that essential congressional power.

Mr. Chair, for these reasons, I urge all Members to oppose this amendment on institutional grounds, and I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chair, I appreciate the gentleman yielding, and particularly for this thoughtful amendment. I am from Flint; born and raised in Flint. I represent Flint. I was here on the floor and I was the one pushing for the legislation that the gentleman on the other side mentioned that provided \$120 million to help offset the cost of this terrible tragedy.

When I introduced the first legislation, we calculated what the total direct and indirect cost was: \$1.5 billion.

Now, here is the point: again, we ought not put a community like Flint in the position of having to depend on this Congress to fully fund the total cost of that recovery, or another community that might be facing a similar situation.

If the gentleman is sincere that Congress can act to help offset the incredible indirect costs that my home community is facing, then I would suggest the gentleman join me in my effort to do just that. So far, Congress has not done that.

The notion that we would exempt the people of Flint from access to the resources that could be determined by a court as being part of the justice that they deserve is not an act that we ought to engage in.

Flint, as sad as this case is, is not an anomaly. Flint is a warning, and when we need to make sure we heed that warning.

Mr. CONYERS. Mr. Chair, I yield back the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chairman, I would just respond by saying that no tragedy, however sad and however large, justifies us deviating from our Constitution, from the way the Founders set up this system and the way that this body operates. There is a reason that these responsibilities were given to us as Members of Congress. Each of us has the same challenge. When there is a tragedy or a mishap or a natural disaster or anything that affects our districts, our job is to come here and convince a sufficient number of our colleagues to support those appropriations to handle those measures. The system is designed with safeguards in place. It is designed so that the interests of the entire Nation can be represented here in this Chamber. For that reason, this amendment would bypass that. It would bypass the design. It would bypass article I, and it would create a whole different way of governing. We simply can't allow that.

Mr. Chair, this is about preserving the original intent of the Constitution, preserving the power of this body. For that reason, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONYERS. 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 Michigan 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 part B of House Report 115-363 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. COHEN of Tennessee.

Amendment No. 3 by Mr. JOHNSON of Georgia.

Amendment No. 4 by Ms. JACKSON LEE of Texas.

Amendment No. 5 by Mr. CICILLINE of Rhode Island.

Amendment No. 6 by Mr. CONYERS of Michigan.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. COHEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Tennessee (Mr. COHEN) 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 vote was taken by electronic device, and there were—ayes 187, noes 233, not voting 12, as follows:

[Roll No. 575]

AYES—187

Adams	Castor (FL)	DeFazio
Aguilar	Castro (TX)	DeGette
Beatty	Chu, Judy	Delaney
Bera	Cicilline	DeLauro
Beyer	Clark (MA)	DelBene
Bishop (GA)	Clarke (NY)	Demings
Blumenauer	Clay	DeSaulnier
Blunt Rochester	Cleaver	Deutch
Bonamici	Clyburn	Dingell
Boyle, Brendan	Cohen	Doggett
F.	Connolly	Doyle, Michael
Brady (PA)	Conyers	F.
Brown (MD)	Correa	Ellison
Brownley (CA)	Costa	Engel
Bustos	Courtney	Eshoo
Butterfield	Crist	Espallat
Capuano	Crowley	Esty (CT)
Carbajal	Cuellar	Evans
Cárdenas	Cummings	Foster
Carson (IN)	Davis (CA)	Frankel (FL)
Cartwright	Davis, Danny	Fudge

Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski

Loeb sack
Lofgren
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen

Raybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOES—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais

Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)

Johnson, Sam
Jones
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry

Peters
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)

Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton

Turner
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)
Zeldin

NOT VOTING—12

Barletta
Barragán
Bass
Bridenstine
Burgess
Huizenga
Joyce (OH)
Long

□ 1721

Messrs. JORDAN, DUNN, WALDEN, COMER, SIMPSON, BABIN, GROTHMAN, DENT, and DUFFY changed their vote from “aye” to “no.”
Ms. WASSERMAN SCHULTZ, Messrs. JEFFRIES, DOGGETT, and Ms. SEWELL of Alabama changed their vote from “no” to “aye.”
So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) 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 235, answered “present” 1, not voting 13, as follows:

[Roll No. 576]

AYES—183

Adams
Aguilar
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal

Cardenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cielline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Correa
Costa
Courtney

Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.

Ellison
Engel
Eshoo
Espallat
Esty (CT)
Evans
Foster
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)

Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)

Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOES—235

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent

DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Hultgren
Hunter
Hurd

Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman

Nunes	Ros-Lehtinen	Thompson (PA)	DeSaulnier	Larsen (WA)	Rice (NY)	Meehan	Rogers (KY)	Taylor
Olson	Roskam	Thornberry	Deutch	Larson (CT)	Richmond	Messer	Rohrabacher	Tenney
Palazzo	Ross	Tiberi	Dingell	Lawrence	Rosen	Mitchell	Rokita	Thompson (PA)
Palmer	Rothfus	Tipton	Doggett	Lawson (FL)	Roybal-Allard	Moolenaar	Rooney, Francis	Thornberry
Paulsen	Rouzer	Turner	Doyle, Michael	Lee	Ruiz	Mooney (WV)	Rooney, Thomas	Tiberi
Pearce	Royce (CA)	Upton	F.	Levin	Ruppersberger	Mullin	J.	Tipton
Perry	Russell	Valadao	Ellison	Lewis (GA)	Rush	Newhouse	Ros-Lehtinen	Turner
Peters	Rutherford	Wagner	Engel	Lieu, Ted	Ryan (OH)	Noem	Roskam	Upton
Peterson	Sanford	Walberg	Eshoo	Lipinski	Sánchez	Norman	Ross	Valadao
Pittenger	Schweikert	Walden	Espallat	Loeb	Sarbanes	Nunes	Rothfus	Wagner
Poe (TX)	Scott, Austin	Walker	Esty (CT)	Lofgren	Schakowsky	Olson	Rouzer	Walberg
Poliquin	Sensenbrenner	Walorski	Evans	Lowe	Schiff	Palazzo	Royce (CA)	Walden
Posey	Sessions	Walters, Mimi	Foster	Lujan Grisham,	Schneider	Palmer	Russell	Walker
Ratcliffe	Shinkus	Weber (TX)	Frankel (FL)	M.	Schrader	Paulsen	Rutherford	Walorski
Reed	Shuster	Webster (FL)	Fudge	Luñán, Ben Ray	Scott (VA)	Pearce	Sanford	Walters, Mimi
Reichert	Simpson	Wenstrup	Gabbard	Lynch	Scott, David	Perry	Schweikert	Weber (TX)
Renacci	Sinema	Westerman	Gallego	Maloney,	Serrano	Peters	Sensenbrenner	Webster (FL)
Rice (SC)	Smith (MO)	Williams	Garamendi	Carolyn B.	Sewell (AL)	Peterson	Sessions	Wenstrup
Roby	Smith (NE)	Wilson (SC)	Gomez	Maloney, Sean	Shea-Porter	Pittenger	Shinkus	Westerman
Roe (TN)	Smith (NJ)	Wittman	Gonzalez (TX)	Matsui	Sherman	Poe (TX)	Shuster	Williams
Rogers (AL)	Smith (TX)	Womack	Green, Al	McCollum	Sires	Poliquin	Simpson	Wilson (SC)
Rogers (KY)	Smucker	Woodall	Green, Gene	McEachin	Slaughter	Posey	Sinema	Wittman
Rohrabacher	Stefanik	Yoder	Grijalva	McGovern	Smith (WA)	Ratcliffe	Smith (MO)	Womack
Rokita	Stewart	Yoho	Gutiérrez	McNerney	Soto	Reed	Smith (NE)	Woodall
Rooney, Francis	Stivers	Young (AK)	Hanabusa	Meeke	Speier	Reichert	Smith (NJ)	Yoder
Rooney, Thomas	Taylor	Young (IA)	Hastings	Meng	Suozi	Renacci	Smith (TX)	Yoho
J.	Tenney	Zeldin	Heck	Moore	Swalwell (CA)	Rice (SC)	Smucker	Young (AK)
			Higgins (NY)	Moulton	Takano	Roby	Stefanik	Young (IA)
			Himes	Murphy (FL)	Thompson (CA)	Roe (TN)	Stewart	Zeldin
			Hoyer	Nadler	Thompson (MS)	Rogers (AL)	Stivers	
			Huffman	Napolitano				
			Jackson Lee	Neal				
			Jayapal	Nolan				
			Jeffries	Norcross				
			Johnson (GA)	O'Halleran				
			Johnson, E. B.	O'Rourke				
			Kaptur	Pallone				
			Keating	Panetta				
			Kelly (IL)	Pascrell				
			Kennedy	Payne				
			Khanna	Pelosi				
			Kihuen	Perlmutter				
			Kildee	Pingree				
			Kilmer	Pocan				
			Kind	Polis				
			Krishnamoorthi	Price (NC)				
			Kuster (NH)	Quigley				
			Langevin	Raskin				

ANSWERED "PRESENT"—1

Griffith

NOT VOTING—13

Barletta	Huizenga	Shea-Porter
Barragan	Joyce (OH)	Trott
Bass	Long	Wilson (FL)
Bridenstine	Lowenthal	
Burgess	Scalise	

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1726

Mr. BISHOP of Michigan changed his vote from "aye" to "no."

Mr. GONZALEZ of Texas changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) 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 185, noes 234, not voting 13, as follows:

[Roll No. 577]

AYES—185

Adams	Capuano	Conyers
Aguiar	Carbajal	Correa
Beatty	Cárdenas	Costa
Bera	Carson (IN)	Courtney
Beyer	Cartwright	Crist
Bishop (GA)	Castor (FL)	Crowley
Blumenauer	Castro (TX)	Cuellar
Blunt Rochester	Chu, Judy	Cummings
Bonamici	Cicilline	Davis (CA)
Boyle, Brendan	Clark (MA)	Davis, Danny
F.	Clarke (NY)	DeFazio
Brady (PA)	Clay	DeGette
Brown (MD)	Cleaver	Delaney
Brownley (CA)	Clyburn	DeLauro
Bustos	Cohen	DeBene
Butterfield	Connolly	Demings

NOES—234

Abraham	Davis, Rodney
Aderholt	Denham
Allen	Dent
Amash	DeSantis
Amodei	DesJarlais
Arrington	Diaz-Balart
Babin	Donovan
Bacon	Duffy
Banks (IN)	Duncan (SC)
Barr	Duncan (TN)
Barton	Dunn
Bergman	Emmer
Biggs	Estes (KS)
Bilirakis	Farenthold
Bishop (MI)	Faso
Bishop (UT)	Ferguson
Black	Fitzpatrick
Blackburn	Fleischmann
Blum	Flores
Bost	Fortenberry
Brady (TX)	Fox
Brat	Franks (AZ)
Brooks (AL)	Frelinghuysen
Brooks (IN)	Gaetz
Buchanan	Gallagher
Buck	Garrett
Bucshon	Gianforte
Budd	Gibbs
Byrne	Gohmert
Calvert	Goodlatte
Carter (GA)	Gosar
Carter (TX)	Gottheimer
Chabot	Gowdy
Cheney	Granger
Coffman	Graves (GA)
Cole	Graves (LA)
Collins (GA)	Graves (MO)
Collins (NY)	Griffith
Comer	Grothman
Comstock	Guthrie
Conaway	Handel
Cook	Harper
Cooper	Harris
Costello (PA)	Hartzer
Cramer	Hensarling
Crawford	Herrera Beutler
Culberson	Hice, Jody B.
Curbelo (FL)	Higgins (LA)
Davidson	Hill

Holding
Hollingsworth
Hudson
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzing
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows

NOT VOTING—13

Barletta	Huizenga	Scott, Austin
Barragan	Joyce (OH)	Trott
Bass	Long	Wilson (FL)
Bridenstine	Lowenthal	
Burgess	Scalise	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1730

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) 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 189, noes 231, not voting 12, as follows:

[Roll No. 578]

AYES—189

Adams	Castor (FL)	DeFazio
Aguiar	Castro (TX)	DeGette
Beatty	Chu, Judy	Delaney
Bera	Cicilline	DeLauro
Beyer	Clark (MA)	DeBene
Bishop (GA)	Clarke (NY)	Demings
Blumenauer	Clay	DeSaulnier
Blunt Rochester	Cleaver	Deutch
Bonamici	Clyburn	Diaz-Balart
Boyle, Brendan	Cohen	Dingell
F.	Connolly	Doggett
Brady (PA)	Conyers	Doyle, Michael
Brown (MD)	Correa	F.
Brownley (CA)	Costa	Ellison
Bustos	Courtney	Engel
Butterfield	Crist	Eshoo
Capuano	Crowley	Espallat
Carbajal	Cuellar	Esty (CT)
Cárdenas	Cummings	Evans
Carson (IN)	Davis (CA)	Foster
Cartwright	Davis, Danny	Frankel (FL)

Fudge
Gabbard
Gallago
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)

Lieu, Ted
Lipinski
Loebach
Lofgren
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen

Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOES—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Dent
DeSantis

DesJarlais
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)

Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
Meehan
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry

Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer

Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tennet
Thompson (PA)
Thornberry
Tiberi

NOT VOTING—12

Barletta
Barragán
Bass
Bridenstine

Burgess
Huizenga
Long
Lowenthal

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. (during the vote).
There is 1 minute remaining.

□ 1735

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Michigan (Mr. CON-
YERS) 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 amend-
ment.

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 de-
vice, and there were—ayes 191, noes 229,
not voting 12, as follows:

[Roll No. 579]

AYES—191

Adams
Aguilar
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carpal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)

Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaunier
Deutsch
Dingell
Doggett
Doyle, Michael
F.

Ellison
Engel
Eshoo
Espallat
Esty (CT)
Evans
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallago
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman

Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui

McCormack
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes

Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOES—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight

Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight

Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry

Rokita Simpson Walberg
 Rooney, Francis Sinema Walden
 Rooney, Thomas Smith (MO) Walker
 J. Smith (NE) Walorski
 Ros-Lehtinen Smith (TX) Walters, Mimi
 Roskam Smucker Weber (TX)
 Ross Stefanik Webster (FL)
 Rothfus Stewart Wenstrup
 Rouzer Stivers Westerman
 Royce (CA) Taylor Williams
 Russell Tenney Wilson (SC)
 Rutherford Thompson (PA) Wittman
 Sanford Thornberry Womack
 Schweikert Tiberi Woodall
 Scott, Austin Tipton Yoder
 Sensenbrenner Turner Yoho
 Sessions Upton Young (AK)
 Shimkus Valadao Young (IA)
 Shuster Wagner Zeldin

NOT VOTING—12

Barletta Burgess Lowenthal
 Barragan Comstock Scalise
 Bass Huizenga Trott
 Bridenstine Long Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1739

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BYRNE) 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. 732) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, and, pursuant to House Resolution 577, he reported the bill, as amended by that resolution, back to the House with a further amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

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.

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

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 3898.

