So I want to thank a former staff member of the Oversight and Government Reform Committee, the committee that deals with efficiency in government, for looking through the details of these appropriated funds and finding a way to bring them together to give both flexibility and efficiency that I believe this will adhere to. It is the reason that this is a bipartisan bill.

The reason that it is so widely accepted is that it has been narrowly targeted. And although I share with the gentlewoman from Texas, my friend from Houston, that in a perfect world we would be plussing-up funds, if we are not able to do that at this time, I would support and work with the gentlewoman any time to try to do something similar for some of the areas of her concern.

Mr. Speaker, I urge passage, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CRAWFORD). The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 3249, 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.

□ 1600

TAKING ACCOUNT OF INSTITUTIONS WITH LOW OPERATION RISK ACT OF 2017

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 773, I call up the bill (H.R. 1116) to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 773, the amendment printed in part C of House Report 115–595 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1116

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 ''Taking Account of Institutions with Low Operation Risk Act of 2017'' or the ''TAILOR Act of 2017''.

SEC. 2. REGULATIONS APPROPRIATE TO BUSINESS MODELS.

(a) IN GENERAL.—For any regulatory action occurring after the date of the enactment of this Act, each Federal financial institutions regulatory agency shall—

(1) take into consideration the risk profile and business models of each type of institution or class of institutions subject to the regulatory action;

(2) determine the necessity, appropriateness, and impact of applying such regulatory action to such institutions or classes of institutions; and

(3) tailor such regulatory action in a manner that limits the regulatory compliance impact, cost, liability risk, and other burdens, as appropriate, for the risk profile and business model of the institution or class of institutions involved.

(b) OTHER CONSIDERATIONS.—In carrying out the requirements of subsection (a), each Federal financial institutions regulatory agency shall consider—

(1) the impact that such regulatory action, both by itself and in conjunction with the aggregate effect of other regulations, has on the ability of the applicable institution or class of institutions to serve evolving and diverse customer needs;

(2) the potential impact of examination manuals, regulatory actions taken with respect to third-party service providers, or other regulatory directives that may be in conflict or inconsistent with the tailoring of such regulatory action described in subsection (a)(3); and

(3) the underlying policy objectives of the regulatory action and statutory scheme involved.

(c) NOTICE OF PROPOSED AND FINAL RULEMAKING.—Each Federal financial institutions regulatory agency shall disclose in every notice of proposed rulemaking and in any final rulemaking for a regulatory action how the agency has applied subsections (a) and (b).

(d) REPORTS TO CONGRESS.—

(1) INDIVIDUAL AGENCY REPORTS.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and annually thereafter, each Federal financial institutions regulatory agency shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the specific actions taken to tailor the regulatory actions of the agency pursuant to the requirements of this Act.

(B) APPEARANCE BEFORE THE COMMITTEES.—The head of each Federal financial institution regulatory agency shall appear before the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate after each report is made pursuant to subparagraph (A) to testify on the contents of such report.

(2) FIEC REPORTS.—

(A) IN GENERAL.—Not later than 3 months after each report is submitted under paragraph (1), the Financial Institutions Examination Council shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on—

(i) the extent to which regulatory actions tailored pursuant to this Act result in different treatment of similarly situated institutions of diverse charter types; and

(ii) the reasons for such differential treatment.

(B) APPEARANCE BEFORE THE COMMITTEES.—The Chairman of the Financial Institutions Examination Council shall appear before the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate after each report is made pursuant to subparagraph (A) to testify on the contents of such report.

(e) LIMITED LOOK-BACK APPLICATION.—

(1) IN GENERAL.—Each Federal financial institutions regulatory agency shall conduct a review of all regulations adopted during the period beginning on the date that is seven years before the date of the introduction of this Act in the House of Representatives and ending on the date of the enactment of this Act, and apply the requirements of this Act to such regulations.

(2) REVISION.—If the application of the requirements of this Act to any such regulation requires such regulation to be revised, the applicable Federal financial institutions regulatory agency shall revise such regulation within 3 years of the enactment of this Act.

(f) DEFINITIONS.—In this Act, the following definitions shall apply:

(1) FEDERAL FINANCIAL INSTITUTIONS REGULATORY AGENCIES.—The term ''Federal financial institutions regulatory agencies'' means the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Bureau of Consumer Financial Protection.

(2) REGULATORY ACTION.—The term ''regulatory action'' means any proposed, interim, or final rule or regulation, guidance, or published interpretation.

SEC. 3. REDUCTION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.

(a) IN GENERAL.—Section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by striking ''$7,500,000,000'' and inserting ''$7,385,714,000''.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on June 1, 2018.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit 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. HENSARLING. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, we were told many, many years ago that Dodd-Frank was passed to deal with the big Wall Street banks, that somehow our community banks and our credit unions would be held harmless because, Mr. Speaker, they didn't cause the crisis.

Now, we can have the discussion of what did—that is a whole different discussion for a different day—but unfortunately, regardless of whatever good intentions there might have been at the time, and I don't offer an opinion as to those intentions, the facts are that, since Dodd-Frank was passed, the big banks are bigger and the small banks and credit unions are fewer. We are losing, on average, a community bank or credit union every other day in America.

And as we lose them, Mr. Speaker, so do we lose the hopes and dreams and desires of our constituents, of so many

hardworking Americans who deserve to buy that car, who deserve to be able to own their own home, who deserve, after working so many years on the assembly line, to finally capitalize their own small business. But none of this is going to happen unless we actually tailor this regulatory burden to the size and complexity of the financial institution, something that, in many respects, was promised by Dodd-Frank but not delivered by Dodd-Frank.

So I am very, very happy that, today, we have yet another bipartisan bill from the Financial Services Committee that is aimed to promote economic growth, to help hardworking Americans, again, achieve their American Dream, because half of this country is living from paycheck to paycheck, and we need to ease that economic anxiety, and so we have got to make sure that the lifeblood of credit, that capital, is flowing through the system.

It is our community banks in particular that fund our small businesses. Unfortunately, up until the advent of the new administration, Mr. Speaker, small business lending by banks was at a 25-year low, entrepreneurship was at a generational low.

Now, thanks to the Tax Cuts and Jobs Act, we have turned that corner, but we have so much further to go. So a particularly hardworking member of the House Financial Services Committee, the gentleman from Colorado (Mr. TIPTON), has come to us today with H.R. 1116, the Taking Account of Institutions with Low Operation Risk Act, yes, Mr. Speaker, the TAILOR Act.