The vote was taken by electronic device, and there were—ayes 238, noes 183, not voting 11, as follows:

[Roll No. 580]
 AYES—238

Goodlatte Olson
 Gosar Palazzo
 Gottheimer Palmer
 Gowdy Paulsen
 Granger Pearce
 Graves (GA) Perry
 Graves (LA) Peters
 Graves (MO) Peterson
 Griffith Pittenger
 Grothman Poe (TX)
 Guthrie Poliquin
 Handel Posey
 Harper Ratcliffe
 Harris Reed
 Hartzler Reichert
 Hensarling Renacci
 Herrera Beutler Rice (SC)
 Hice, Jody B. Roby
 Higgins (LA) Roe (TN)
 Hill Rogers (AL)
 Holding Rogers (KY)
 Hollingsworth Rohrabacher
 Hudson Rokita
 Hultgren Rooney, Francis
 Hunter Rooney, Thomas
 Hurd J.
 Issa Ros-Lehtinen
 Jenkins (KS) Roskam
 Jenkins (WV) Ross
 Johnson (LA) Rothfus
 Johnson (OH) Rouzer
 Johnson, Sam Royce (CA)
 Jones Russell
 Jordan Rutherford
 Joyce (OH) Sanford
 Katko Schweikert
 Kelly (MS) Scott, Austin
 Kelly (PA) Sensenbrenner
 King (IA) Sessions
 King (NY) Shimkus
 Kinzinger Shuster
 Knight Simpson
 Kustoff (TN) Sinema
 Labrador Smith (MO)
 LaHood Smith (NE)
 LaMalfa Smith (NJ)
 Lamborn Smith (TX)
 Lance Smucker
 Latta Stefanik
 Lewis (MN) Stewart
 LoBiondo Stivers
 Loudermilk Taylor
 Love Tenney
 Lucas Thompson (PA)
 Luetkemeyer Thornberry
 MacArthur Tiberi
 Marchant Tipton
 Marino Turner
 Marshall Upton
 Massie Valadao
 Mast Wagner
 McCarthy Walberg
 McCaul Walden
 McClintock Walker
 McHenry Walorski
 McKinley Walters, Mimi
 McMorris Weber (TX)
 Rodgers Webster (FL)
 McSally Wenstrup
 Meadows Westerman
 Meehan Williams
 Messer Wilson (SC)
 Mitchell Wittman
 Moolenaar Womack
 Mooney (WV) Woodall
 Mullin Yoder
 Newhouse Yoho
 Noem Young (AK)
 Norman Young (IA)
 Nunes Zeldin

NOES—183

Adams Bustos Cleaver
 Aguilar Butterfield Clyburn
 Beatty Capuano Cohen
 Bera Carbajal Connolly
 Beyer Cardenas Conyers
 Bishop (GA) Carson (IN)
 Blumenauer Cartwright
 Blunt Rochester Castor (FL)
 Bonamici Castro (TX)
 Boyle, Brendan Chu, Judy
 F. Cicilline
 Brady (PA) Clark (MA)
 Brown (MD) Clarke (NY)
 Brownley (CA) Clay

Delaney Krishnamoorthi Quigley
 DeLauro Kuster (NH) Raskin
 DelBene Langevin Rice (NY)
 Demings Larsen (WA) Richmond
 DeSaulnier Larson (CT) Rosen
 Deutch Lawrence Roybal-Allard
 Dingell Lawson (FL) Ruiz
 Doggett Lee Ruppertsberger
 Doyle, Michael Levin Rush
 F. Lewis (GA) Ryan (OH)
 Ellison Lieu, Ted Sanchez
 Engel Lipinski Sarbanes
 Eshoo Loebsock Schakowsky
 Espallat Lofgren Schiff
 Esty (CT) Lowey Schneider
 Evans Lujan Grisham, Schrader
 Foster M. Scott (VA)
 Frankel (FL) Luján, Ben Ray Scott, David
 Fudge Lynch Serrano
 Gabbard Maloney, Carolyn B. Sewell (AL)
 Gallego Maloney, Sean Shea-Porter
 Garamendi Matsui Sherman
 Gomez McCollum Sires
 Gonzalez (TX) McEachin Slaughter
 Green, Al McEachin Smith (WA)
 Green, Gene McGovern Soto
 Grijalva McNerney Speier
 Gutierrez Meeks Suozzi
 Hanabusa Meng Swallow (CA)
 Hastings Moore Takano
 Heck Moulton Thompson (CA)
 Higgins (NY) Murphy (FL) Thompson (MS)
 Himes Nadler
 Hoyer Napolitano
 Huffman Neal
 Jackson Lee Nolan
 Jayapal Norcross
 Jeffries O'Halleran
 Johnson (GA) O'Rourke
 Johnson, E. B. Pallone
 Kaptur Panetta
 Keating Pascrell
 Kelly (IL) Payne
 Kennedy Pelosi
 Khanna Perlmutter
 Kihuen Pingree
 Kildee Pocan
 Kilmer Polis
 Kind Price (NC) Yarmuth

NOT VOTING—11

Barletta Burgess Scalise
 Barragan Huizenga Trott
 Bass Long Wilson (FL)
 Bridenstine Lowenthal

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1747

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

OTTO WARMBIER NORTH KOREA
NUCLEAR SANCTIONS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3898) to require the Secretary of the Treasury to place conditions on certain accounts at United States financial institutions with respect to North Korea, 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 Kentucky (Mr. BARR) 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 415, nays 2, not voting 15, as follows:

[Roll No. 581]

YEAS—415

Abraham	Denham	Joyce (OH)
Adams	Dent	Kaptur
Aderholt	DeSantis	Katko
Aguilar	DeSaulnier	Keating
Allen	DesJarlais	Kelly (IL)
Amodei	Deutch	Kelly (MS)
Arrington	Diaz-Balart	Kelly (PA)
Babin	Dingell	Kennedy
Bacon	Doggett	Khanna
Banks (IN)	Donovan	Kihuen
Barr	Doyle, Michael	Kildee
Barton	F.	Kilmer
Beatty	Duffy	Kind
Bera	Duncan (SC)	King (IA)
Bergman	Duncan (TN)	King (NY)
Beyer	Dunn	Kinzinger
Biggs	Ellison	Knight
Bilirakis	Emmer	Krishnamoorthi
Bishop (GA)	Engel	Kuster (NH)
Bishop (MI)	Eshoo	Kustoff (TN)
Bishop (UT)	Espallat	Labrador
Black	Estes (KS)	LaHood
Blackburn	Esty (CT)	LaMalfa
Blum	Evans	Lamborn
Blumenauer	Farenthold	Lance
Blunt Rochester	Faso	Langevin
Bonamici	Ferguson	Larsen (WA)
Bost	Fitzpatrick	Larson (CT)
Boyle, Brendan	Fleischmann	Latta
F.	Flores	Lawrence
Brady (PA)	Fortenberry	Lawson (FL)
Brady (TX)	Foster	Lee
Brat	Fox	Levin
Brooks (AL)	Frankel (FL)	Lewis (GA)
Brooks (IN)	Franks (AZ)	Lewis (MN)
Brown (MD)	Frelinghuysen	Lieu, Ted
Brownley (CA)	Fudge	Lipinski
Buchanan	Gabbard	LoBiondo
Buck	Gallagher	Loeb
Bucshon	Galligo	Lofgren
Budd	Garamendi	Loudermilk
Bustos	Garrett	Love
Butterfield	Gianforte	Lowey
Byrne	Gibbs	Lucas
Calvert	Gohmert	Luetkemeyer
Capuano	Gomez	Lujan Grisham,
Carbajal	Gonzalez (TX)	M.
Cárdenas	Goodlatte	Luján, Ben Ray
Carson (IN)	Gosar	Lynch
Carter (GA)	Gowdy	MacArthur
Carter (TX)	Granger	Maloney,
Cartwright	Graves (GA)	Carolyn B.
Castor (FL)	Graves (LA)	Maloney, Sean
Castro (TX)	Graves (MO)	Marchant
Chabot	Green, Al	Marino
Cheney	Green, Gene	Marshall
Chu, Judy	Griffith	Mast
Cicilline	Grijalva	Matsui
Clark (MA)	Grothman	McCarthy
Clarke (NY)	Guthrie	McCaul
Clay	Gutiérrez	McClintock
Cleaver	Hanabusa	McCollum
Clyburn	Handel	McEachin
Coffman	Harper	McGovern
Cohen	Harris	McHenry
Cole	Hartzler	McKinley
Collins (GA)	Hastings	McMorris
Collins (NY)	Heck	Rodgers
Comer	Hensarling	McNerney
Comstock	Herrera Beutler	McSally
Conaway	Hice, Jody B.	Meadows
Connolly	Higgins (LA)	Meehan
Cook	Higgins (NY)	Meeks
Cooper	Hill	Meng
Correa	Himes	Messer
Costa	Holding	Mitchell
Costello (PA)	Hollingsworth	Moolenaar
Courtney	Hoyer	Mooney (WV)
Cramer	Hudson	Moore
Crawford	Huffman	Moulton
Crist	Hultgren	Mullin
Crowley	Hunter	Murphy (FL)
Cuellar	Hurd	Nadler
Culberson	Issa	Napolitano
Cummings	Jackson Lee	Neal
Curbeo (FL)	Jayapal	Newhouse
Davidson	Jeffries	Noem
Davis (CA)	Jenkins (KS)	Nolan
Davis, Danny	Jenkins (WV)	Norcross
Davis, Rodney	Johnson (GA)	Norman
DeFazio	Johnson (LA)	Nunes
DeGette	Johnson (OH)	O'Halleran
Delaney	Johnson, E. B.	O'Rourke
DeLauro	Johnson, Sam	Olson
DeBene	Jones	Palazzo
Demings	Jordan	Pallone

Palmer	Ruiz	Thompson (MS)
Panetta	Ruppersberger	Thompson (PA)
Pascarella	Rush	Thornberry
Paulsen	Russell	Tiberi
Payne	Rutherford	Tipton
Pearce	Ryan (OH)	Titus
Pelosi	Sánchez	Tonko
Perlmutter	Sanford	Torres
Perry	Sarbanes	Tsongas
Peters	Schakowsky	Turner
Peterson	Schiff	Upton
Pingree	Schneider	Valadao
Pittenger	Schrader	Vargas
Pocan	Schweikert	Veasey
Poe (TX)	Scott (VA)	Vela
Poliquin	Scott, Austin	Velázquez
Polis	Scott, David	Visclosky
Posey	Sensenbrenner	Wagner
Price (NC)	Serrano	Walberg
Quigley	Sessions	Walden
Raskin	Sewell (AL)	Walker
Ratcliffe	Shea-Porter	Walorski
Reed	Sherman	Walters, Mimi
Reichert	Shimkus	Walz
Renacci	Shuster	Wasserman
Rice (NY)	Simpson	Schultz
Rice (SC)	Sinema	Waters, Maxine
Richmond	Sires	Watson Coleman
Roby	Slaughter	Weber (TX)
Roe (TN)	Smith (MO)	Webster (FL)
Rogers (AL)	Smith (NE)	Welch
Rogers (KY)	Smith (NJ)	Wenstrup
Rohrabacher	Smith (TX)	Westerman
Rokita	Smith (WA)	Williams
Rooney, Francis	Smucker	Wilson (SC)
Rooney, Thomas	Soto	Wittman
J.	Speier	Womack
Ros-Lehtinen	Stefanik	Woodall
Rosen	Stewart	Yarmuth
Roskam	Stivers	Yoder
Ross	Suozzi	Yoho
Rothfus	Takano	Young (AK)
Rouzer	Taylor	Young (IA)
Roybal-Allard	Tenney	Zeldin
Royce (CA)	Thompson (CA)	

NAYS—2

Amash	Massie
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NOT VOTING—15

Barletta	Conyers	Lowenthal
Barragán	Gaetz	Scalise
Basar	Gotthelmer	Swalwell (CA)
Bridenstine	Huizenga	Trott
Burgess	Long	Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1753

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.

The title of the bill was amended so as to read: "A bill to impose secondary sanctions with respect to North Korea, strengthen international efforts to improve sanctions enforcement, and for other purposes."

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H. CON. RES. 71, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2018

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-369) on the resolution (H. Res. 580) providing for consideration of the Senate amendment to the concurrent resolution (H. Con. Res. 71) establishing the congressional budget for

the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 3545

Mr. MULLIN. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 3545, a bill originally introduced by Representative MURPHY of Pennsylvania, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3798

Mrs. WALORSKI. Mr. Speaker, I ask unanimous consent to remove Representative ED PERLMUTTER as a cosponsor of my bill H.R. 3798. He was mistakenly added to the legislation.

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

There was no objection.

BINGHAMTON OPIOID FORUM

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

Ms. TENNEY. Mr. Speaker, I rise today to discuss a recent community forum I held at Binghamton University to raise awareness about the heroin and opioid epidemic ravaging our country.

Every day in America, more than 144 Americans die of a drug overdose. In Broome County, where our forum was held, 76 people died of an overdose last year, 90 percent from opioids.

Before the forum, I had the opportunity to tour the New Horizons Alcohol & Chemical Dependency program at United Health Services to see firsthand the arduous work our healthcare professionals are undertaking to fight back against this disease.

In addition to the tour, the forum highlighted that our panel of healthcare professionals, law enforcement agencies, and community organizations continues to struggle to keep pace with the rise of addiction, and it became clear to me by the end of the forum that more resources are needed.

It was an honor to bring together members of our community to talk about solutions and highlight that there is hope for the future. I look forward to taking those ideas that I learned at the forum and putting those ideas into action by working with my

colleagues to reduce and eliminate the scourge of addiction.

GOLD STAR FAMILIES

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

Mr. PAYNE. Mr. Speaker, as Americans, we mourn with Gold Star families, but we cannot feel their pain. There is nothing anyone can say or do to really comfort families suffering the loss of a loved one. But there is a lot people can say or do to cause grieving families additional pain, as we have seen over this past week.

As Members of Congress, we are there for our constituents. They are our families. It is our obligation to speak up when they are hurt.

The loss of American servicemembers should not be politicized. Our fallen heroes should be honored.

Sergeant La David Johnson is an American hero.

Staff Sergeant Jeremiah Johnson is an American hero.

Staff Sergeant Bryan Black is an American hero.

Staff Sergeant Dustin Wright is an American hero.

The 28 men and women who lost their lives in service to their country this year are all American heroes. Let us honor their sacrifices and comfort their families, as has been the tradition in this country until last week.

□ 1800

RECOGNIZING BAT WEEK

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Bat Week, which is an annual, week-long event highlighting the important ecological and economic benefits of bats.

With more than 1,300 different species worldwide, bats are both diverse in appearance and how they keep ecosystems balanced. Bats play an essential role with insect control, pollination, and seed dispersal. One bat can eat 2,000 to 6,000 insects each night, including moths, beetles, flies, mosquitoes, and more.

Because of their incredible appetites, farmers can use fewer pesticides to control insects. This helps our Nation's farmers and saves billions of dollars each year.

Mr. Speaker, bats also play other roles outside of our ecosystems, including in medical research. Scientists studying vampire bats have created anticlotting medication to help stroke victims.

These are just a small portion of the ways bats positively impact our daily lives, and I am pleased to see these wonderful creatures recognized during Bat Week.

I appreciate the great work being performed by private conservation organizations, Fish and Wildlife Service, Forest Service, U.S. Geological Survey, and many other State partners, such as the Pennsylvania Game Commission on Bat Week 2017.

HONORING BUFFALO POLICE OFFICER CRAIG LEHNER

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

Mr. HIGGINS of New York. Mr. Speaker, I rise today in honor of Buffalo Police Officer Craig Lehner, who lost his life in the line of duty this past week. On October 13, tragedy struck. Officer Lehner went missing while performing underwater recovery training in the Niagara River. For 5 days, State, local, Federal, and Canadian agencies heroically assisted in the search and recovery.

Officer Lehner lived a life of service to his country and to his community. A resident of south Buffalo, Lehner was a 9-year veteran of the Buffalo Police Department, a 16-year National Guardsman who served in Iraq, and a member of the canine unit.

Those who knew Officer Lehner knew how much he loved his job and the people of Buffalo. Buffalo is the hardest working city in America, the city of good neighbors.

In the past several days, there has been an outpouring of support for Officer Lehner's family and the Buffalo Police Department. I want to extend thanks to the many brave first responders who worked around the clock in recovery efforts.

Officer Lehner, thank you for your service, and may you rest in peace.

TAX BREAK FOR SENIORS

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

Mr. MESSER. Mr. Speaker, every year, middle class seniors are forced to pay billions in taxes on their Social Security benefits. This tax is fundamentally not fair and penalizes folks who have paid into the system their entire lives.

There is a better way. We should give these seniors a tax cut, let them keep more of their benefits, and create a better, fairer system for all Americans.

In 1984, when Congress passed this tax on seniors, it was designed to only impact high-income seniors, about 14 percent. But the tax was never adjusted for inflation, and today, fully half of seniors are paying this onerous tax. In fact, there are over 280,000 Hoosiers making less than \$75,000 per year who are subject to this tax.

I introduced the Social Security Tax Fairness Act to give these seniors the tax break they deserve. This bill cuts taxes for seniors, single and married seniors, and ends the marriage penalty on Social Security benefits, too.

Under this bill, a retired married couple with \$70,000 in income will see \$2,000 in tax cuts. It is time to deliver tax cuts for every American, and this legislation would ensure Hoosier seniors aren't left behind either.

NEED FOR MORE FEMA INSPECTORS

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

Ms. JACKSON LEE. Mr. Speaker, citing from The New York Times, "Outside Rachel Roberts' house, a skeleton sits on a chair next to a driveway, a skeleton child on its lap, an empty cup in its hand, and a sign at its feet reads, 'Waiting on FEMA.'"

I want to acknowledge that FEMA workers from around the country have worked without ceasing, but we have got to do a better job. My constituents in Houston, Harris County, Texas, after Harvey, are waiting on those inspectors.

That is the only way, Mr. Speaker, that they can begin the repair of their homes. Many people are there without coverage and truly need to have their homes repaired.

I have given suggestions. I am sorry that we didn't stand up enough Federal FEMA inspectors. But what about college students, people who are unemployed, using a FEMA app, dividing the area in sectors, finishing one sector then going to another sector? This includes the State of Florida as well. People are on hold for hours at a time.

I have spoken to those who are now looking at it. I want them to know that I appreciate them taking my call and reviewing this, but reach out for help. We have got to have more inspectors. If we do not have inspectors, they will not be able to repair their homes. If they cannot repair their homes, they are living in dangerous conditions. If they are living in dangerous conditions, the quality of life deteriorates.

Help us in Texas. We need more FEMA inspectors. We need them now.

RECOGNIZING THE LIFE OF JOHN HANCOCK

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

Mr. OLSON. Mr. Speaker, when you look at the heavens tonight, you may notice a new bright star. My fellow Texans from Sugar Land and Fort Bend County have seen that star for years. It is our John Hancock.

John enjoyed life with us for 89 years. John is a native Texan, Houston proud, born on February 13 of 1928. He is a Korean Army veteran, 33 years with Mobil Oil, an investment adviser.

John loved many things. He loved University of Texas football, Hook 'em Horns. He loved his Astros, our baseball team. He loved his hometown of Sugar Land. He loved going to church

at Sugar Land First United Methodist Church. He loved to bowl. He bowled 297 points when he turned 80. But most of all, he loved his amazing wife, Linda.

John and Linda are in Heaven together right now. Linda is there saying, "Roll Tide," for her beloved Alabama Crimson Tide playing their football games. John is beside her saying, "Beat LA," which is exactly what his beloved Astros will do in a few hours.

Thank you, John. May the peace of Christ be with you and Linda forever.

RESOLUTION TO COMMEMORATE INTERNATIONAL DAY OF RURAL WOMEN

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

Ms. KAPTUR. Mr. Speaker, on October 15, the world celebrated International Day of Rural Women and the invaluable global contribution of women farmers and small holders.

To do our part in expressing solidarity, I rise to introduce this resolution to commemorate this very important day. According to the United Nations, rural women make up over one-quarter of the globe's total population and represent 43 percent of the agricultural workforce. They play a critical role in agricultural production, food security, and economic stability.

Women serve as the bedrock of society. They feed the world's families. They feed our neighbors and our countrymen and -women. They are admirable role models for younger generations, and unfortunately, despite this, they still face many societal and economic limitations both here and abroad.

This resolution shines a light on women farmers and seeks to empower them to succeed as entrepreneurs. It calls on the people of the United States and the world to recognize their critical contributions and to recommit to reducing barriers and limitations that heretofore have stunted their full progress. Let us plant the seeds of hope. I urge my colleagues to support this resolution.

PLANS TO PREVENT FLOODING IN THE FUTURE

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

Mr. POE of Texas. Mr. Speaker, Hurricane Harvey ravaged the coast of Texas, hammering it with 50 inches of rain, massive flooding, and massive damage.

After the rain stopped, the decision to release water from Addicks and Barker Reservoirs and Lake Conroe have left many questions in the Houston area. The release of this water caused even more flooding downstream.

Why did the Corps of Engineers open Barker and Addicks Reservoirs for 15 days? Why weren't the communities of

Humble and Kingwood given proper notice of the historic release of floodwater from Lake Conroe by the San Jacinto River Authority? And there are more questions.

I have introduced the Texas Flood Accountability Act. This legislation requires the Army Corps of Engineers to evaluate the cause of the floods and what can be done for long-term plans to prevent flooding in the future. They must produce this plan within 90 days after enactment.

We must move from paying for disasters to preventing them. We need a plan, Mr. Speaker.

And that is just the way it is.

FOCUS TAX RELIEF ON MIDDLE CLASS

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, the President and congressional Republicans claim they want to, "Put more money in the pockets of average Americans." Well, the nonpartisan Tax Policy Center analyzed their plan, and they found out what it really does, put billionaires first. They found that 80 percent of the Republican tax cuts would go to the richest 1 percent.

But that is not all. Also, under their plan, 50 million Americans will see a tax increase. Many of them happen to be constituents of mine, middle class families and working families in Pennsylvania.

It is wrong to raise the taxes of my constituents to pay for tax cuts for billionaires. That is wrong, it is bad economics, and it will crush our economy. We need an economy that works for everyone. Let's focus tax relief where it counts, and that is on the middle class.

BRIDES MARCH FOR DOMESTIC VIOLENCE

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

Mr. ESPAILLAT. Mr. Speaker, earlier today, close to 100 women in wedding gowns from all over our country came to Washington, D.C. They came here to give a face and a voice to victims of domestic violence.

I was also floored by the courage of my colleagues, other Members of Congress, whose loved ones had been victims and had even been killed because of domestic violence. Domestic violence is something that can impact anybody on any day, even on your wedding day.

The Brides March honors the memory and tragedy of Gladys Ricart, who, on September 26, 1999, lost her life on her wedding day at the hands of her abusive ex-boyfriend.

This march has now spread beyond New York, to Massachusetts, Wisconsin, Florida, Washington, D.C., and even other countries like the Domini-

can Republic, Mexico, Brazil, and Spain.

That is why, Mr. Speaker, today I am Gladys Ricart. We are all Gladys Ricart. The Brides March and the advocacy of New York Latinas Against Domestic Violence is a thundering statement against domestic violence and a reminder that domestic violence remains a pressing issue in our communities and sometimes in our families.

Mr. Speaker, domestic violence and violence against women is unacceptable.

□ 1815

REJECT THE BUDGET

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

Mr. SCHRADER. Mr. Speaker, it has been 8 years. For 8 years, from the day Barack Obama was sworn in until the day he left office, I heard my Republican colleagues telling me that we weren't paying enough attention to the national debt, that we were mortgaging our children's future, and that we needed to do more to get our debt and deficit under control. Heck, to be honest with you, I agreed with what they were saying.

But now that they are in power—control the Presidency and both Chambers—what are they doing?

Totally ignoring the debt deficit is what they are doing.

Worst yet, actually, the budget of theirs that has just come out adds \$1.5 trillion to the deficit over the next 10 years. This is their stated strategy in the budget. This is \$1.5 trillion our children and grandchildren need to pay back. I just can't believe it. The hypocrisy is beyond belief.

Apparently, my Republican colleagues are only fiscally conservative when the Democrats are in control.

Let's reject this unconscionable budget and work across the aisle for tax reform that actually improves our children's future.

BUDGET AND TAX REFORM

The SPEAKER pro tempore (Mr. COMER). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, an interesting week out ahead. As we begin this week, as we look at the budget for the United States of America, as we look and prepare to deal with the tax cut issue, we really ought to start that discussion with a clear understanding of what our goal is.

I often use this when I talk here on the floor because it is foundational. It is foundational to what I believe we should use to test the various pieces of legislation that come before us. This

would certainly be applicable as we look at the question of the Republican budget, which will be on the floor in the next couple of days, perhaps as early as tomorrow, and, of course, the tax cuts beyond.

Here it is. This is from Franklin Delano Roosevelt—FDR. This is actually etched into the marble at the memorial for Franklin Delano Roosevelt. I came across it one day, and I think it is a very good criteria to judge.

Franklin Delano Roosevelt said: "The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

Using this as the criteria to judge the Republican budget and the upcoming tax reform or tax cuts, we would have to judge both as a miserable failure. We are looking at a situation in which somewhere between \$2.5 trillion to \$5 trillion of revenue will be removed from the Federal Government. That is about somewhere between \$250 billion a year to \$500 billion of revenue.

It doesn't mean a thing until you translate that into real programs. Keep in mind that to reduce the revenue of the Federal Government somewhere around \$500 billion a year, you would have to remove 80 percent of the total money spent by the Department of Defense in all of the wars and all of the programs that they do in order to make up for that lost revenue.

Alternatively, you would have to reduce almost all of the other discretionary funding. No, we wouldn't build a wall. In fact, we would have to fire all of the immigration authorities. The TSA would no longer be in our airports. There would no longer be any educational programs. There would be no programs dealing with all of the Coast Guard. There would be no programs for the Department of Homeland Security or the Department of Transportation.

\$500 billion of reduced revenue is possible as a result of both the budget, as well as the tax proposals that are coming before the House and the Senate in the days ahead. It may be just half that so we don't have to reduce all of those programs.

This is a monumental, critical issue upon which, if we were to use this as the criteria to judge it, we would say: Wait a minute. What about national defense?

Or we would say: Wait a minute. What about all of those programs that are necessary for our children, like the School Lunch Program?

It is critical that we analyze this carefully.

What does it do for the wealthy?

Well, let's take a look at that.

Now, given that the proposals are not yet defined down to the line and the text—but we do know from a general outline of our Speaker's previous proposals when he ran the budget here in the House and when he was the chairman of the Ways and Means Com-

mittee; and we have also President Trump's proposal—if it is the Ryan-McConnell-Trump proposal—it is the billionaires-first tax plan. It cuts the taxes for the wealthy. Eighty percent of the \$2½ trillion to \$5 trillion reduction winds up in the hands of the top 1 percent of Americans. Incredible.

At the same time, what does it do for the rest of the public?

Well, if you take a look at the detail in the budget that did pass this House and will be up for a vote in the very near future, it reduces Medicare and Medicaid by as much as \$2 trillion. So you have got a reduction in revenue to be made up by a \$2 trillion cut in Medicaid and Medicare.

Who receives Medicaid?

Across the United States, it is the working poor, and 60 percent of the total Medicaid budget is for seniors in nursing homes.

So what we have here is a tax policy that cuts the taxes for the wealthiest of America's, the great 1 percent. They get 80 percent of the tax reductions. The rest of the public, 99 percent, will somehow share in the remaining 20 percent of reductions.

Sounds like a bad deal?

It certainly is, if you are to compare that against what Franklin Delano Roosevelt said should be our criteria for judging legislation.

Now, it will be argued that the middle class will receive a tax cut. Well, some, perhaps, but not many. The majority of the middle class will actually receive a tax increase.

How does that happen?

The elimination of the deductions, State and local taxes, and other gimmicks that they have in it. So a family of four making somewhere around \$50,000 could see their tax bill increase by as much as 380 percent.

Whoa. Wait a minute. Wait a minute. What are we talking about here?

We are talking about a tax plan that does not even come close to meeting this criteria of judgment.

Does it do more for the wealthy?

Oh, yes. Oh, yes. We are talking about trillions of dollars of tax reductions for the corporations and the superwealthy.

And what does the rest of the country get for those who have little?

They get even less.

So what we have here, when you consider that they are proposing as much as a \$2 trillion reduction in Medicare—we are talking about the healthcare system for seniors—and Medicaid—the healthcare system for, again, seniors in nursing homes—about 60 percent of that money goes to those seniors. The remaining 40 percent goes to the working poor and the poor.

That alone, together with this transfer of the tax reductions for the superwealthy, amount to the largest transfer of wealth ever in any legislation that has been proposed, and hopefully will not pass, but has been proposed in this House. It is even a greater transfer of wealth than we saw in the effort to

repeal and replace the Affordable Care Act.

Beware, America. Be wary. The hucksters are promising something that they are only going to deliver to the superwealthy and to American corporations.

One more point I would like to make here is that often you will hear the argument that cutting corporate taxes will somehow lead to more jobs and that the employees will receive more benefits. Well, it turns out that a cut in corporate tax rates actually comes back to the top 1 percent. They will receive about 34 percent of the tax reductions that go to corporations.

I have heard this argued by our Treasury Secretary, that if we are somehow to cut corporate tax rates, we will see the corporations investing in their workers.

Wow. Wouldn't that be great?

So we cut the corporate tax rate from some 35 percent down to 10 percent, or maybe 15 percent, as our President has suggested. All of those reduced taxes will flow to the corporation's bottom line after tax profits will increase, and, wow, they will create jobs, they will pay higher wages.

What are the facts? What are the facts here?

Well, first of all, most of it will not wind up in the pockets of the workers. It will wind up in the top 20 percent of taxpayers, of which 34 percent of that will be the top 1 percent. So, once again, if you look at the corporate tax reductions, it is going to wind up benefiting the wealthy, not the workers.

There is another fact out there. In the 1970s, American corporations would invest about 50 percent—maybe slightly more than 50 percent—in capital improvements, building new factories, expanding the work floor, expanding the workers, workers' wages, benefits, and research and development. It is right there.

If you take a look at the Fortune 500 in the 1970s, well over 50 percent was reinvested in American jobs, American workers, expanding the factory floor, expanding the business, expanding research and development, and growing the corporation.

A remarkable and extremely important thing happened beginning in the 1980s, at about the time of the Reagan tax cuts, and continuing on, and is in place today. That has shifted.

Today, American corporations do not invest in America, they don't invest in new capital, and they don't invest in R&D. Ninety percent of the after-tax profits in the Fortune 500—most of the Fortune 500, or many of them—wind up in stock buybacks and executive salaries or overseas, not in American jobs.