Simply put, what this bill does is simply directs the Federal financial regulators to, again, simply tailor their regulations to entities based upon their size, their risk profile, their complexity. It also demands that they have some transparency in this process by requiring that the regulators report to Congress, report to the representatives of ''we the people'' how they have actually tailored the regulations—again, something that was implied, something that was promised in Dodd-Frank but did not actually occur.

Again, Mr. Speaker, every single day we hear from our community financial institutions. I heard from one in New Mexico that said:

> You know, we are a $300 million community bank in an area with high unemployment. Thirty-seven percent of our employees are active in community organizations, Little League, charities, and many serve in leadership positions in these organizations, and we also make tens of thousands of dollars in charitable contributions every year; but if our bank can't survive, you take away the local leadership, you take away the economic engine of our community.

This banker was clearly talking about the regulatory burden.

I heard from one in Iowa:

> I am a mortgage consumer lender and also the compliance officer of a small community bank in rural Iowa. I have been in banking for over 30 years and always enjoyed my job until the last 5 years. The new rules that will be implemented are ridiculous, and at that time, we may discontinue to offer in-house mortgage loans.

Unfortunately, Mr. Speaker, my mailbox runneth over.

As our small banks and credit unions go, so goes the American Dream.

At a bare minimum, let's tailor the rules and regulations to the size and complexity of the institution so our credit unions, so our banks can thrive and, thus, our constituents can thrive and meet their economic goals and responsibilities.

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, I rise in opposition to H.R. 1116, the so-called Taking Account of Institutions with Low Operation Risk Act of 2017, or the TAILOR Act.

This bill would weaken important safeguards established since the financial crisis by requiring agencies on the Federal Financial Institutions Examination Council—composed of the Federal Reserve Board, Federal Deposit Insurance Corporation, National Credit Union Administration, Consumer Financial Protection Bureau, and Office of the Comptroller of the Currency—to perform a biased analysis that favors lessening the costs for industry over protecting consumers and the economy.

It was 10 years ago today that Bear Stearns collapsed and the Federal Reserve used taxpayer funding to arrange a shotgun wedding to J.P. Morgan to avoid a catastrophe. We now know that much, much worse was to come, when AIG, Lehman Brothers, the money market fund industry, and hundreds of banks, including all of the largest ones, would need a bailout. And this says nothing of the tremendous damage inflicted on the millions of Americans whose homes were lost to foreclosure, the millions who lost their jobs, and the trillions of dollars of wealth that evaporated.

Congress took decisive action to ensure that we were never caught unaware again when it passed the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Although some claim that the measure that is now before us is aimed at helping community banks, that is not the case. If enacted, this bill would provide all financial institutions, including the largest banks, with opportunities to challenge any and every regulation in court if they felt it was not, so-called, uniquely tailored to their business needs.

This bill would ignore the mandates and requirements of all other laws passed by Congress and override decades of well-established administrative law requirements by subjecting all new financial rules to a vague, if not impossible, standard to meet. This includes an undefined standard of appropriateness and a vague standard of the ability to serve evolving and diverse customer needs; and, importantly, the legislation includes no similar mandate that regulators consider the benefits of Federal regulations, including the promotion of our Nation's financial stability or the protection of our consumers.

Let us not forget that the Consumer Financial Protection Bureau is the centerpiece of this Dodd-Frank reform. Prior to Dodd-Frank, our consumers had nobody looking out for them. They were left and they were taken advantage of, and so that is why we have Dodd-Frank reform.

But it seems that my friends on the opposite side of the aisle have forgotten about all of this. This set of standards that they are promoting not only applies to all future guidance and rulemaking, but retroactively to all of the rulemakings in the past 7 years, which, conveniently for the industry, covers all rules under the Dodd-Frank Act.

But financial regulators already have to go through extensive look-back reviews to refine and improve rules that make sense. In fact, under the Economic Growth and Regulatory Paperwork Reduction Act, or EGRPRA, which my colleagues on the other side of the aisle were just last week calling the gold standard for how regulators should review regulations, the Federal Reserve, OCC, and FDIC are already required to review their rules once every 10 years.

During this review, the regulators must identify whether regulations are outdated, unnecessary, or unduly burdensome and consider how to reduce regulatory burdens on insured depository institutions while, at the same time, ensuring safety and soundness.

The Consumer Bureau engages in a similar look-back review 5 years after a significant rule takes effect.

Make no mistake: I support tiered and tailored regulations for community banks and credit unions, but week after week, we have been on this House floor debating deregulatory gifts to Wall Street instead of moving legislation that actually benefits community banks and credit unions.

I know my colleagues on the other side of the aisle and I have differences about Dodd-Frank, but something we worked hard to do in crafting those critical reforms was to make sure that the law did not impose a one-size-fits-all approach on every financial institution. So, as you can see, the toughest rules focus on the largest and most complex financial firms that, as we saw in the crisis, can destabilize the financial system and inflict lasting damage to the economy and constituents we serve.

We have monitored Dodd-Frank's implementation carefully and pushed regulators to tailor rules to reduce unnecessary compliance burdens while maintaining appropriate protections and safeguards for consumers, investors, and taxpayers.

We must continue to take this type of targeted approach instead of advancing measures like H.R. 1116, this bill

that we are talking about right now, which would force the regulators to prioritize costs to Wall Street over benefits to consumers and the economy and expose rulemaking to needless litigation because of the nebulous standards in the bill.

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

Mr. HENSARLING. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. TIPTON), the sponsor of the TAILOR Act, who also serves as the vice chairman of the Subcommittee on Oversight and Investigations of our Financial Services Committee, a very, very hardworking member of the committee and a real leader to help preserve and maintain our community banks and credit unions.

Mr. TIPTON. Mr. Speaker, I thank Chairman HENSARLING for his leadership on this issue, as well, and for considering this bipartisan legislation today.

Mr. Speaker, the ever-growing burden and complexity of financial regulations is creating an environment of difficult choices for community banks and credit unions. Often, they must choose to incur the costs of complying with a regulation or cease to offer the financial product the regulation modifies. Whatever choice these community institutions make, it is the local consumer and the local economy that loses.

Burdensome regulations drive up the costs of financial products and limit choices for consumers, which decreases a community's access to financial products and services that help their families to be able to buy their first home, to help small businesses grow.

In districts like mine in Colorado, that amounts to real economic impact, especially in towns where the community bank or credit union on the corner is the only true access to credit that the community has.

□ 1615

When smaller institutions are unable to absorb the costs of additional compliance, it is the small towns across America that are disproportionately affected.

As one banker from Colorado recently wrote me: We have seen time and again the impact of this regulatory environment consume many hours and resources of our compliance, credit, and audit teams despite the relatively simple business model that we follow.