If you are wondering why the American middle class has seen a flat and actually declining share of the GDP, it is because American corporations have shifted from investing in American jobs, American planting equipment, research and development; and they have shifted into manipulating their stock

price by buying back their own stock, using the after-tax profits, some 90 percent of it, for executive salaries and for stock buyback.

□ 1830

If you have got 100 stocks out there and they are valued at \$10 apiece, you buy back 50 percent of the stock, guess what. You have doubled the stock price. By creating more jobs? By creating more profit. By increasing wages? By R&D? No. By manipulating your stock price by buying back that stock.

Now, maybe there is somebody who would like to debate this point. Come on down. Let's debate it.

The reality is just as I said. It is laid out there.

Oh, there is another fact. One of America's largest corporations, the CEO said: Not to worry. You reduce my company's tax rate, and I will invest in our workers. I will invest in new plant and equipment.

Interesting. In the last 8 years, the tax rate for AT&T is about 8 percent—not 35 percent, not 20 percent, not 15 percent, but 8 percent—and yet during that period of time, AT&T laid off 80,000 workers.

So you are going to tell me lowering a major American corporation's tax rate is somehow going to lead to more employment, more jobs? Then tell me why AT&T, that has an effective tax rate of 8 percent over a 7-, 8-year period of time, laid off 80,000 people. So let's argue this point. Let's see what is going on here.

We have before the House of Representatives and the Senate a fundamental question: Are we going to transfer even more wealth to the super-wealthy by reducing their taxes and pushing off to the working men and women of America, the middle class, a higher burden?

Along with that, we either increase the deficit by \$2.5 trillion or \$5 trillion, depending upon how this finalizes—that is the tax reduction; that is the lost revenue to the Federal Government—or are we going to make massive cuts?

I am telling you what our Republican colleagues are promising us. Massive tax cuts for the super-wealthy. The top 1 percent will get 80 percent of the tax reduction benefits, the remaining 99 percent of Americans will have to figure out how to share the small remaining 20 percent.

The probability associated with those tax cuts, a significant reduction in programs that serve seniors—Medicaid, in nursing homes, the working poor, the Medicaid expansion program wiped out, Medicare reductions, all of these things—and quite possibly reductions in children's health programs, school programs, school lunch programs, environmental support programs, clean water programs, transportation programs, all the rest. So a tax cut for the wealthy is going to be a burden on American workers.

Once again, if it happens, it will be the largest transfer of wealth from the working men and women of America to the super-wealthy, as if we already do not have income inequality in America. It can be calculated that the income inequality in America today is the greatest it has been in any country for the last 500 years, dating back to when Spain was ripping off the Western Hemisphere taking all the gold, all the silver, anything else they could find, and transferring it to the Spanish Government, to the King and the Queen and their favorite folks. Income inequality is real.

There are many, many pieces of this puzzle that we need to understand. One of them is the way in which certain States that have heavy burdens because they are urbanized States will be particularly impacted by the proposals that we have seen.

Joining me tonight is the Representative from one of those States, New Jersey.

Mr. PAYNE, would you like to comment on this extraordinary transfer once again that is in this piece of legislation, the way it harms your State and my State?

Mr. PAYNE. Mr. Speaker, I would first like to start by thanking my colleague, Congressman GARAMENDI from the great State of California, for hosting this afternoon's Special Order hour on the Republicans' massive tax giveaway to the rich.

Mr. Speaker, the American people want a tax plan that creates jobs, builds infrastructure, helps out the poorest among us, strengthens the middle class, and requires billionaires to pay their fair share.

Unfortunately, the Trump-Ryan-McConnell tax plan puts billionaires first and working class people last. The Republicans' tax plan will cut taxes for the wealthiest 1 percent, and it will raise taxes for more than a quarter of New Jersey's households. That is 1.2 million families in the State that I represent.

Across the country, the average tax increase for families under the Trump-Ryan-McConnell tax plan is \$794 a year, another \$794 a year on families struggling now to make ends meet. In New Jersey, that is money a family could use to pay for a month of childcare or 7 months of an electric bill.

The President spends a lot of time golfing at his resort in Bedminster, New Jersey. He knows many working class people in New Jersey. He employs some of them. His proposal to eliminate the Federal deduction for State and local taxes will hurt them dramatically.

Eliminating the Federal deduction for State and local taxes will take money out of people's pockets and out of New Jersey to fund tax cuts for the wealthy. That is just not going to work for the American people. Eliminating the Federal deduction for State and local taxes doesn't work for New Jersey, and it doesn't work for the American people.

Nearly 2 million people in New Jersey take the deduction. That is more than a third of the State's taxpayers. Most of them are from New Jersey's lower and middle-income families. Getting rid of that deduction means higher taxes for regular people.

So let's be clear. The Republican tax plan claims to be cutting taxes, but in reality, it raises taxes on millions of New Jersey's families and millions of other families nationwide.

The Federal deduction for State and local taxes is good for families. It keeps them from paying twice on the same income. If you pay State and local taxes on your hard-earned money, the Federal Government should respect that. After all, State and local taxes pay for our roads, our schools, our police, and all essential services we rely on each and every day.

New Jersey already pays more to the Federal Government in taxes than it receives in return. In fact, according to the Tax Policy Center, for every dollar New Jersey pays to the Federal Government in taxes, we get back only 77 cents. That is 77 cents on every dollar. The Trump-Ryan-McConnell tax plan is asking people from my State to send more to Washington so the wealthiest 1 percent can get a tax cut. That is just wrong.

When he unveiled his tax plan, President Trump claimed taxes are something he is very good at. Yeah, protecting billionaires is all this tax plan is good at.

Elected officials from both parties must continue to stand against the Trump-Ryan-McConnell proposal and prevent billionaires' first tax overhaul from crushing hardworking families.

Mr. GARAMENDI. Mr. PAYNE, thank you so very much. You made a very, very important point, and it is one I know your State and Representatives from your State are very aware of, and we are in California.

You said that for New Jersey here, you pay \$1 in taxes to the Federal Government and you get back 77 cents. It turns out that California is in the same situation. We pay \$1. I think we get back somewhere around the same, 70 percent back from the Federal Government.

Similarly, the other States, upper Midwest, this area, Nebraska, Colorado, Minnesota, these States also wind up paying more. Then over here, Illinois and New York, Massachusetts, it looks like, and New Jersey down here, Connecticut, also, these States wind up paying more.

It turns out that the program proposed by the Republicans is to further harm these particular States by taking away—these are high cost States. They have big populations, and they have expenses that are associated with those large populations.

They, the Republicans, want to eliminate the State and local tax deduction, which, as you said, not only burdens the individuals, but it is going

to be seriously harming these particular States. Already, these States are paying more.

If they are successful, they, the Republicans, are successful in eliminating the State and local taxes, the tax burden on these particular States, the big States, is going to go up, and the benefit will continue to flow to the States with lower populations. And you can see that on this map, because the rest of the Nation is red, meaning they receive more money than they pay in taxes.

So this is a particular problem. I am not going to say this is the only problem because you raised the issue, also, of the top 1 percent getting 80 percent of the tax break, but this is a very interesting map that is really not understood by our colleagues here.

Down here in Alabama and Mississippi, Louisiana, Florida, and so forth, relatively low tax States, they are actually subsidized by the high tax States; and so the elimination of State and local taxes increases the taxes on the high cost States already, who are already paying more than they are getting back from the Federal Government, so their burden is further increased.

We have got a fight on our hands.

Mr. PAYNE. Absolutely. Absolutely.

Mr. GARAMENDI. So we are ready.

Mr. PAYNE. And to your point, I appreciate you bringing this map out to show these States that are subsidizing, and you are being very generous in that statement, other States.

To have Members, over the past several weeks, come to the floor and admonish New Jersey and say that we really don't need the deduction, when—if I can tell, North Carolina is one of those States being subsidized. It is disingenuous to come to the floor and critique this plan when it is one of the only ways that people, citizens from New Jersey have as a way to balance things out to some degree.

We all have to pay our fair share, but at some point in time New Jerseyans would like to see a return on their investment as well.

Mr. GARAMENDI. Well, exactly so. This proposal that is going to be before the House very soon will simply make this inequality between the States even worse.

Now, in Texas, this horrible problem down here in Houston, terrible—similarly, with Florida—there will be even greater money flowing to those States that have seen these natural disasters, and so this is probably going to get even more so. If they are successful in doing away with the State and local tax deduction, this will become even more onerous for people in my State.

□ 1845

Frankly, I cannot understand how my Republican colleagues from California could possibly support something that would substantially increase their constituents' taxes. So we will see.

It is an interesting map. I came across it not too long ago, and I think I will use it even more.

I appreciate and thank Mr. PAYNE for joining us tonight. I am going to keep putting this back up here.

What are we here for?

The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have little.

I am going to toss another thing up here. Included in this Republican program is the elimination of the estate tax.

If you want the wealthy to get even wealthier, then you move forward with the proposal that would shift the tax burden to the working men and women and away from those who are super-wealthy. It has been said in an article in *The New York Times* that our President, under these proposals that he has put forward together with Mr. RYAN and Senator MCCONNELL, that he would receive a billion-dollar reduction in taxes.

We don't have his tax returns so it is hard to say that that is the case, but based upon past tax returns, it appears as though, yeah, one of the beneficiaries of all of this tax reduction is the President and his Cabinet. His Cabinet is made up of some of the wealthiest people in America, and they are not only going to receive a huge tax cut if it were to go forward and as proposed today, the 400 highest income taxpayers whose incomes average more than \$300 million a year—and I think that is probably most of the Cabinet, and certainly the President has been in that if he is not there today—that range of income would get an average tax cut of at least \$15 million. That is enough for a few rounds of golf.

There is another piece of this puzzle, and I want to put this one up here. We are going to hear a lot of discussion about the estate tax and how somehow the estate tax harms American families, particularly American farmers.

Now, I represent a very large agricultural district, and I said let's do some research and see across the broad breadth of America. Is it the American farmers that are harmed by the estate tax?

It turns out that, yeah, there are some American farmers that are going to have to pay estate tax. There are 50 of them. There are 50 American farm families that would now be burdened by the current estate tax. Thousands upon thousands, millions of small farmers out there that the estate tax will never even come close to touching. It is \$5.6 million of estate value for one, the spouse—another 5,000—so you have got \$11.2 million for the family. It turns out it affects, perhaps, 50 families across America. The estate tax itself really only affects 5,200 families.

When you hear all this talk about the death tax or the estate tax, as it is really called, ask the question: Who does that affect?

Well, it certainly affects at least the President, Mr. Speaker. It affects the President and many members of his Cabinet. I can think of four right off who would be burdened by having to pay the estate tax. It is about \$20 billion a year that is involved here.

So you have got 2.7 million estates of which just two-tenths of 1 percent would actually be affected by the estate tax. So don't get all excited, America, about eliminating the death tax, unless you want to see the programs on which you depend: education, childcare, children school lunch programs—if you are worried about the border, you are worried about the Homeland Security agency and their ability to provide those men and women. So it is about \$20 billion a year that would be eliminated from the Federal tax base if the estate tax were to disappear.

If you care at all about income inequality, then you better keep the estate tax. Eliminate the estate tax, then the rich will get richer and the poor will get poorer, and we will see even greater income inequality in the years ahead. So we have got some very heavy lifting to do here over the next couple of weeks.

Before I come back and end this with Franklin Delano Roosevelt, I would just say that the Democrats in this House and in the Senate really want to have tax reform. We want to reform the tax system. We know that the corporate tax rate of 35 percent is the highest in the world, or at least the industrialized world, and it does need to be reduced.

We also know that there are very few corporations that actually pay the 35 percent. They are clearly burdened by a higher tax rate. We want to lower that tax rate. We want to do it in a way that encourages investment in the United States; that we go back to those days in the 1970s and early 1980s, when American corporations actually invested in expanding their business in the United States; that they would invest in capital formation, in plant and equipment, and hiring workers and paying higher wages, and engaging in research and development. There are ways we can do this in corporate tax reform.

For example, we could provide a faster write-off depreciation for investment in American research and development, in American factories, in plant and equipment. We might even structure it in such a way that we would provide an immediate 1-year or 2-year write-off depreciation of capital equipment placed in American factories that was made in America. If you want to buy Chinese equipment for your factory, well, you are going to have to depreciate that over 15 years.

There are ways in which—some very simple ways in which we can encourage corporations to invest in America by modifying the depreciation schedules. If it is an American-made piece of equipment, a Caterpillar tractor that is

manufactured in America, write it off in 1 year.

You want to buy a Kubota manufactured in Japan?

Okay. You can write that off in 10 years.

In other words, a positive encouragement for American-made equipment is just one of many examples. As we bring down the corporate tax rate, we build into it very specific things to build the American economy. There are other things, and certainly the wages are part of this, R&D, and all of the other elements. We Democrats want to engage with our Republican colleagues in that kind of tax reform.

On the personal income tax side, yes, we are willing to talk about the tax rates, but we don't want to see the tax cut benefit go to the superwealthy that are already doing extraordinarily well. We want that benefit to go to the working men and women of America. We can expand their deductibles, and the Republicans are talking about that, but it is done in a limited way. And when you add back into it the elimination of State and local income tax and other things that they are talking about doing, it turns out that a very limited number of middle-income and low-income taxpayers are going to benefit, and many will find their taxes go up. We think that is wrong.

As we look at this on the personal income tax side, we want to make sure that we are able to structure those personal income tax changes in such a way as to simplify, absolutely, and eliminate a lot of scurrilous deductions that only benefit the rich and the wealthy, and come to a program that is simpler, more straightforward, and really benefits the great American middle class, or as the President likes to say, let's make the middle class great again. We can do that through tax policy. That is what we want to do.

I am telling you where we are headed today. We are headed today in a program in which our Republican colleagues are going to ignore our Democratic participation in this democracy, and they are going to ram through their own version of tax reform, which is simply a monumental tax decrease for American corporations, many of which are offshoring jobs. I can come back to that in a moment, and the high-income Americans as their taxes are reduced and their estate tax is eliminated. We think that is wrong, but they are not asking us how we can work together. They are not asking us to work with them.

They have structured it through the budget deal that they can do it with 51 votes in the Senate, totally ignoring the Democratic Senators, and here in the House of Representatives, following a tradition that has been underway for several years now of simply writing a tax bill on their own, writing a repeal on their own, and ignoring the Democrats who we believe have a better deal for Americans.

We believe that there is a better deal, that we can increase American pay by

writing a corporate Tax Code that encourages investment in America, that encourages investment in workers, in worker training, worker preparation, and all the technical skills that a modern American economy needs. Yes, we do know there is a better way in writing the Tax Code. We also know that we can write a Tax Code that would lower the cost for those American corporations, businesses, and farmers who are investing in America. I have given some of those ideas already here a moment ago.

Finally, we know that there is a better deal for Americans when we provide the tools for the 21st century, and this has to do with those tools of training and retraining so that the American workers are prepared to take the jobs that are out there.

How do you repair that robot that has replaced you on the manufacturing floor? How do you repair it? How do you program it?

That is a skill set that Americans are going to need.

In my area, we have pharmaceutical companies that are technologically driven. Their laboratories need to be staffed by American workers who understand the intricacies of biology and the biotechnical industry, which is emerging in my district and in California. That is a skill set.