Mr. Speaker, that is why the bipartisan TAILOR Act's consideration on the floor today is so important. The TAILOR Act directs the Federal financial regulators to take into account the risk profile and business model of institutions as they develop new regulations, making them more targeted, more deliberate. The TAILOR Act also instructs regulators to weigh the impact that new regulatory burdens will have on smaller institutions, meaning real relief from compliance burdens for banks and credit unions.

To put the impact of regulations into perspective, the Dodd-Frank Act alone created 400 new rules and came with 30,000 pages of explanation. In my travels across Colorado, I have heard far too often that community institutions have been forced to stop making home loans or loans to small businesses because they can't afford to hire more employees to manage the added compliance paperwork.

The TAILOR Act would make sure that the compliance burdens are considered when new regulations are made so that community financial institutions won't have to choose between the needs of their communities and complying with regulations out of Washington, D.C. Community banks and credit unions need to be able to prioritize their customers and the needs of their communities instead of prioritizing compliance with heavy-handed regulations.

One community banker from Colorado brought this into focus when he wrote me saying: Providing a real-time view of risk and continual review of such a risk applicable to each financial institution allows regulators to direct their attention to developing issues that could have the most damaging effect. With the number of financial institutions declining to historically low levels, the redeployment of focus based on complexity makes sense.

Mr. Speaker, in Colorado, mortgages haven't been made, loans to expand small businesses have been denied, retirees and recently employed workers have been turned away, and relationships between community bankers and their neighbors have been discarded. The one-size-fits-all approach to regulating the financial services industry has resulted in decreased access to much-needed credit.

America is now in a position to be able to address this. The trickle-down effect of regulation intended to respond to the culpable actions of the big banks after the 2008 financial crisis is harming Main Street and the ability of everyday Americans to be able to realize their financial goals. Directing the regulators to refocus their regulations will help Americans start achieving their goals once again.

Once more, the regulators themselves have acknowledged the need for tailored regulations. Both Treasury Secretary Mnuchin and Federal Reserve Chairman Powell have acknowledged the significant need for a return to common sense in the financial regulatory landscape. Mr. Speaker, the TAILOR Act, which passed out of the Financial Services Committee with broad bipartisan support, does just that.

Mr. Speaker, I would again like to thank Chairman HENSARLING for considering this measure here today.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), a member of the Financial Services Committee, ranking member of the Small Business Committee, and a senior member, of course, of our Committee on Financial Services.

Ms. VELÁZQUEZ. Mr. Speaker, let me take this opportunity to thank the gentlewoman, MAXINE WATERS, for her leadership.

Mr. Speaker, I rise in opposition to H.R. 1116, the TAILOR Act. This bill requires regulators on the FFIEC to reduce the scale and scope of their regulations based on the size and profile of a financial institution or class of institutions.

Let me be clear: Like many of the bill's supporters, I strongly believe that we should not take a one-size-fits-all approach to financial regulation. Financial regulation must be appropriately adjusted according to the size and complexity of an institution or class of institutions. That is why Democrats worked so hard to create these flexibilities in Dodd-Frank and regulators are already required to adjust their rules accordingly. For example, the CFPB has exempted community banks from many of the requirements under the qualified mortgage rule, and the Federal Reserve has developed different capital standards for banks based on size.

Moreover, we already have laws like the Economic Growth and Regulatory Paperwork Reduction Act that instructs Federal financial regulators to go through extensive look-back reviews to update and improve their regulations. So while I agree that it is necessary to review and update our regulatory framework from time to time, particularly for our smaller institutions, I oppose H.R. 1116 because the reviews required under the bill tilt too far in the industry's favor and fail to provide sufficient protection to the public's or the consumer's interest.

If enacted, this bill will provide our Nation's largest financial institutions with the opportunity to challenge any revised rulemaking in court if they felt a regulation was not uniquely tailored to meet their business needs. The bill also requires regulators to ignore the requirements of Dodd-Frank and other laws and subjects any future financial regulation to vague and impossible standards like appropriateness and necessity. These standards are undefined in the bill, making it very easy for a financial institution to challenge them in court.

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.

Ms. VELÁZQUEZ. Perhaps most importantly, the bill makes no mention of regulators also considering the protection a current or future regulation has for consumers or the benefit it provides to our Nation's financial stability.

Instead of developing sweeping rollbacks of financial regulation, we should instead spend our time working to improve our regulatory framework

in order to ensure it maintains appropriate protections and safeguards for consumers, investors, and taxpayers.

Mr. Speaker, I urge my colleagues to vote ''no'' on this ill-advised bill.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chairman of the Financial Services Subcommittee on Financial Institutions and Consumer Credit and a real leader on our committee for proper regulation.

Mr. LUETKEMEYER. Mr. Speaker, I thank the chairman for his hard work and leadership on our committee.

Mr. Speaker, I thank the gentleman from Colorado, Mr. TIPTON, for being such a champion for this initiative and others to bring about a more responsible, effective regulatory regime. For years, Members on both sides of the aisle have advocated for a more tailored, commonsense approach to Federal banking regulation. We have all said, time and time again, that rules designed for large institutions shouldn't apply to community banks and smaller credit unions.

We pressed the Federal financial regulators to take into consideration the risk profile and business models of institutions. In their appearances before the Financial Services Committee and in response to congressional letters and calls, the regulators tell us they are tailoring regulations and supervisory requirements based on individual institutions. They tell us what we want to hear, that one size fits all; but, Mr. Speaker, these institutions have yet to see this relief that they really need.

We lose a community bank or a credit union every day in this country. Today we have an opportunity to work together in an effort to change that, to make sure that our constituents continue to have access to the services they need and to achieve financial independence. We are doing a disservice to our communities and the people we represent if we continue to allow rules intended for the largest firms to be forced upon our small financial institutions.

Mr. Speaker, I have got a couple of 6-year-old grandsons. When they come over to the house and they want to play basketball, they can't hit a 10-foot goal, so we need to lower the goal in order for them to be able to play. Otherwise, they are going to quit; they get tired, frustrated; and they go away.

This is what is happening with our smaller institutions. They are saddled with rules and regulations that are for the larger institutions, yet they have to play that same game and experience the same costs. As a result, they are going out of business at the rate of one a day.

This bipartisan bill is straightforward and one that every Member of this body should be able to support. Mr. TIPTON's legislation simply requires the Federal financial regulators to actually consider the risk profile and business model of a financial institution and to tailor regulatory actions accordingly.

Mr. Speaker, I again want to thank the gentleman from Colorado for his outstanding work on this legislation and ask my colleagues for the support of the TAILOR Act.