We know that there is a better deal for Americans. We know that there is a better way for tax reform. We know that there is a necessity in America to build the infrastructure, the foundation of economic growth. But we also know that if our Republican friends are successful in reducing Federal revenues by somewhere between \$2.5 trillion to \$5 trillion, this is their proposal, revenues reduced by that, we will not have money for training American workers. We will not have money for the infrastructure investments, which are necessary to repair our bridges, build our roads, our airports and the like so that we have a foundation upon which the economy will grow. We know that.

We have to persuade our Republican colleagues, so we are going to have to rely on the American people, just as we relied upon you when the repeal and replace legislation was before the House of Representatives and the Senate.

The American public said: Whoa, whoa, wait a minute. This is a bad deal, not a better deal, but a bad deal for Americans.

So the tax reform or the tax cuts that are before us in the next weeks—the next 4 weeks—are a bad deal for Americans, and we are going to have to rely upon the American public becoming aware of what is going on here in Washington, and then speaking out and saying: No, no. Time out, folks. You are not going to screw us again. You are not going to do that again. We don't want the wealthy to get wealthier while we get poorer.

So the American public, I would expect, will say, "No, no way," just as they did when the great repeal and re-

place legislation was before Congress just a month ago.

Mr. Speaker, I have covered the issue for the night, but I want us all to remember that the test of our progress is not whether we add more to the abundance of those who have much; it is, rather, whether we provide enough for those who have too little. It is etched in the monument and the marble of the FDR Memorial, and it is a pretty good test of our progress here.

Mr. Speaker, I yield back the balance of my time.

□ 1900

ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. DUNN). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I do greatly appreciate my friend across the aisle. Mr. GARAMENDI made some good points. For example, the people speak, and we are thankful they do. And that is why, when the Democratic House Members and Democratic Senate Members voted to pass something known as ObamaCare—it is hard to call it the Affordable Care Act because it has come at the cost of some people's lives, their doctors, their insurance policies, their medicines they needed—but the American people did speak, and they said, "Not again," and they put Democrats out of the majority as a result of that bill.

As I explained to some of my colleagues in the Republican Conference who were saying that the Speaker is the one who got us the majority back, I pointed out in conference, if you look at the polls, it is very clear. No one person got us the majority back in November 2010. The Democrats got the Republicans the majority back.

The polls back then showed that we were not trusted any more than we had been so much in the past, as they were, the voters were just upset with the Democrats passing a bill they didn't want, that the Democrats had not read, and didn't know what it said, and they were going to have to pass it to find out what was in it.

And they were lied to repeatedly. You can keep your insurance if you like it. If you like your doctor, you can keep your doctor, and all those. Turns out they knew in advance—not all of the people here, but the people in the Obama administration who kept saying it, they knew they were lying because they knew people would not keep their insurance whether they liked it or not; they would not keep their doctors if they liked them as they may well not be in the network and probably wouldn't be in many networks.

So it is so true that the people speak, and thank goodness they do. And then they have returned, not only Republicans to majorities in the House, repeatedly, on the promise of repealing

ObamaCare, but also gave the Senate the majority twice now on the promise to repeal ObamaCare and, unfortunately, the Senate has not delivered.

We passed a bill here in the House, it was after much wailing and gnashing of teeth, and a terrible bill at first that would have allowed premiums to continue to go up. Some say, yeah, but you should have voted for it; it would give the President some wind at his back.

But when the American people found out that premiums were going to continue to go up, their deductibles would continue to go up, the insurance companies would continue to get bailouts after record profit years, they were not going to be returning Republicans to the majority.

So it is still very critical that we keep our promises and we take a lesson from the actual planks of the platform that got our great President elected: number one, build a wall and secure the border; number two, repeal ObamaCare; number three, we would have tax reform. Those seem to be the three biggest promises that most all of us made on our side of the aisle.

The reason ObamaCare was not, at least the majority of it, repealed was because the Senate could not bring itself to act because there were some Senators who decided that, after winning their election, promising in the primary and general election that if you elect me, I will be the one who can get ObamaCare repealed, they decided to break that pledge, break that repeated promise.

So the thing I am grateful to the President—well, actually a number of things, but one is that he continues to say: We are not done. We are not through. We are going to repeal at least most of ObamaCare.

We have got to. People have got to have relief. They have got to. They cannot continue on like they are.

Obviously, we can see now, in hindsight, ObamaCare was designed to fail. Unfortunately, the insurance companies did not realize that when they signed on to ObamaCare, they were signing on to their death warrants; that the designers were counting on insurance companies to have people at the top who were so overwhelmed with greed they would not see the end coming as it came barreling toward them. They would be busy making record profits, getting bailouts, until the American people said we can't stand it anymore. The insurance companies had record profits and still got bailed out.

We never thought we would say this, but surely the government would be better than these greedy insurance companies; and that would be the end of the insurance companies.

And sure, some of the insurance executives would have taken their golden parachute and their millions after record profits and dropped out before the industry that made them rich ceased to exist, but that day is still coming if we don't act; and the American people would then be resolved to

have much worse healthcare than the VA because the government would be the only game in town.

I know, from talking to one legislator in England, I was surprised. I thought everybody was mandated to be part of the government healthcare there. And it was true, but he said that his wife had had cancer, and, fortunately for them, they could afford to pay the private insurance above the ridiculously wasteful insurance the Britons have.

I remember looking at the numbers back in 2010, when we were debating ObamaCare, and seeing at that time that someone who was diagnosed with breast cancer at a similar time in the staging of cancer, breast cancer, as someone in the U.S., as someone in England, that the American had a 20 percent better chance of surviving than the British citizen under British healthcare did. That is terrifying to some of us. We don't want the kind of healthcare England has.

So if you have a wife and three daughters, like I do, the chances are much better that you will lose one of them if you have British-type healthcare.

I have one guy from Tyler, who lives in Tyler, was from Canada originally, said, his father was put on the list to have bypass surgery in Canada, and after 2 years of waiting, he died. It kind of sounds like the VA and the problems that have been experienced by some of our veterans.

But I would submit, if those who have laid down much of their lives for their country in our armed services are treated the way many of our veterans have been treated, then you can't expect that American citizens that have never offered to lay down their life for their country would be treated much better.

We need to get off the track we are on. We need to return healthcare back to the control of a patient and a doctor, and get the insurance companies and the government out from between the patient and the doctor. We can do that with the kind of thing the President has been talking about, health savings accounts.

Instead of paying \$1,000 a month to an insurance company, put \$800 or \$900 in a health savings account; start building this huge healthcare, health savings account. And sure, there will be some people who are chronically ill or chronically poor. Those who don't have to be chronically poor, that could work, as we found out when welfare reform took place in the mid-nineties by the first Republican majority in many decades; as they found out, statistics showed, and there is a graph I saw at a conference in Harvard, for the first time since welfare began, 1995, after the work requirement kicked in for welfare, up through 2005, single moms' income, when adjusted for inflation, for the first time since welfare began, had an increase—that was incredible—when the government encouraged individuals

to reach their potential, instead of luring them away from their potential with welfare when they could have had a job, that people do a lot better.

It is terribly unfortunate, though, that the lessons learned in the mid-nineties, including getting to balanced budgets, over the objections of the Clinton administration. President Clinton didn't want balanced budgets, but, eventually, the Republican Congress forced him when they had enough to override his veto, so he signed them.

And now, all these years later, when people don't remember, President Clinton likes to take credit for having the first balanced budget in years. Well, the Republicans took him, figuratively, kicking and screaming and, obviously, now, he is proud that they did, though they don't get the credit for it.

Well, we need to encourage people to reach their potential—that is the job of government—not luring them away from their potential. We should be encouraging the best healthcare that could be had.

We don't need insurance companies managing all our healthcare. We don't need the government managing all our healthcare. We need individuals managing their own healthcare.

If somebody wants to volunteer and say, "Here's all my income for the rest of my life. Government, you manage, tell me what I can have and not have in the way of surgeries or healthcare or medicine," well, we ought to make a place for them to do that. But for the rest of us who would rather make our own decisions about our healthcare, we could do that.

But one of the things, and I put it in the bill that I filed back in 2009—I was encouraged by former Speaker Newt Gingrich, and he said: You have got to put your ideas into a bill, get it scored.

CBO refused to score it for many months. Former Speaker Gingrich thought if I had gotten it scored, that it could have changed the debate on healthcare.

But CBO dutifully did the bidding of Speaker PELOSI, scored their bills, refused to score mine, and so we didn't have the score.

And let's face it. CBO, on ObamaCare scoring, their margin of error apparently is somewhere, plus or minus, 250 to 400 percent; so why should they score anything anyway? But that is another matter.

But if the health insurance companies and the government don't manage all our healthcare, who would do that? Well, we would do that. If somebody's chronically poor and cannot provide for themselves, we can help them. But for those who can, they should.

If you put that kind of money in a health savings account, where it can never be used for anything but healthcare, not like retirement, where you can pull it out and pay a 40 percent tax, leave it in there. It can only be used for healthcare.

Give the individual a debit card that is coded that will only pay for medical

expenses, medicine, crutches, doctors' appointments. Then most people would have enough built up in their health savings account by the time they are 65 or 70, they not only would not want government participation in decisions about their healthcare, but they wouldn't need it, and we could make our own decisions, after consulting with physicians. That saves healthcare.

The last 100 years of healthcare, some medical historians say, have been the only 100 years in American history where people had a better chance of getting well after seeing a doctor than of getting worse.

□ 1915

Even just over 200 years ago, the man without whom there would be no free America, George Washington, he was bled to death. The last bleeder was his very good friend, Dr. Craik, who had been with him through so many things. He thought he was helping him, and he was bleeding him to death, preventing him from getting well.

But here, 200 years later, doctors are actually curing disease, curing things we thought were incurable. We had the best healthcare that could ever been found at any time in history anywhere in the world, and we have done a great deal to destroy it since the passing of ObamaCare.

People have found out they lost their insurance. They are paying more than they ever dreamed they would pay. And, yes, there are some who are paying minimal amounts, and some are getting subsidies, but the President had to make up some law in order to pay out some of the things he did.

Because of all of the distraction with ObamaCare, perhaps that is why the Obama administration dropped the ball on following through regarding Russia's efforts to sidetrack American politics.

This article from John Solomon and Alison Spann, October 22, in *The Hill*: "FBI Watched, Then Acted As Russian Spy Moved Closer to Hillary Clinton."

It says: "As Hillary Clinton was beginning her job as President Obama's chief diplomat, Federal agents observed as multiple arms of Vladimir Putin's machine unleashed an influence campaign designed to win access to the new Secretary of State, her husband, Bill Clinton, and members of their inner circle, according to interviews and once-sealed FBI records.

"Some of the activities FBI agents gathered evidence about in 2009 and 2010 were covert and illegal.

"A female Russian spy posing as an American accountant, for instance, used a false identity to burrow her way into the employ of a major Democratic donor in hopes of gaining intelligence on Hillary Clinton's Department, records show. The spy was arrested and deported as she moved closer to getting inside State, agents said.

"Other activities were perfectly legal and sitting in plain view, such as when a subsidiary of Russia's state-con-

trolled nuclear energy company hired a Washington firm to lobby the Obama administration. At the time it was hired, the firm was providing hundreds of thousands of dollars a year in pro bono support to Bill Clinton's global charitable initiative, and it legally helped the Russian company secure Federal decisions that led to billions in new U.S. commercial nuclear business, records show.

"Agents were surprised by the timing and size of a \$500,000 check that a Kremlin-linked bank provided Bill Clinton"—that is the former President, and although none of the mainstream media would ever say this, Democrat Bill Clinton—"with for a single speech in the summer of 2010. The payday came just weeks after Hillary Clinton helped arrange for American executives to travel to Moscow to support Putin's efforts to build his own country's version of Silicon Valley, agents said.

"There is no evidence in any of the public records that the FBI believed that the Clintons or anyone close to them did anything illegal."

Yeah, that is pretty understandable that The Hill would say that and that the FBI would make sure those records were not available.

The article goes on. It says: "But there's definitive evidence the Russians were seeking their influence with a specific eye on the State Department.

"There is not one shred of doubt from the evidence that we had that the Russians had set their sights on Hillary Clinton's circle, because she was the quarterback of the Obama-Russia reset strategy and the assumed successor to Obama as President," said a source familiar with the FBI's evidence at the time. . . ."

"That source pointed to an October 2009 communication intercepted by the FBI in which Russian handlers instructed two of their spies specifically to gather nonpublic information on the State Department.

"Send more info on current international affairs vital for R., highlight U.S. approach," part of the message to the spies read, using the country's first initial to refer to Russia. . . . Try to single out tidbits unknown publicly but revealed in private by sources closer to State Department, government, major think tanks."

This isn't in the article, but that might also mean, if the State Department Secretary had a server through which classified information was sent and it is not very well protected, gee, grab all of the information from that server that you can. Shouldn't be hard to hack them. That had to have been part of the thinking of the Russians. They surely figured out that Secretary of State Clinton was using different sources for her emails.

The article goes on: "The Clintons, by that time, had set up several new vehicles that included a multimillion-dollar speechmaking business, the family foundation, and a global charitable

initiative, all of which proved attractive to the Russians as Hillary Clinton took over State.

"In the end, some of this just comes down to what it always does in Washington: donations, lobbying, contracts, and influence—even for Russia," said Frank Figliuzzi, former FBI assistant director for counterintelligence.

"Figliuzzi supervised the post-arrest declassification and release of records from a 10-year operation that unmasked a major Russian spy ring in 2010. It was one of the most important U.S. counterintelligence victories against Russia in history, and famous for nabbing the glamorous spy-turned-model Anna Chapman.

"While Chapman dominated the headlines surrounding that spy ring, another Russian woman posing as a mundane New Jersey accountant named Cynthia Murphy was closing in on accessing Secretary Clinton's Department, according to records and interviews.

"For most of the 10 years, the ring of Russian spies that included Chapman and Murphy acted as sleepers, spending a 'great deal of time collecting information and passing it on' to their handlers inside Russia's SVR spy agency, FBI record state."

Inserting parenthetically here, also, we now know, due to the great investigating work of Luke Rosiak with *The Daily Caller*, who apparently has done much more investigation into Imran Awan, the Awan family, and IT or computer workers, some of whom apparently didn't do any work but who were making the maximum amount of money that anybody can make working on the Hill for Congress, as I believe Luke testified or indicated in a prior meeting, he indicated that actually every time one of the Awan family added enough part-time work for Members of Congress with their computers, they would add another family member to start getting part-time until they built up to the \$160,000 or so level.

But in any event, we now know that, apparently, Imran Awan copied dozens of Democratic Members of Congress' servers into one place so that all of those servers could easily be accessed by someone who did not have permission to access those Congress Members' computer systems and servers.

It is interesting that that was occurring for him as a Pakistani native. He became a citizen but, at the time he began working on Capitol Hill, was here by visa working for Members, Democratic Members of Congress.

But how interesting that the Russians were doing everything they could to get any information, not just classified, but any inside information, stuff like you would find in emails, for example. And now we are finding all of this out about the Awan brothers, and his wife and a couple of people, one of whom quit because he was doing too much of the work and not getting as much pay as the others.

But it is incredible that it was after President Obama left office we started

hearing all of this screaming about how the Russians were trying to affect elections. And who knew about that? Well, Robert Mueller, former FBI Director knew all about it because he was the FBI as this stuff was being investigated. Wouldn't it be nice if he had said something about that previously?

But if he had talked about it previously, he might not—and I am sure, in fact, would not—have gotten an appointment to be special counsel to investigate potential ties by the U.S. Government with Russia, specifically, the Trump campaign, or the Trump support ring, those who were supporting Donald Trump as a candidate. Wow.

But then again, Deputy Attorney General Rosenstein might have appointed Mueller, because it turns out he was involved in the investigation back then. Wouldn't it have been nice if Rosenstein or Mueller had had the moral fiber and the ethical fiber to say: "You know what? The AG has recused himself, but, actually, I was involved in this stuff back under the Obama administration investigating all this, and I had developed opinions, made statements back in those days—weren't public."

And if Mueller had done the same thing: "I was head of the FBI. We were investigating ties to Hillary Clinton, efforts to get in touch with and utilize the Clinton Foundation, Hillary Clinton."

Wouldn't it have been nice if that information had come from Robert Mueller or Deputy Attorney General Rosenstein before Rosenstein appointed Mueller, because those two people would not even be involved at all, I don't believe, had we known the extent of their involvement in the investigation into Russia before, when they were with the Obama administration. But they didn't disclose that.

And I think it is a little insidious, myself, on the very day that James Comey testified on Capitol Hill that there were no known ties between President Trump and the Russians, the collusion that was talked about, there were no ties, no evidence of that, it was the same day it was leaked, apparently by Mueller or his staff, that now they were investigating obstruction by the Trump administration.

Now, why would that get leaked the very night that James Comey testified there were no known ties, no evidence of any collusion between President Trump and the Russians? Well, because if there was no evidence to support what Mueller had been appointed to investigate, then President Trump would have had every right and it would have made sense to say: "Okay, Mr. Mueller, it sure would have been nice if you had disclosed the reasons that you should have been disqualified to accept this special counsel job. But even though you didn't, there is no reason for you to be special counsel because there is no evidence, according to this FBI Director, so we don't need you anymore."

□ 1930

But by Mueller or his clan leaking out that now we are investigating President Trump for obstruction of justice, that set him up in a position that President Trump could not afford to fire him, or else it would look like Nixon's Saturday Night Massacre before they had a chance to come after him. So, clearly, former FBI Director Mueller who, in my opinion, did more damage to the structure of the FBI than anyone since J. Edgar Hoover, ran off thousands of years of experience from the FBI and spent millions of dollars on programs that didn't work out. Apparently he got rid of a lot of people that would not say yes to him all the time. He also—let's give him credit—he did purge the FBI training materials of anything that offended radical Islamists.

I would submit there is a reason why when an FBI agent was finally sent out to talk to the older Tsarnaev brother after Russia had reported twice—actually doing America a favor—hey, this guy has been radicalized. Do they look at where he had been to see that he had been in areas that were very radical and what he was like?

No. They sent out an FBI agent to talk to him. According to Director Mueller, in essence, he indicated he was not a terrorist, so that was good enough for them. But they went the extra mile and asked his mother if he was a terrorist, and, in essence, she indicated he was a good boy and not a terrorist. That was good enough for the new Mueller FBI that had purged itself of the ability to know what a radical Islamist looked like.

When I asked about their going out to the mosque to investigate whether Tsarnaev had been radicalized, of course, again, they purged their training materials, they didn't know what to ask. They didn't know whether to ask if he had been memorizing verses of the Koran, what verses those were. Kim Jensen, who had a 700-page program to teach FBI agents about what to look for in radical Islamists, under Mueller, was ordered to destroy all of those. Fortunately, there was an extra copy. As I understand it, the FBI is now trying to teach some of the higher-level agents exactly what a radical Islamist is. But if Mr. McMaster has his way, that won't last much longer.

But, nonetheless, Director Mueller, as head of the FBI, as one intelligence official told me, they were blinded of the ability to see the enemy—the enemy being radical Islamists who want to destroy our Nation, destroy our freedom, and kill us. They don't know what to look for, thanks to Director Mueller.

Of course, as the Washingtonian article pointed out in 2013, basically Mueller and Comey were joined at the hip, that if the world was on fire, Mueller would be the last one standing beside Comey, protecting him, with him, supporting him, whatever. Which, by the way, is another reason, if Mr.

Mueller had been as ethical and moral as he should have been, he should have disclosed immediately: I can't accept this special counsel role because James Comey is a friend. He sees me as a mentor. We talked, including about his testimony he was going to give before Congress. We are just too close, and he is a central witness to all of this. I can't do it.

Unfortunately, Director Mueller did not take that position not feeling that he needed to do that, because, after all, it is a great job. It pays a lot of money. He can hire anybody he wants to and hire good Democratic supporters, as he has. For people who hate Republicans, this will be a great job. Apparently it is. He just basically makes up whatever he wants to investigate anytime he sees fit, and Deputy Attorney General Rosenstein should have been disqualified and not been able to appoint special counsel had the Attorney General known what all he had been involved in previously. He certainly is not going to fire Mueller, as he should.

Going over to a different article, this is from National Review by Andrew McCarthy, October 21. Andrew McCarthy is the former prosecutor of The Blind Sheikh that masterminded the first World Trade Center attack in 1993 during Democrat Bill Clinton's Presidency.

Andrew McCarthy says: "Not only the Clintons are implicated in a uranium deal with the Russians that compromised national security interests. Let's put the Uranium One scandal in perspective: the cool half-million bucks the Putin regime funneled to Bill Clinton was five times the amount it spent on those Facebook ads—the ones the media-Democrat complex ludicrously suggests swung the 2016 Presidential election to Donald Trump. The Facebook-ad buy, which started in June 2015—before Donald Trump entered the race—was more leftwing agit-prop, ads pushing hysteria on racism, immigration, guns, et cetera, than electioneering. The Clintons' own longtime political strategist Mark Penn estimates that just \$6,500 went to actual electioneering. You read that right: \$6,500. By contrast, the staggering \$500,000 payday from a Kremlin-tied Russian bank for a single speech was part of a multimillion-dollar influence-peddling scheme to enrich the former President and his wife, then-Secretary of State Hillary Clinton. At the time, Russia was plotting—successfully—to secure U.S. Government approval for its acquisition of Uranium One, and with it, tens of billions of dollars in U.S. uranium reserves."

"Here is the kicker: the Uranium One scandal is not only, or even principally, a Clinton scandal. It is an Obama administration scandal. The Clintons were just doing what the Clintons do: cashing in on their 'public service.' The Obama administration, with Secretary Clinton at the forefront but hardly alone, was knowingly compromising American national security interests."

The administration green-lighted the transfer of control over one-fifth of American uranium mining capacity to Russia, a hostile regime—and specifically to Russia's state-controlled nuclear-energy conglomerate, Rosatom. Worse, at the time the administration approved the transfer, it knew that Rosatom's American subsidiary was engaged in a lucrative racketeering enterprise that had already committed felony extortion, fraud, and money-laundering offenses."

It is not in the article, but it does raise the question: Gee, I wonder if the Obama administration or Director Mueller of the FBI, knowing all these things apparently, did anybody bother to tell Secretary Clinton about the situation and that the entity that they were being courted by was actually tied to felony extortion, fraud, and money-laundering offenses?

I thought the Obama administration was pretty close-knit. It seemed like they would have surely told Secretary of State Clinton who had access to classified information. We know because she put it on her server that wasn't classified.

But it looks like somebody would have told the Secretary of State: Hey, this outfit that is courting you has ties to the people paying your husband half a million dollars for one speech, paying \$145 million or so to the Clinton Foundation, these folks are bad folks.

Surely somebody in the Obama administration would have told them. Well, we don't know, and, certainly, Director Muller is not going to investigate any inappropriate actions that he or James Comey or Deputy Attorney General Rosenstein took or didn't take.

The article goes on to say: "The Obama administration also knew that congressional Republicans were trying to stop the transfer. Consequently, the Justice Department concealed what it knew."

That being from congressional Republicans who were trying to stop the transfer.

In fact, "the DOJ allowed the racketeering enterprise to continue compromising the American uranium industry rather than commencing a prosecution that would have scotched the transfer. Prosecutors waited 4 years before quietly pleading the case out for a song, in violation of Justice Department charging guidelines. Meanwhile, the administration stonewalled Congress, reportedly threatening an informant who wanted to go public.

"Obama's 'reset,' to understand what happened here, we need to go back to the beginning. The first-tier military arsenal of Putin's Russia belies its status as a third-rate economic power. For well over a decade, the regime has thus sought to develop and exploit its capacity as a nuclear-energy producer. Naively viewing Russia as a 'strategic partner' rather than a malevolent competitor, the Bush administration made a nuclear-cooperation agreement with the Kremlin in May of 2008.

"That blunder, however, was tabled before Congress could consider it. That is because Russia, being Russia, invaded Georgia. In 2009, notwithstanding this aggression, which continues to this day with Russia's occupation of Abkhazia and South Ossetia, President Obama and Secretary of State Clinton signaled the new administration's determination to 'reset' relations with Moscow. In this reset, renewed cooperation and commerce in nuclear energy would be central. There had been such cooperation and commerce since the Soviet Union imploded. In 1992, the administration of President George H. W. Bush agreed with the nascent Russian Federation that U.S. nuclear providers would be permitted to purchase uranium from Russia's disassembled nuclear warheads, after it had been down-blended from its highly enriched weapons-grade level.

"The Russian commercial agent responsible for the sale and transportation of this uranium to the U.S. is the Kremlin-controlled company 'Tenex,' formally, JSC Technabexport. Tenex is a subsidiary of Rosatom. Tenex, and by extension, Rosatom, have an American arm called 'Tenam USA.' Tenam is based in Bethesda, Maryland. Around the time President Obama came to power, the Russian official in charge of Tenam was Vadim Mikerin. The Obama administration reportedly issued a visa for Mikerin in 2010, but a racketeering investigation led by the FBI determined that he was already operating here in 2009. The racketeering scheme as Tenam's general director, Mikerin was responsible for arranging and managing Rosatom/Tenex's contracts with American uranium purchasers.

"This gave him tremendous leverage over the U.S. companies. With the assistance of several confederates, Mikerin used this leverage to extort and defraud the U.S. contractors into paying inflated prices for uranium. They then laundered the proceeds through shell companies and secret bank accounts in Latvia, Cyprus, Switzerland, and the Seychelle Islands—though sometimes transactions were handled in cash, with the skim divided into envelopes stuffed with thousands of dollars in cash. The inflated payments served two purposes: they enriched Kremlin-connected energy officials in the U.S. and in Russia to the tune of millions of dollars; and they compromised the American companies that paid the bribes, rendering players in U.S. nuclear energy—a sector critical to national security—vulnerable to blackmail by Moscow. But Mikerin had a problem.

"To further the Kremlin's push for nuclear-energy expansion, he had been seeking to retain a lobbyist—from whom he planned to extort kickbacks, just as he did with the U.S. energy companies. With the help of an associate connected to Russian organized-crime groups, Mikerin found his lob-

byist. The man's name has not been disclosed, but we know he is now represented by Victoria Toensing, a well-respected Washington lawyer, formerly a Federal prosecutor and counsel to the Senate Intelligence Committee.

□ 1945

"When Mikerin solicited him in 2009, the lobbyist was uncomfortable, worried that the proposal would land him on the wrong side of the law. So he contacted the FBI to reveal what he knew. From then on, the Bureau and Justice Department permitted him to participate in the Russian racketeering scheme as a 'confidential source'—and he is thus known as 'CS-1' in affidavits the government, years later, presented to Federal court in order to obtain search and arrest warrants. At the time this unidentified man became an informant, the FBI was led by Director Robert Mueller, who is now the special counsel investigating whether Trump colluded with Russia," which we keep hearing there is no evidence of.

"The investigation was centered in Maryland, Tenam's home base. There, the U.S. Attorney was Obama appointee Rod Rosenstein—now President Trump's Deputy Attorney General, and the man who appointed Mueller as special counsel to investigate Trump.

"Because of CS-1, the FBI was able to understand and monitor the racketeering enterprise almost from the start. By mid-May 2010, it could already prove the scheme and three separate extortionate payments Mikerin had squeezed out of the informant.

"Equally important: According to reporting by John Solomon and Alison Spann in *The Hill*—which we were just speaking about—"the informant learned through conversations with Mikerin and others that Russian nuclear officials were trying to ingratiate themselves with the Clintons."

It goes on and on, Mr. Speaker, but it is clear this definitely needs investigation. It needs investigation as to the propriety of the actions of Robert Mueller, FBI Director. It needs investigation into the propriety of the actions by Deputy Attorney General Rod Rosenstein.

We need a special counsel. If the current Attorney General considers himself recused, there is only one person who has the power to make that appointment, and that is the President of the United States, from whom the Attorney General and Deputy Attorney General Rosenstein derive their power to appoint special counsel.

The President needs to appoint somebody to investigate this mess, because I guess former Secretary Clinton knew with authority when she said the Russians were clearly trying to hack and to influence this election. Yes, they sure were.

It appears they were doing more to influence the Clintons and the Obama administration than they were even the American people: \$500,000 to Bill Clinton himself and only \$6,500 to the

ads to try to affect the American people.

So this really does need to be investigated. I know Congress really hasn't gotten into it in any depth, but if Congress is to do that, it has got to take a page out of Judicial Watch's notebook, and that is you have got to be willing to go to court and demand people produce evidence, produce people.

We can't just continue to be obstructed the way we have allowed the IRS Director to do after he has obfuscated, lied to Congress, and I believe perjured himself, after Lois Lerner appears certainly to have committed crimes, to me, and we have let her get away with such apparent criminal activity.

But in the few minutes I have left, in addition to this scourge upon the United States that we find out was going on during the Obama administration, there is a tremendous irony that is playing out, and it is reflected in the article by J.E. Dyer, October 10.

The article is titled: "NFL meltdown blows the dam on MSM's centralized media model."

I thought about this. I did not realize, but Colin Kaepernick first began to kneel down after he apparently has also supported a group that wants to kill cops and thinks cops should be killed, the people who are protecting us and allowing us to continue safely in our way of life and our freedom.

He doesn't have that respect. He knelt. He had nothing but contempt for America's police and for those protecting America. He did not appreciate America, which was bringing him millions of dollars. Just contempt. Apparently, his belief is there is racism in America, though he was adopted by, as I understand it, a White family.

But he started this, and the American people didn't like it. After 9/11 particularly, they realized: You know what? We owe so much to first responders and to law enforcement that have been willing to lay down their lives for us against enemies, foreign and domestic. And they continue, as police around the country, law enforcement, continue to be willing to lay down their lives for Americans and our way of life, our freedom. We appreciated that after 9/11.

After my 4 years in the Army, when we were sometimes ordered not to wear our uniform because of hatred for people in uniform after Vietnam, I didn't think we would ever come to a day when people would again appreciate our military. But that also came out in amazing ways after 9/11.

As evil and hateful as the actions were that day in an effort to kill as many innocent people as these radical Islamists could, we saw the good in Americans. We saw the good in first responders. We saw the good in our military. We saw men and women willing to evidence the greatest love, as Jesus said, willing to lay down their lives for their fellow Americans.