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

Mr. Speaker, I am always amazed at the deregulatory bills that are produced by the opposite side of the aisle, and I keep wondering why there are so many attempts to provide the banks and the financial institutions, the largest banks in this country, opportunities to make even more money.

According to an estimate from Goldman Sachs, the Republicans' tax scam bill represents a giant windfall for Wall Street megabanks. So we are here with another bill to deregulate, basically to talk about tailoring. Let me just redefine this tailoring. It just means changing, modifying, coming up with ways that the banks can basically complain about their costs and their burdens. But my friends continue to basically support them in whatever efforts they want in order to make more money.

This report that I just referred to estimates that all of the largest banks, eight of the largest banks, will receive $15 billion windfalls on their 2018 tax bill. This includes $3.7 billion for Wells Fargo, $3.5 billion for Bank of America, $3.3 billion for JPMorgan, $1.4 billion for Citigroup, and $1 billion for Goldman Sachs.

What more do they want? How much more can you give them? What is the next deregulatory bill that you will come with on this floor?

It is interesting to note that the Financial Services Committee is responsible for over 50 percent, or at least 50 percent, of all of the bills coming through the Rules Committee that come to the floor, which means that my friends on the opposite side of the aisle have spent an inordinate amount of time coming up with legislation dealing with deregulation of these big banks.

Now, we have a lot of things that we could be doing to protect consumers, working people, and families in that committee. I wish we would spend a lot more time on HUD. The homeless population in this country is expanding. It is exploding all over the country. In New York and California, in the Midwest—you name it—people are on the streets.

Do you think we have been able to have a hearing on homelessness in this committee? No, because all of this time is spent on supporting the biggest banks in America and deregulating in ways that will cause them to be able to make more and more money.

How much more do they want? How much more do they need? How much time is this Congress going to spend on trying to undo Dodd-Frank and kill the Consumer Financial Protection Bureau?

I don't know the answers to these questions, Mr. Speaker. And I wish they would answer me, but no, I know they are not going to. They are simply going to come and talk about tailoring. Well, tailoring just means changing, fixing in a way that will benefit the biggest banks.

Mr. Speaker, I will let them continue with their deregulatory efforts.

I reserve the balance of my time.

□ 1630

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. WAGNER), the chairman of the Financial Services Subcommittee on Oversight and Investigations.

Mrs. WAGNER. Mr. Speaker, I thank Chairman HENSARLING for yielding. My hat is off to the vice chair of the Oversight and Investigations Subcommittee, my good friend, Congressman TIPTON, for this fine piece of legislation.

Mr. Speaker, I rise today in strong support of H.R. 1116, the TAILOR Act, and I urge its immediate passage.

According to the most recent estimates, the 147 new regulations created under the Dodd-Frank Act have resulted in $40 billion in additional regulatory costs. Unfortunately, this one-size-fits-all approach trickles down to consumers and small businesses in my home State of Missouri, who, for years, have struggled to keep up with these unnecessary burdens.

I would like to take a moment to share how those burdens have had a real impact on the constituents of Missouri's Second Congressional District.

Due to new regulatory burdens imposed under the Dodd-Frank Act, a local credit union in my district contacted my office to tell us how they were forced to redirect their efforts away from helping their customers and into bureaucratic studies of how the new rules affected the credit union. Third-party costs skyrocketed, as the credit union was forced to spend more money on outside vendors and lawyers for guidance. Instead of providing their customers with new products or decreased costs, employees shifted their focus toward compliance efforts.

Congressman TIPTON's bill, which enjoys bipartisan support, is yet another example of Congress getting it right. This legislation will focus on the institutions model and risk profile, which will, in turn, allow financial institutions like the one I previously mentioned to focus their time and resources on the communities that they serve.

Again, I am proud to support my good friend from Colorado, Congressman TIPTON. I urge all Members to support his bill.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. BARR), who is the chairman of our Monetary Policy and Trade Subcommittee.

Mr. BARR. Mr. Speaker, I rise today in support of H.R. 1116, the Taking Account of Institutions with Low Operation Risk Act of 2017, which directs the Federal financial regulatory agencies to tailor their rulemakings in consideration of the risk profiles and business models of the financial institutions that are subject to such rules.

It also directs the agencies to annually report to Congress regarding the specific actions that those agencies have taken to tailor their regulatory actions.

I would just like to thank the ranking member of our committee for actually making the argument in favor of this legislation. She is concerned about big banks, or big banks getting benefits, or big banks not getting enough scrutiny. This bill makes sure that regulatory agencies are focused on the systemic institutions and not overwhelmed by responsibilities of regulating nonsystemically important institutions, our community banks, our regulatory-challenged institutions in our communities; not focus so much attention on imposing compliance burdens on small credit unions.

That is why I support my good friend from Colorado, Representative TIPTON's bill, because it gives the regulators more focus on what they should be doing instead of heaping an avalanche of red tape on nonsystemic, small community banks, which are withering on the vine under Dodd-Frank.

Mr. Speaker, since 2010, the Dodd-Frank financial control law has been a disaster for small institutions, those small community banks and credit unions across our country. That law generally applied one-size-fits-all rules and regulations on financial institutions, regardless of the fact that many businesses in the same industry are substantially different.

This is in recognition of the ranking member's argument that big banks are different than small banks. For the life of me, I don't know why she wouldn't be fully supportive of the bill.

As a direct result of Dodd-Frank, which applies this one-size-fits-all approach, the Commonwealth of Kentucky has lost about 20 percent of its banks and credit unions, with more bank closures anticipated in the future.

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

Mr. HENSARLING. Mr. Speaker, I yield an additional 1 minute to the gentleman from Kentucky.

Mr. BARR. This is particularly concerning because our State-chartered banks provide about 75 percent of the lending in rural America and about half of all the U.S. lending nationwide. As you can see, with fewer community financial institutions due to Dodd-Frank's 28,000 new restrictions, Americans will have less access to the capital they need to buy a home, purchase a car, and start a business.

Mr. Speaker, I thank the gentleman, Mr. TIPTON, for his leadership on the TAILOR Act. I urge my colleagues, especially the ranking member, to vote in favor of the TAILOR Act, to do exactly what she has been urging, which is allow regulators to focus on big banks, not small community banks. I applaud Mr. TIPTON for fulfilling that objective.

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

Mr. Speaker, I am perplexed and somewhat amused by the statement that the community banks are just withering on the vine.

Well, let me just talk about what is happening in the banking community. Dodd-Frank is not hampering the banking sector at all. In 2016, the industry made record profits of $171 billion, and community banks are outperforming their larger peers. At the end of 2016, lending was up 8.3 percent for community banks and 4.8 percent for larger banks. Credit unions are expanding, and they have increased their membership by more than 16 million since 2010, an increase of 18 percent.

We oftentimes talk about what we are doing to the community banks. But we always—you, rather, always have a way of making sure that big banks are attached to this deregulation that you say you want to do for community banks. All you have to do is amend this bill and make it apply only to community banks.

Would the gentleman who is talking about what the ranking member should understand and should be thinking about be willing to amend the bill so that it only applies to community banks?

That is rhetorical, and I won't ask for an answer.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the vice chairman of the Financial Institutions and Consumer Credit Subcommittee.

Mr. ROTHFUS. Mr. Speaker, I rise today to express my support for the TAILOR Act. As the vice chairman of the Financial Institutions and Consumer Credit Subcommittee, and a cosponsor of this bipartisan bill, I also want to thank my colleague, Representative TIPTON, for his work on this measure.

I emphasize bipartisan. I listened to the other side of the aisle, and it sounds like there would be no support for this legislation, but there is support for this legislation. I wonder if the ranking member has been having some of the conversations with some of her members, because, over the past few years, we have learned that one-size-fits-all, those rules, are a recipe for a more concentrated and less dynamic financial system.

I spend a lot of time talking with community bankers, credit unions, and their customers. They complain about skyrocketing compliance costs and regulatory burdens that force them to take attention away from their core businesses when they continue to add staff not to serve customers but to work on compliance issues.

Consumers complained about higher prices, fewer choices, and less access to important financial products. Small- and mid-sized institutions play an important role in financing the dreams and aspirations of Main Street businesses and middle class families.

Unfortunately, these institutions are disproportionately affected by the one-size-fits-all rules coming out of Washington, D.C. Banks and credit unions are merging or closing altogether, and new banks are not forming to take their place. Storied institutions with multigenerational relationships in their communities are being forced to close their doors and abandon the cities and towns they once served.

It is very sad, Mr. Speaker, to see a small town with a shuttered bank. We see it across western Pennsylvania and we are seeing it across the country.

This has an unmistakable impact on our economy. I remind the other side about the studies where, because of the overregulation over the last 10 years, that 650,000 fewer small businesses have been created; 6.5 million fewer jobs, that is 6.5 million fewer people paying Social Security tax, 6.5 million people fewer paying Medicare tax; critical, critical jobs that have not been created.

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

Mr. HENSARLING. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Pennsylvania.

Mr. ROTHFUS. Mr. Speaker, small businesses can't get the loans that they need. Families can't get the mortgage or pay for college. All of this means that the American Dream is getting harder and harder for people across the country.

Again, as I often remind my colleagues, the solution isn't deregulation. It is right regulation. The TAILOR Act achieves this. By enacting the TAILOR Act, we can focus regulatory energy and resources where they are most needed and help reinvigorate our community financial institutions.

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

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

Mr. Speaker, I was just reviewing this bill somewhat and it has come to my attention that this so-called tailoring, which really means modifying, changing, doing something different, is for each individual bank.

So each individual bank could say: We do things this way, so we want a rule that is tailored especially for us.

Another bank could say: We do things another way, and we want some separate rules just for us.

And on and on for every bank.

Is this what this is all about? Is this what this so-called tailoring is about? This tailoring, which is modifying,

changing, basically deregulating in the interest of the big banks to make sure they can reduce their costs and get rid of what they would call their burdens?

Are you really talking about having our regulators look at each bank and say: You do business a little bit different, so we are going to change the rules just to fit your bank?

Well, Mr. Speaker, it doesn't seem to me as if this is plausible. This does not make good sense. I don't understand why my friends on the opposite side of the aisle, in their deregulatory efforts, would even try this one. This one doesn't work.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. LUCAS), a senior member of the Financial Services Committee, and the former chairman of the House Agriculture Committee, who knows how important our community banks are to the world of agriculture.

Mr. LUCAS. Mr. Speaker, I am pleased today to speak on Mr. TIPTON's bill, the TAILOR Act.

But first I would note, as always, in participating in these kind of debates, any time you have a discussion led by Chairman HENSARLING and by Ranking Member WATERS, it is always an exciting, stimulating debate, and the intensity and the focus is always there.

But, today, we are focused on what I think is a very important piece of legislation because too often we think of financial institutions as the big guys, the truly massive entities. The truth is, however, that institutions that accept deposits from Americans come in all shapes and sizes. Thus, it is important that the regulators consider those many shapes and sizes when requiring compliance. The TAILOR Act would require that consideration by regulators.

My colleagues have already discussed that this provision has passed the House and is supported by the administration, as well as several industry groups. But I will note that for anyone in this body who represents a rural area, I guarantee banks and credit unions in your district are devoting a large portion of their budget to compliance. That is money that could easily go toward providing credit to the many Americans who need it.

Shouldn't the regulators consider the small institutions when forming these regulations?

This bill will free up some ability for those institutions to lend money to typical Americans and local businesses. I know my district would see the benefits of this bill, and I would guess that many districts nationwide would also benefit in the same ways.

I want to thank the gentleman from Colorado (Mr. TIPTON) for working so diligently on this bill and bringing it through the committee process, bringing it to the floor today, and giving us the opportunity to vote for it. I urge that vote. I advocate support.

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

Mr. Speaker, I am very pleased that my colleague on the opposite side of the aisle, Congressman LUCAS, enjoys engaging in these discussions also. I watched very closely his countenance, and I see that he is enjoining it even more than I ever dreamed he would. So let us continue with this very lively debate where we can at least lift the spirits of each other as we go through our daily work.

Having said that, the chairman likes to say that we lose a community bank a day. However, last year, only eight banks failed.

□ 1645

The other 230 banks merged with others, and I would like the chairman to even acknowledge that long before Dodd-Frank, we were losing a bank a day, and that trend had been going on for 30 years. So I do not wish us to think that something new and extraordinary is happening, that somehow we have come to a point in time in the banking world where banks are being lost on a daily basis in a way that they have not been lost before.

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

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. EMMER), a very hardworking member of the House Financial Services Committee.

Mr. EMMER. Mr. Speaker, I thank the chairman for the time.

Mr. Speaker, on countless occasions, my colleagues on the House Financial Services Committee have called out the challenges faced by our family-owned community banks and credit unions created by the one-size-fits-all regulatory approach of this Federal Government. We keep repeating this message because this is what all of us, Republicans and Democrats, are hearing from our constituents on Main Street U.S.A.

As a direct result of the overly burdensome and unnecessary Federal regulation, members of the Ideal Credit Union in Minnesota pay an additional $225, and it now takes over 44 days to close a home mortgage. Ideal told me that, if the credit union could return to a more normal, reasonable processing time, their members would be better served and the process would be more efficient.