Yet, during the last administration, somehow the President normally took

the wrong side. He spoke up before the evidence was in and often derided the wrong people. I just can't believe that our President for those last 8 years set us back so many years in race relations. It is incredible. I thought we were beyond that, but we got set back many years.

Huge numbers of Americans didn't appreciate the way the Obama administration set us back in race relations. For the first time, we had a President and First Lady who had not normally been proud as Americans. The First Lady said she was finally proud of America.

I have been proud of America all my life. I was not proud of the activities of some Americans. Americans have been a force for good in the world since it came into existence. This article points out that, actually, that started something, because then other NFL players, as we have heard, didn't even realize what Colin Kaepernick was actually kneeling for. It is interesting to hear their explanations. They are not sure. They just have contempt for something, so they kneel during the national anthem.

It has so affected many Americans that many of us are not watching the NFL like we used to. It used to be a priority. I was always glad to get home from church and turn on the NFL, maybe see the Dallas Cowboys. I haven't been doing that. It hasn't been a priority. Colin Kaepernick started that.

Now, as this article points out, the one thing that allowed the mainstream media to bundle all kinds of programming that they forced cable companies or dish companies to take was the NFL. It was the big breadwinner that forced cable companies and satellite companies to take programming they really didn't want. But if you wanted the NFL, you had to take what the networks were bundling.

Now that the NFL is not turning into the cash cow it once was, and viewership and attendance drops, and, therefore, advertising dollars are plummeting, it may just be that that act of taking a knee back when it first started ends up leading to the liberal mainstream media not force-feeding Americans liberal pabulum that they have been able to do for years. Wouldn't that be an ironic result of one player taking a knee?

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The Chair will remind Members to refrain from improper references to the President.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1616. An act to amend the Homeland Security Act of 2002 to authorize the Na-

tional Computer Forensics Institute, and for other purposes.

H.R. 2989. An act to establish the Frederick Douglass Bicentennial Commission.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 190. An act to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes.

S. 585. An act to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for Federal supervisors who retaliate against whistleblowers, and for other purposes.

S. 920. An act to establish a National Clinical Care Commission.

S. 1617. An act to designate the checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, as the "Javier Vega, Jr. Border Patrol Checkpoint".

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 24, 2017, she presented to the President of the United States, for his approval, the following bills:

H.R. 2989. To establish the Frederick Douglass Bicentennial Commission.

H.R. 1616. To amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 25, 2017, 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:

2898. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frederick S. Rudesheim, United States Army, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

2899. A letter from the Secretary of Defense, Department of Defense, transmitting a letter authorizing Brigadier General Mark E. Weatherington, United States Air Force, to wear the insignia of the grade of major general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

2900. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the report entitled "Health, United States, 2016", pursuant to 42 U.S.C. 242m(a)(1); July 1, 1944, ch. 373, title III, Sec. 308 (as amended by Public Law 100-177, Sec. 106(a)); (101 Stat. 989); to the Committee on Energy and Commerce.

2901. A letter from the President and Chief Executive Officer, National Institute for Children's Health Quality, transmitting the Institute's report on the Sickle Cell Disease Treatment Demonstration Program for September 2017, pursuant to 42 U.S.C. 300b-1 note; Public Law 108-357, Sec. 712(c); (118 Stat. 1559); to the Committee on Energy and Commerce.

2902. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's report of the activities of the United Nations and of the participation of the United States for 2016, pursuant to 22 U.S.C. 287b(a); Dec. 20, 1945, ch. 583, Sec. 4(a) (as amended by Public Law 106-113, Sec. 1000(a)(7)); (113 Stat. 1501A-465); to the Committee on Foreign Affairs.

2903. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

2904. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

2905. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a report pursuant to Sec. 804 of the Palestine Liberation Organization Commitments Compliance Act of 1989 (Title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Public Law 101-246)), as amended, and Secs. 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 ("the Act", Public Law 107-228); to the Committee on Foreign Affairs.

2906. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-150, "Access to Emergency Epinephrine in Schools Clarification Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2907. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-151, "Public School Nurse Assignment Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2908. A letter from the Director, White House Liaison, Department of Education, transmitting notification of a 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.

2909. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting four (4) notifications of a designation of acting officer and discontinuation of service in

acting role, 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.

2910. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting notification of a vacancy, designation of acting officer, and discontinuation of service in acting role, 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.

2911. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting four (4) notifications of designation of acting officer and discontinuation of service in acting role, 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.

2912. A letter from the Director, White House Liaison, Office of Career, Technical, and Adult Education, Department of Education, transmitting notification of a 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.

2913. A letter from the Director, White House Liaison, Office of Career, Technical, and Adult Education, Department of Education, transmitting a notification of a designation of acting officer, 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.

2914. A letter from the Director, White House Liaison, Office of Planning, Evaluation, and Policy Development, Department of Education, transmitting notification of a 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.

2915. A letter from the General Counsel, U.S. Office of Special Counsel, transmitting a notification of a designation of acting officer, 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.

2916. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's Office of Privacy and Civil Liberties Activities Semiannual Report covering April 1, 2016, through September 30, 2016, pursuant to Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, 121 Stat. 266, 361-62 (codified at 42 U.S.C. 2000ee-1(f)); to the Committee on the Judiciary.

2917. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's Office of Privacy and Civil Liberties Activities Semiannual Report covering October 1, 2015, through March 31, 2016, pursuant to Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, 121 Stat. 266, 361-62 (codified at 42 U.S.C. 2000ee-1(f)); to the Committee on the Judiciary.

2918. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Thirty-Ninth Annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976; to the Committee on the Judiciary.

2919. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a notification that the cost of response and recovery efforts for FEMA-3385-EM in the State of Florida has exceeded the \$5 million limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat.

4707); to the Committee on Transportation and Infrastructure.

2920. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a notification that the cost of response and recovery efforts for FEMA-3384-EM in the Commonwealth of Puerto Rico has exceeded the \$5 million limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

2921. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Technify Motors GmbH Reciprocating Engines [Docket No.: FAA-2017-0241; Product Identifier 2017-NE-09-AD; Amendment 39-19045; AD 2017-19-15] (RIN: 2120-AA64) received October 18, 2017, 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.

2922. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9185; Product Identifier 2016-NM-077-AD; Amendment 39-19040; AD 2017-19-10] (RIN: 2120-AA64) received October 18, 2017, 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.

2923. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2017-0494; Product Identifier 2016-NM-126-AD; Amendment 39-19047; AD 2017-19-17] (RIN: 2120-AA64) received October 18, 2017, 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.

2924. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2017-0511; Product Identifier 2016-NM-176-AD; Amendment 39-19036; AD 2017-19-06] (RIN: 2120-AA64) received October 18, 2017, 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.

2925. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2017-0809; Product Identifier 2017-NM-094-AD; Amendment 39-19030; AD 2017-18-21] (RIN: 2120-AA64) received October 18, 2017, 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.

2926. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2017-0334; Product Identifier 2017-NM-008-AD; Amendment 39-19039; AD 2017-19-09] (RIN: 2120-AA64) received October 18, 2017, 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.

2927. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Annual Report of the Student Loan Ombudsman,

pursuant to Public Law 111-203, Sec. 1035; jointly to the Committees on Financial Services and Education and the Workforce.

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. ROYCE of California: Committee on Foreign Affairs. H.R. 3329. A bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes; with an amendment (Rept. 115-366, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE of California: Committee on Foreign Affairs. H.R. 3342. A bill to impose sanctions on foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hizballah of civilians as human shields, and for other purposes (Rept. 115-367, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2600. A bill to provide for the conveyance to the State of Iowa of the reversionary interest held by the United States in certain land in Pottawattamie County, Iowa, and for other purposes; with an amendment (Rept. 115-368). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 580. Resolution providing for consideration of the Senate amendment to the concurrent resolution (H. Con. Res. 71) establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027 (Rept. 115-369). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the Committees on Financial Services and the Judiciary discharged from further consideration. H.R. 3329 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII the Committee on the Judiciary discharged from further consideration. H.R. 3342 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. COFFMAN (for himself and Ms. BROWNLEY of California):

H.R. 4099. A bill to amend title 38, United States Code, to ensure that children of homeless veterans are included in the calculation of the amounts of certain per diem grants; to the Committee on Veterans' Affairs.

By Mr. CHABOT:

H.R. 4100. A bill to amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association; to the Committee on the Judiciary.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. COURTNEY):

H.R. 4101. A bill to reverse declining milk consumption in schools; to the Committee on Education and the Workforce.

By Mr. DOGGETT (for himself, Mr. FARENTHOLD, and Mr. HURD):

H.R. 4102. A bill to apply certain medical requirements to an operator of an air balloon; to the Committee on Transportation and Infrastructure.

By Mr. LOWENTHAL (for himself, Mr. GRIJALVA, and Ms. BARRAGÁN):

H.R. 4103. A bill to require the Secretary of the Interior to submit an annual report to Congress on certain statistics related to applications for a permit to drill an oil or gas well, and for other purposes; to the Committee on Natural Resources.

By Mr. HARPER:

H.R. 4104. A bill to amend title XVIII of the Social Security Act to extend the additional temporary exception from the Medicare site-neutral inpatient payment rate to additional DRG codes for severe wound discharges from long-term care hospitals; to the Committee on Ways and Means.

By Mrs. LAWRENCE (for herself, Mr. CLYBURN, Mr. SERRANO, Mr. TONKO, Mr. LARSEN of Washington, Mr. RUSH, Mr. GRIJALVA, Mr. ESPAILLAT, and Mr. CONYERS):

H.R. 4105. A bill to amend title XX of the Social Security Act to extend the health professions workforce demonstration project; to the Committee on Ways and Means.

By Ms. SHEA-PORTER (for herself and Ms. ROSEN):

H.R. 4106. A bill to amend title 38, United States Code, to provide for an increase in the amount of monthly dependents and survivors income security benefit payable to surviving spouses by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BISHOP of Michigan (for himself, Mr. ROE of Tennessee, Mr. RYAN of Ohio, Mr. FORTENBERRY, Mr. SMITH of Nebraska, and Mr. GOSAR):

H.R. 4107. A bill to award a Congressional gold medal, collectively, to the crew of the U.S.S. Indianapolis, in recognition their perseverance, their bravery, and their service to the nation; to the Committee on Financial Services.

By Mr. DONOVAN:

H.R. 4108. A bill to establish an Anti-Bullying Roundtable to study bullying in elementary and secondary schools in the United States, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GUTHRIE (for himself and Ms. MATSUI):

H.R. 4109. A bill to amend the Communications Act of 1934 to provide for the deposits of bidders in auctions of spectrum frequencies to be deposited in the Treasury; to the Committee on Energy and Commerce.

By Mr. LEVIN (for himself, Ms. PELOSI, Mr. HOYER, Mr. CROWLEY, Mr. BLUMENAUER, Mr. LEWIS of Georgia, Mr. LARSON of Connecticut, Mr. DANNY K. DAVIS of Illinois, Mr. PASCRELL, Mr. KIND, Ms. DELBENE, Mr. HIGGINS of New York, Mr. THOMPSON of California, Ms. JUDY CHU of California, and Mr. DOGGETT):

H.R. 4110. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Ways and Means.

By Mrs. McMORRIS RODGERS:

H.R. 4111. A bill to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes; to the Committee on Small Business.

By Mr. POCAN (for himself, Ms. SCHAKOWSKY, Mr. CICILLINE, Mr. DESAULNIER, Ms. LEE, Mr. CONYERS,

Mr. NADLER, Mr. TAKANO, Ms. KAPTUR, Mr. NORCROSS, Mr. PALLONE, and Mr. MCGOVERN):

H.R. 4112. A bill to ensure the safety of workers of contractors that serve and supply the Armed Forces and the accountable use of taxpayer dollars; to the Committee on Armed Services.

By Mr. POLIQUIN:

H.R. 4113. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUIZ (for himself, Ms. BARRAGÁN, Ms. JACKSON LEE, Ms. ROYBAL-ALLARD, Mr. EVANS, Mr. THOMPSON of Mississippi, Ms. JAYAPAL, Mr. MCEACHIN, Mr. HASTINGS, Mr. PAYNE, Mr. GUTIÉRREZ, Mr. CARBAJAL, and Mr. KIHUEN):

H.R. 4114. A bill to require Federal agencies to address environmental justice, to require consideration of cumulative impacts in certain permitting decisions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Transportation and Infrastructure, 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. COLLINS of Georgia:

H. Res. 579. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. BACON:

H. Res. 581. A resolution congratulating the people of the Republic of Turkey and Turkish Americans nationwide on Turkish Republic Day; to the Committee on Foreign Affairs.

By Mr. BANKS of Indiana:

H. Res. 582. A resolution expressing the sense of the House of Representatives that Joseph Leon George should be honored for heroism at Pearl Harbor, Hawaii, on December 7, 1941; to the Committee on Armed Services.

By Ms. CLARKE of New York:

H. Res. 583. A resolution expressing support for the designation of the last week in October as "Black Women's Health Week"; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR (for herself, Mr. MCGOVERN, Mr. WELCH, Ms. DELAURO, Mr. EVANS, Mr. KHANNA, Ms. NORTON, and Ms. PINGREE):

H. Res. 584. A resolution recognizing the International Day of Rural Women on October 15, 2017, in celebration of women farmers around the world; to the Committee on Foreign Affairs.

By Miss RICE of New York (for herself and Mr. KATKO):

H. Res. 585. A resolution amending the Rules of the House of Representatives to direct the Chief Administrative Officer to carry out an annual information security training program for Members, officers, and employees of the House; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XII,

139. The SPEAKER presented a memorial of the General Assembly of the State of California, relative to House Resolution No. 57,

supporting Congress' efforts to censure President Donald Trump, calls upon President Donald Trump to publicly apologize to all Americans for his racist and bigoted behavior, and calls upon all other state legislatures to ask the same of Congress and the President; which was referred 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. COFFMAN:

H.R. 4099.

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

Article I, Section 8 of the Constitution.

By Mr. CHABOT:

H.R. 4100.

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

Article 1, section 8, clause 18

By Mr. THOMPSON of Pennsylvania:

H.R. 4101.

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

Article 1, 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.

By Mr. DOGGETT:

H.R. 4102.

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

Article I, Section 8, Clause 3 of the United States Constitution that grants Congress the authority, "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. LOWENTHAL:

H.R. 4103.

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

U.S. Cont. art. IV, sec. 3, cl. 2, sen. a

The Congress shall have Power to dispose of and make all needful Rule and Regulations respecting the Territory of other Property belonging to the United States;

By Mr. HARPER:

H.R. 4104.

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

The Congress enacts this bill pursuant to Clause I of Section 8 of Article I of the United States Constitution.

By Mrs. LAWRENCE:

H.R. 4105.

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

Article 1, 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.

By Ms. SHEA-PORTER:

H.R. 4106.

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

Article 1, Section 8

By Mr. BISHOP of Michigan:

H.R. 4107.

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

Article 1, Section 8, Clause 18, to make all laws, which shall be necessary and proper for

carrying into execution the foregoing powers.

By Mr. DONOVAN:

H.R. 4108.

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

Article 1, Section 8 of the United States Constitution.

By Mr. GUTHRIE:

H.R. 4109.

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

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. LEVIN:

H.R. 4110.

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

Article I, Section 8

By Mrs. MCMORRIS RODGERS:

H.R. 4111.