My colleague from Colorado has heard similar examples from his constituents, too. That is why he introduced the TAILOR Act, to change the way agencies regulate our small town financial institutions that are telling us time and time again they need relief.

Representative TIPTON's legislation will direct the Federal regulatory agencies responsible for regulating our local Main Street financial institutions to consider a few factors when they are regulating, such as the impact their actions have on the ability of banks and credit unions to serve their customers, the risk profile and business models of the institutions they regulate, and the necessity and appropriateness of the regulations they are imposing.

Tailored regulations are smart regulations and will help to limit the regulatory burden our community banks and credit unions continue to face.

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

Mr. HENSARLING. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Minnesota.

Mr. EMMER. Mr. Speaker, I urge my colleagues on both sides of aisle to listen to the stories of their constituents and support the relief they are asking for. I urge my colleagues to vote ''yes'' on H.R. 1116, the TAILOR Act.

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

Mr. Speaker, I keep hearing my colleagues talk about one size does not fit all and they keep trying to make a case for the community banks, but they always tie the community banks to these deregulatory efforts so that the big banks can benefit from it.

When I take a look at the Dodd-Frank requirements and how they target the largest banks, let's take a look at those banks that are less than $10 billion in assets. They don't have to comply with all of these regulations.

If they are a little bit bigger, they are between $10 billion and $50 billion, they have to comply with just a few more, but not as many as the large banks. If they are $50 billion to $250 billion, yes, we have a few more requirements for them. And then the big boys, the big banks, yes, we have more oversight and more requirements.

Do you know why? Because they put this entire economy at risk if they fail.

When we talk about doing all of the stress-testing, we are stress-testing on these banks because we know that, in the event of an economic downfall, if they don't have the capital, if they don't have the kinds of things that would keep them safe, they could trigger another recession.

So stop saying that one size does not fit all and trying to make people believe that somehow we are requiring the same thing of the small community bank as we are requiring of the big bank. It is absolutely not true.

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

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. LOUDERMILK), someone who knows that one size does not fit all.

Mr. LOUDERMILK. Mr. Speaker, again, I appreciate the gentleman from Texas (Mr. HENSARLING) for allowing me this time to speak in strong support of the TAILOR Act and for my colleague, Mr. TIPTON, for bringing this legislation forward.

I am an original cosponsor of this bill, Mr. Speaker, not just because it is just one of these bills that you want your name on. It is because I really believe in the concept that right-sizing

regulation of our community banks and credit unions is what they need to be able to survive and succeed.

Now, I want to make something clear. The other side has argued that if one bank wants a regulation one way and another one wants a regulation another way, it is almost impossible. It is the regulators that are doing the tailoring. It is the regulators, not the banks, that would tailor the rules. And if the minority side does not trust the regulators enough, they should not have extended all this power to them through Dodd-Frank.

The truth is, Mr. Speaker, every time I meet with community banks and credit unions in my district, they tell me about the excessive regulatory compliance burdens that this one-size-fits-all regulatory scheme has on them, and they describe it as a death by 1,000 cuts. In other words, it is not one single regulation that makes it difficult to do business; it is the combination of many under this one-size-fits-all scheme. That is why this TAILOR Act is so important for the small guy.

Since the financial crisis, our Nation has lost one community bank or credit union a day.

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

Mr. HENSARLING. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Georgia.

Mr. LOUDERMILK. Mr. Speaker, in Georgia, we have lost more banks than any other State in the Nation, and, today, 52 of Georgia's 159 counties do not have a community bank headquartered there, and we have three counties that have no bank at all.

The TAILOR Act is simple. It is a commonsense idea, and I stand in full support. I encourage my colleagues to join me in supporting this commonsense act to right-size regulations for our small banks and credit unions.

Ms. MAXINE WATERS of California. Mr. Speaker, may I ask how much time I have left.

The SPEAKER pro tempore (Mr. FORTENBERRY). The gentlewoman from California has 10 minutes remaining.

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

Mr. Speaker, Members, and to my colleagues on the opposite side of the aisle, I am going to take a couple of minutes to bore you. I am going to bore you with all of the groups who are opposed to your legislation.

I heard one of your Members say that you have tremendous support. I didn't hear where that support is coming from, but I do believe that probably the biggest banks in America are supporting your legislation. So please allow me to share with you who is opposing your legislation.

Allied Progress; the American Federation of State, County and Municipal Employees; Americans for Financial Reform; the Arkansans Against Abusive Payday Lending; Center for American Progress; Center for Economic Integrity; Center for Justice and Democracy; Center for Responsible Lending; Consumer Action; Consumer Federation of America; Consumers for Auto Reliability and Safety; Consumers Union; Demos; the Florida Alliance for Consumer Protection; Indivisible; Interfaith Center on Corporate Responsibility; Jacksonville Area Legal Aid Incorporated; the Kentucky Equal Justice Center; the NAACP; the National Association of Consumer Advocates; the National Association of Consumer Bankruptcy Attorneys; the National Center for Law and Economic Justice; the National Coalition for the Homeless; the National Consumer Law Center, on behalf of its low-income clients; the National Consumers League; the National Fair Housing Alliance; the National Urban League; the People's Action Institute; PolicyLink; Progressive Congress Action Fund; Prosperity Now; Public Citizen; Public Justice Center; Reinvestment Partners; Statewide Poverty Action Network; Tennessee Citizen Action; U.S. PIRG; West Virginia Center on Budget and Policy; the Woodstock Institute; and the World Privacy Forum.

If you have time, I would like you to share with me who is supporting your legislation.

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

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. HENSARLING. Mr. Speaker, I don't have any further speakers, and I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I have no further requests for time, and I am prepared to close, so I yield myself the balance of my time.

Mr. Speaker, the majority is continuing to move to roll back important financial regulations at a furious pace. Week after week, the majority pushes harmful bills through the House. This bill is just the latest example.

In recent months, this deregulatory frenzy has included House passage of bills that, among other things, allow payday lenders to evade State interest cap rates, decrease operational risk capital requirements and roll back enhanced prudential standards for the Nation's largest banks, weaken consumer protections for mortgages, undermine efforts to combat discriminatory and predatory lending, reduce consumer privacy protections, and threaten the stability of our financial system and economy.

Last week, Republicans pushed through H.R. 4607, another bill that is designed to weaken rules considered inconvenient by the financial services industry, despite the harm that could result for consumers and the economy.

As we have discussed, the bill we are debating today, H.R. 1116, would allow large financial institutions to challenge financial regulations in court if they believe them not to be uniquely tailored to their business needs. It includes a provision that would allow these challenges for all of the financial regulations put in place following the financial crisis, making all of the important Dodd-Frank reforms targets.

Of course, the legislation is totally silent on the need for regulators to consider the interest of consumers and to ensure the stability of our economy as they conduct rulemakings.

Ultimately, this bill would serve to put consumers and the financial system at risk by subjecting important regulations to endless litigation. It is designed to block and bog down important rules that were put in place following the financial crisis to protect consumers, investors, and our economy.

I would simply urge Members to oppose H.R. 1116, and I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, may I ask how much time I have left.

The SPEAKER pro tempore. The gentleman from Texas has 4½ minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank the gentleman from Colorado (Mr. TIPTON) for his leadership. Again, whether it be through failure, whether it be through merger or acquisition, we still, on average, are losing a community bank or credit union a day in America. And when we listen to them, Mr. Speaker, what we know is it is the regulatory burden.

I know that the ranking member speaks frequently of the Wall Street megabanks. They have done quite fine under Dodd-Frank. The ranking member likes to allude to their profitability. Listen, I hope every business in America can find some way to be profitable, but that is not the question.

The real question is the profitability of our constituents, half of whom are living paycheck to paycheck. And it is those constituents who we care about when we lose an opportunity for them to capitalize their American Dream.

When I hear from Colton in Terrell, Texas, in the Fifth District that I proudly represent, who says:

> You know what? Me and my wife have been unable to get a mortgage due to credit. We are 25 to 30 years old. We have good credit, but we are getting denied.

That is everything to do with the regulatory burden, Mr. Speaker.

I heard from Sara in Eustace in my district. She writes:

> I would like to refinance with a cashout option to fix some storm damage to my property and home, but I found out that it is not an option for me because the government doesn't believe I should be able to do this.

I heard from Alan, in Kaufman, Texas, who said:

> However, as a small-business owner, I offer owner financing for real estate to people with little or no credit, but the overregulation of Dodd-Frank has caused my cost of business to rise. I am forced to pass that cost on to the consumer. Regulations cost the consumer, not the business.

So the ranking member wants to know who is for this bill. Well, I can

tell you what, Colton is for this bill, Sara is for this bill, Al is for this bill, and, oh, by the way, so is the gentleman from Washington (Mr. HECK), Democratic member of our committee; so is the gentleman from New Jersey (Mr. GOTTHEIMER), Democratic member of our committee; so is the gentleman from Texas (Mr. GONZALEZ), Democrat member of our committee; so is the gentleman from Georgia (Mr. SCOTT), Democratic member of our committee.

Again, there is lots of great bipartisan work that goes on at the House Financial Services Committee. Regrettably, very little of it takes place with the participation of the ranking member.

□ 1700

Again, this is a very simple bill. It just says tailor the regulation. Tailor the regulation to the size and complexity.

Mr. Speaker, I don't believe in too-big-to-fail banks. I don't believe any financial institution is too big to fail in America. I am not going to vote to bail them out with taxpayer funds; maybe the ranking member will.

But if I did, if I believed in too-big-to-fail banks, it would be limited to about eight or nine. Using the ranking member's favorite phrase, the Wall Street megabanks. Then, fine. Then why don't we see an amendment from her that limits the entirety of Dodd-Frank to the so-called Wall Street megabanks? I am still waiting for that amendment. I have yet to see it.

Why don't we release the rest of the banking and credit union world to help finance the American Dream, to help finance the cars, to help finance the small businesses, to help finance the homes?

Again, it is a simple amendment. It is a bipartisan amendment. And, by the way, it happens to be one of the most important amendments supported by the trade associations for the credit unions and for our community banks. So they believe in it, Mr. Speaker.

So I encourage every Member of this body to vote for the TAILOR Act and save our community banks and credit unions to finance the American Dream.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 773, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CONNOLLY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CONNOLLY. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Connolly moves to recommit the bill H.R. 1116 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 3, line 22, insert '', unless such tailoring is done at the request of and for the personal gain of the President, his or her immediate family members, or senior Executive Branch officials who are required to file annual financial disclosure forms, or is otherwise determined inappropriate by the appropriate Federal financial regulator'' before the period at the end.

Mr. CONNOLLY (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with.

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 the rule, the gentleman from Virginia is recognized for 5 minutes in support of his motion.

Mr. CONNOLLY. Mr. Speaker, this is the final amendment to this bill, which will not kill the bill or send it back to the committee.

If adopted, the bill will immediately proceed to final passage, as amended, and you are going to love it.

My amendment would prohibit Federal agencies that regulate financial institutions from tailoring their regulation of the financial industry at the request of and the personal gain of the President, the President's family members, or senior executive branch officials; something that ought to concern us in light of recent headlines.

This is a simple prohibition that in any other era would pass for common sense. Unfortunately, we have become inured to the daily outrages emanating from this White House, and we are learning how much our democracy depends on the morality and ethical behavior of individuals in the absence of institutional restraints.

When the President calls his friend to tip him off, if that is what happened, to a major announcement about steel tariffs, and that friend dumps affected stocks, there is no mechanism to prevent that from happening.

It just shouldn't happen. Morality and ethics dictate as much.

When a senior White House employee repeatedly violates the Hatch Act, allegedly, we depend on the President to punish and rein in that kind of behavior. If he doesn't, nothing happens, and the message to the rest of the Federal Government is that the politicalization of government institutions is okay as long as it is the President who approves your motives.

Now, of course, this institution, a coequal branch of government under our Constitution, could create consequences, but, of course, we won't.

Instead, we will continue to turn a blind eye to activities and behavior that are dangerous to our democracy, Mr. Speaker. Behavior that should concern any patriotic American.

In predicting inaction by this body, I am not engaging in idle speculation. This Congress has a proven track record of shirking its institutional responsibilities for basic oversight of the executive branch, irrespective of who is in the White House.

Take the President's tax returns. That which was once a norm, Presidents releasing their tax returns as a credential to be examined for Presidency, was overturned by the simple refusal to do so by this President.

We depended for so long on candidates and Presidents to self-govern, to self-report, that we didn't anticipate the scenario in which a President, so devoid of any sense of transparency and accountability, would simply say: No, I won't do that. And not so much as a whimper from the Congress.

A year ago, one might have said Congress would never pass the President's tax plan without insisting on first seeing the President's tax returns and how he might stand to benefit or not from the actions we took.

Well, we did just that. And in the process, we exploded the deficit by close to $2 trillion for good measure.

This should go without saying, but the corruption that is emanating in this time, in this administration, is not normal. It is not how the government should be run.

Neither President Trump, Jared Kushner, nor Ivanka Trump has divested entirely from their personal businesses. And our appreciation for divestiture as an anticorruption measure only grows in its absence.