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

Article I Section 8 Clause 3: "To Regulate Commerce with Foreign Nations, and Among the several state, and with the Indian Tribes."

By Mr. POCAN:

H.R. 4112.

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. POLIQUIN:

H.R. 4113.

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

Article 1 Section VIII of the U.S. Constitution

By Mr. RUIZ:

H.R. 4114.

Congress has the power to enact this legislation pursuant to the following: clause 18 of section 8 of article I of the Constitution

ADDITIONAL SPONSORS

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

H.R. 19: Mr. BARR.

H.R. 35: Mr. MEADOWS.

H.R. 113: Mr. SMUCKER, Mr. BEN RAY LUJÁN of New Mexico, Mr. GOMEZ, and Mr. CROWLEY.

H.R. 154: Mr. LANGEVIN, Ms. KAPTUR, and Mr. TAKANO.

H.R. 173: Mrs. HANDEL, Mr. DELANEY, Mr. BIGGS, Mr. DUNCAN of Tennessee, Mrs. BEATTY, Ms. GABBARD, and Mr. GALLEGO.

H.R. 233: Mr. LIPINSKI, Mr. O'ROURKE, Mr. DELANEY, and Ms. SLAUGHTER.

H.R. 252: Mr. LIPINSKI and Mr. SERRANO.

H.R. 299: Mr. POLIS.

H.R. 377: Mr. JOHNSON of Ohio.

H.R. 380: Mr. BANKS of Indiana.

H.R. 392: Mr. COMER, Mr. CARSON of Indiana, Mr. MEEKS, and Mr. BROWN of Maryland.

H.R. 422: Mr. GAETZ, Mr. LAMALFA, Mr. SAM JOHNSON of Texas, Mr. BURGESS, and Mr. BYRNE.

H.R. 502: Mr. CASTRO of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. VELA.

H.R. 579: Ms. JACKSON LEE.

H.R. 719: Mr. PERRY.

H.R. 741: Mr. GALLAGHER.

H.R. 754: Mr. CURBELO of Florida and Mr. WILLIAMS.

H.R. 757: Mr. PANETTA.

H.R. 761: Mr. LATTA.

H.R. 782: Mr. POLIQUIN.

H.R. 807: Mrs. CAROLYN B. MALONEY of New York, Mr. ROSKAM, and Ms. GRANGER.

H.R. 811: Mr. NORMAN.

H.R. 812: Mr. HIGGINS of New York.

H.R. 821: Mr. YARMUTH.

H.R. 846: Ms. JENKINS of Kansas.

H.R. 860: Ms. ROS-LEHTINEN.

H.R. 881: Mr. ZELDIN.

H.R. 918: Mr. LAWSON of Florida.

H.R. 919: Mr. DENT.

H.R. 1017: Mr. PERRY.

H.R. 1078: Mr. CÁRDENAS.

H.R. 1094: Ms. JACKSON LEE, Ms. WILSON of Florida, Mrs. LAWRENCE, and Ms. ROYBAL-ALLARD.

H.R. 1143: Mr. WELCH.

H.R. 1155: Mr. SMITH of Nebraska.

H.R. 1156: Mr. YODER.

H.R. 1224: Mr. SESSIONS.

H.R. 1243: Mr. GOMEZ.

H.R. 1279: Mrs. DAVIS of California.

H.R. 1281: Mr. NORCROSS.

H.R. 1341: Mr. ROGERS of Alabama.

H.R. 1360: Mr. LATTA and Mr. BUDD.

H.R. 1378: Mr. YOUNG of Alaska and Mr. YOUNG of Iowa.

H.R. 1409: Ms. NORTON, Mr. HIGGINS of Louisiana, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. JONES.

H.R. 1456: Mr. BISHOP of Michigan, Mrs. WATSON COLEMAN, and Ms. FUDGE.

H.R. 1463: Mr. FARENTHOLD.

H.R. 1478: Mr. CARSON of Indiana, Mr. DANNY K. DAVIS of Illinois, Mr. LEVIN, and Mr. RUIZ.

H.R. 1494: Mr. CONYERS, Ms. JACKSON LEE, Mr. PANETTA, Mr. BROWN of Maryland, Mr. TIPTON, Ms. GABBARD and Ms. FUDGE.

H.R. 1515: Mr. DESAULNIER.

H.R. 1520: Mr. FITZPATRICK.

H.R. 1563: Mr. ROSKAM and Mr. KRISHNAMOORTHY.

H.R. 1580: Mr. BERGMAN.

H.R. 1617: Mr. POLIQUIN.

H.R. 1626: Ms. ADAMS and Mr. MEADOWS.

H.R. 1673: Mr. CARBAJAL.

H.R. 1674: Mr. ENGEL.

H.R. 1730: Mr. SUOZZI.

H.R. 1757: Mr. DEFazio.

H.R. 1776: Mr. DEFazio and Mr. RYAN of Ohio.

H.R. 1832: Mr. RUSH.

H.R. 1847: Mr. GOMEZ.

H.R. 1865: Mr. KUSTOFF of Tennessee.

H.R. 1896: Mr. BYRNE.

H.R. 1900: Mr. CURBELO of Florida and Mr. CORREA.

H.R. 2092: Mr. CORREA and Mr. SESSIONS.

H.R. 2101: Mr. COLE, Mr. BUDD, and Mr. CRAMER.

H.R. 2119: Ms. SÁNCHEZ.

H.R. 2121: Mr. MOULTON, Mr. LOEBSACK, and Mrs. WAGNER.

H.R. 2150: Mr. BEN RAY LUJÁN of New Mexico and Mr. LOWENTHAL.

H.R. 2198: Mr. WEBER of Texas.

H.R. 2310: Mr. LABRADOR, Mr. SMITH of Texas, Mr. HARPER, Mr. STIVERS, and Mr. HIGGINS of Louisiana.

H.R. 2319: Mr. SMITH of Texas and Mr. ESTES of Kansas.

H.R. 2320: Mr. SOTO.

H.R. 2327: Mr. PERRY.

H.R. 2351: Mr. LEWIS of Georgia.

H.R. 2394: Mr. CHABOT.

H.R. 2401: Mr. SCHRADER.

H.R. 2403: Ms. DELAULO and Mr. BEYER.

H.R. 2404: Mr. LOWENTHAL.

H.R. 2436: Mr. CÁRDENAS, Mr. FASO, Mr. LAWSON of Florida, Ms. ROYBAL-ALLARD, Mr. CARBAJAL, Mr. VEASEY, Mr. LOEBSACK, Mr. HUFFMAN, Ms. FUDGE, and Mr. PRICE of North Carolina.

H.R. 2499: Mr. SERRANO.

H.R. 2575: Mr. BILIRAKIS.

H.R. 2599: Mr. BISHOP of Michigan.

H.R. 2601: Mr. WEBSTER of Florida.

H.R. 2633: Ms. ROYBAL-ALLARD, Mr. DESAULNIER, Mrs. WATSON COLEMAN, Mr. RYAN of Ohio, and Mr. RUSH.

H.R. 2641: Mr. RUSH and Mr. PRICE of North Carolina.

H.R. 2644: Mr. POCAN, Ms. JENKINS of Kansas, and Mr. LOWENTHAL.

H.R. 2651: Mr. CAPUANO, Ms. VELÁZQUEZ, Ms. JENKINS of Kansas, Ms. BROWNLEY of California, and Mr. BRADY of Pennsylvania.

H.R. 2690: Mr. KHANNA.

H.R. 2718: Ms. JAYAPAL.

H.R. 2790: Ms. FRANKEL of Florida, Mr. CICILLINE, Mr. CROWLEY, Mr. TAKANO, and Ms. GABBARD.

H.R. 2797: Ms. PINGREE.

H.R. 2799: Ms. LOFGREN.

H.R. 2823: Mr. MESSER.

H.R. 2851: Mr. SHUSTER.

H.R. 2862: Ms. JUDY CHU of California and Ms. ESHOO.

H.R. 2884: Ms. NORTON.

H.R. 2902: Mr. DESAULNIER, Mr. HECK, Mr. NORCROSS, Mr. DELANEY, Mr. LARSEN of Washington, Ms. LOFGREN, Mr. PALLONE, Mr. BEN RAY LUJÁN of New Mexico, and Mr. TED LIEU of California.

H.R. 2909: Mr. COOK and Mr. BYRNE.

H.R. 2938: Mr. POLIQUIN.

H.R. 2948: Mr. HUIZENGA, Mr. LARSON of Connecticut, Mr. CRIST, Mr. KIHUEN, Mr. HULTGREN, Mr. LUCAS, Mr. POSEY, Mr. ROSS and Mr. BUDD.

H.R. 2973: Mr. DUNCAN of Tennessee, Ms. JENKINS of Kansas, and Mr. KNIGHT.

H.R. 2980: Mr. HUDSON.

H.R. 2996: Mr. WILLIAMS.

H.R. 3018: Mr. COFFMAN.

H.R. 3030: Mr. DONOVAN and Ms. KAPTUR.

H.R. 3032: Mr. MOULTON.

H.R. 3076: Mr. GENE GREEN of Texas.

H.R. 3108: Ms. KUSTER of New Hampshire and Ms. LEE.

H.R. 3117: Mr. HUDSON and Mr. LAMBORN.

H.R. 3148: Mr. CARBAJAL.

H.R. 3179: Mr. BUDD.

H.R. 3227: Mr. KENNEDY.

H.R. 3258: Ms. BROWNLEY of California, Mr. CONNOLLY, Mr. LARSON of Connecticut, Mr. HIGGINS of New York, Mrs. CAROLYN B. MALONEY of New York, and Mr. SMITH of Washington.

H.R. 3271: Mr. ROSKAM.

H.R. 3274: Mr. DUNN, Mr. BIGGS, Mr. COLE, Mr. SESSIONS, Mr. WALBERG, Ms. GRANGER, Mr. BABIN, and Mr. TIBERI.

H.R. 3275: Ms. GABBARD and Ms. ROYBAL-ALLARD.

H.R. 3296: Ms. KUSTER of New Hampshire.

H.R. 3320: Mr. CAPUANO.

H.R. 3329: Mr. NORCROSS, Mr. SCALISE, and Mr. GIBBS.

H.R. 3342: Mr. GOTTHEIMER and Ms. MENG.

H.R. 3380: Mr. CÁRDENAS and Ms. ESTY of Connecticut.

H.R. 3394: Mr. BARLETTA.

H.R. 3419: Mr. FRANCIS ROONEY of Florida.

H.R. 3459: Ms. JAYAPAL and Mr. TAKANO.

H.R. 3556: Mr. BUDD.

H.R. 3576: Mr. HUDSON.

H.R. 3596: Mr. EMMER, Mr. HARPER, Mr. ROKITA, and Mr. ROSKAM.

H.R. 3632: Mr. POLIQUIN and Mr. COSTA.

H.R. 3635: Mr. STIVERS.

H.R. 3656: Mrs. RADEWAGEN.

H.R. 3671: Mrs. WATSON COLEMAN and Mr. DESAULNIER.

H.R. 3681: Mr. MEEHAN, Mr. SCHIFF, Mr. GALLAGHER, Mr. SOTO, Mr. FITZPATRICK, Mr. DEUTCH, Mr. PETERS, Mr. WELCH, Mr. TONKO, and Mr. VEASEY.

H.R. 3712: Mr. GALLEGO.

H.R. 3716: Ms. LOFGREN.

H.R. 3720: Mr. LAWSON of Florida.

H.R. 3731: Mr. BISHOP of Michigan.

H.R. 3758: Mr. HOLLINGSWORTH.

H.R. 3767: Mr. CARTER of Georgia, Mrs. BEATTY, Mr. CLAY, Mr. LANCE, Ms. ESTY of Connecticut, and Mr. KENNEDY.

H.R. 3768: Mr. COHEN.

H.R. 3770: Mrs. WALORSKI, Mr. SUOZZI, Mr. FARENTHOLD, and Ms. MCCOLLUM.

H.R. 3782: Mr. DESAULNIER and Mr. LOWENTHAL.

H.R. 3790: Mr. ABRAHAM.

H.R. 3811: Mr. JOHNSON of Georgia.

H.R. 3866: Mr. WESTERMAN and Ms. TITUS.

H.R. 3887: Mr. MEEHAN.

H.R. 3889: Mr. YOUNG of Iowa.

H.R. 3931: Mr. DEFazio.

H.R. 3939: Mr. PETERSON.

H.R. 3956: Mr. ROKITA.

H.R. 3963: Mr. PERLMUTTER, Mr. MCGOVERN, and Mr. ELLISON.

H.R. 3966: Mr. ROHRBACHER and Mr. BUCK.

H.R. 3988: Mr. BYRNE.

H.R. 4007: Mr. BROOKS of Alabama.

H.R. 4012: Ms. ROSEN, Mr. GOHMERT, and Mr. FRANCIS ROONEY of Florida.

H.R. 4013: Mr. TED LIEU of California, Mr. BLUMENAUER, Mr. COSTA, Mr. CARSON of Indiana, and Mr. MCGOVERN.

H.R. 4073: Mr. JONES.

H.R. 4079: Mr. BUDD.

H.R. 4082: Mr. VISCLOSKEY, Ms. TSONGAS, Mr. WELCH, Mr. PETERS, Mr. COHEN, Mr. BLUMENAUER, Mr. POLIS, Mr. MCGOVERN, Ms. FUDGE, and Ms. ADAMS.

H.R. 4090: Mr. POLIQUIN.

H.R. 4098: Mr. KENNEDY.

H. Con. Res. 10: Mr. BRADY of Pennsylvania.

H. Con. Res. 59: Mr. ADERHOLT.

H. Con. Res. 63: Mr. CARSON of Indiana, Mr. SCHRADER, Mr. LIPINSKI, and Mr. KRISHNAMOORTHY.

H. Con. Res. 81: Mr. COOPER, Ms. JACKSON LEE, and Mr. LABRADOR.

H. Con. Res. 84: Mr. NORMAN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARSON of Indiana, Mr. PASCRELL, and Mr. FOSTER.

H. Res. 15: Mr. KNIGHT and Mr. KIND.

H. Res. 142: Mr. SCHNEIDER.

H. Res. 149: Mr. GOTTHEIMER.

H. Res. 188: Mr. BERA.

H. Res. 220: Mr. GOHMERT.

H. Res. 283: Mr. HECK.

H. Res. 307: Mr. KUSTOFF of Tennessee.

H. Res. 318: Mr. KATKO.

H. Res. 346: Ms. LEE.

H. Res. 359: Mr. NORCROSS and Mr. MOULTON.

H. Res. 466: Mr. BOST, Ms. BONAMICI, Ms. SLAUGHTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CAPUANO, Mrs. DAVIS of California, Ms. KAPTUR, and Ms. WASSERMAN SCHULTZ.

H. Res. 529: Mr. MOOLENAAR.

H. Res. 556: Ms. NORTON.

H. Res. 557: Ms. NORTON.

H. Res. 565: Ms. LEE.

H. Res. 571: Ms. GABBARD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3798: Mr. PERLMUTTER.

PETITIONS, ETC.

Under clause 3 of rule XII,

64. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, Texas, relative to remonstrating against the enactment of any legislation by Congress that would end the status of “Columbus Day” as an official Federal holiday; which was referred to the Committee on Oversight and Government Reform.