The President's son-in-law and senior White House official, Jared Kushner, has been freelancing meetings with foreign governments while also seeking financing from those countries for his distressed property at 666 Fifth Avenue in Manhattan. He is taking meetings with financial institutions in his official capacity, apparently, and then turning around and securing, apparently, hundreds of millions of dollars in loans for his family business from those same institutions. This is not normal. It is not how government should be run.

We should not be selling our foreign and domestic policies to the highest bidder at a real estate auction. This Congress could hold hearings, could issue subpoenas, could create real consequence for these actions, but we see and hear no evil.

The Oversight and Government Reform Committee, on which I sit, is missing in action. We have requested multiple subpoenas for information from the White House on everything from General Flynn's activity while serving as National Security Advisor to Jared Kushner's conflicts of interest, or apparent conflicts of interest, and inability to obtain a security clearance.

Not a single subpoena request has been granted by the majority. The majority won't even give us a vote on those requests. It may seem tedious

and repetitive, but we need to get back to the basics of government oversight.

Mr. Speaker, I urge passage of this simple, commonsense amendment to return us to regular order and to return to our duty as Members of Congress to provide vigorous oversight.

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

Mr. HENSARLING. Mr. Speaker, I rise to claim time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I listened very carefully to my friend from Virginia, and he is my friend, but I also must say that rarely in the history of the House have I ever seen a motion to recommit that has less to do with the underlying bill than this one.

I know that my friends on the other side of the aisle, over a year later, still cannot accept the outcome of the election, which, unfortunately, is a complete slap in the face of democracy.

I know there is an element that works full time on the other side of the aisle to impeach the President. This is their full-time avocation. Meanwhile, on this side of the aisle, Mr. Speaker, we continue to work in order to try to improve the lot in lives of the common working man and woman.

So we were very proud to work with the President on the Tax Cuts and Jobs Act that has brought us the lowest unemployment rate in America in 17 years.

Under their economic policies, Mr. Speaker, what we saw were high levels of unemployment. What we saw were stagnant wages. What we saw was 1.6 percent GDP growth when in the postwar era we have averaged 3 percent economic growth. What we saw under their economic policies was that people couldn't make ends meet. Too many were still living paycheck to paycheck.

And now I hear from my constituents. I heard from one the other day who said: Guess what? They just announced at my husband's business everybody is getting a 5 percent pay increase.

I just heard from Michael in Terrell, who is a doctor, and he said: Thanks to President Trump—who they are trying to impeach—thanks to President Trump and the Tax Cuts and Jobs Act, now I can afford to buy a new ultrasound machine for my rural practice, and I am going to actually hire an additional ultrasound technician.

All due to the President, again, they are trying to impeach.

I heard from Charles in Winnsboro who said: You know what? The new tax reforms will drop my tax bracket by 17 percent, and this will allow me to rebuild my shop that had been destroyed.

And then I look at the employers in my hometown of Dallas, Texas: American Airlines, Southwest Airlines, AT&T, Comerica. So many of them, Mr. Speaker, are offering $1,000 bonuses. Many are offering increases in minimum wages. Many have increased 401(k) plans. All, again, due to the activities of the Republicans, because not one single Democrat supported the Tax Cuts and Jobs Act.

So I understand how my friends on the other side of the aisle wish to attempt to change the subject because they are probably now embarrassed they didn't support it, because they have seen how much good it has done, how much of a difference it makes.

So if they want to waste the House's time by once again trying to find ways to undermine the President, impeach the President, I know it is a full-time job for many, but on this side of the aisle, we are going to continue to make sure that the lot of the common man and woman is improved. We are going to make sure that our community banks and credit unions can lend to them. We are going to ensure that there is great economic growth so that we can continue to fund the American Dream. That is what we are going to do on this side of the aisle.

Mr. Speaker, I encourage all of my colleagues to reject the motion to recommit and to support the underlying TAILOR Act.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. CONNOLLY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage of the bill.

The vote was taken by electronic device, and there were—yeas 182, nays 232, not voting 16, as follows:

[Roll No. 107]

YEAS—182

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
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.
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)
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
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
Smith (WA)
Soto
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NAYS—232

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
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
Foxx
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
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
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
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford

Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—16

Cárdenas
Cummings
Davis, Danny
Katko
Lieu, Ted
Lipinski
Moore
Rice (NY)
Rooney, Francis
Ros-Lehtinen
Slaughter
Smith (MO)
Speier
Tsongas
Walz
Wilson (FL)

□ 1737

Messrs. ROKITA, MITCHELL, Ms. HERRERA BEUTLER, Messrs. STEWART, THOMAS J. ROONEY of Florida, BUCK, and GRAVES of Georgia changed their vote from ''yea'' to ''nay.''

Messrs. RASKIN, NEAL, DOGGETT, LOWENTHAL, and SCHRADER changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MOORE. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 107.

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.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 247, nays 169, not voting 14, as follows:

[Roll No. 108]

YEAS—247

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Correa
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Curtis
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
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Newhouse
Noem
Norman
Nunes
O'Halleran
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozzi
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Vela
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

NAYS—169

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Courtney
Crist
Crowley
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
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)
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOT VOTING—14

Cummings
Davis, Danny
Katko
Lieu, Ted
Lipinski
Olson
Rice (NY)
Rooney, Francis
Ros-Lehtinen
Slaughter
Smith (MO)
Tsongas
Walz
Wilson (FL)

□ 1745

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. WILSON of Florida. Mr. Speaker, I was not present for the following votes because I chose to remain in my congressional district in Miami because of health reasons. Had I been present, I would have voted "no" on rollcall Vote No. 104; "no" on rollcall Vote No. 105; "yes" on rollcall Vote No. 106; "yes" on rollcall Vote No. 107; and "no" on rollcall Vote No. 108.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4061, FINANCIAL STABILITY OVERSIGHT COUNCIL IMPROVEMENT ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 4293, STRESS TEST IMPROVEMENT ACT OF 2017

Mr. BUCK, from the Committee on Rules, submitted a privileged report (Rept. No. 115–600) on the resolution (H. Res. 780) providing for consideration of the bill (H.R. 4061) to amend the Financial Stability Act of 2010 to improve the transparency of the Financial Stability Oversight Council, to improve the SIFI designation process, and for other purposes, and providing for consideration of the bill (H.R. 4293) to reform the Comprehensive Capital Analysis and Review process, the Dodd-Frank Act Stress Test process, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. RUTHERFORD) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 14, 2018.

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

DEAR MR. SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Mr. Robert Reeves, Deputy Clerk, and Mr. Christopher Donesa, Legal Counsel, to sign any