

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 620) TO AMEND THE AMERICANS WITH DISABILITIES ACT OF 1990 TO PROMOTE COMPLIANCE THROUGH EDUCATION, TO CLARIFY THE REQUIREMENTS FOR DEMAND LETTERS, TO PROVIDE FOR A NOTICE AND CURE PERIOD BEFORE THE COMMENCEMENT OF A PRIVATE CIVIL ACTION, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3299) TO AMEND THE REVISED STATUTES, THE HOME OWNERS' LOAN ACT, THE FEDERAL CREDIT UNION ACT, AND THE FEDERAL DEPOSIT INSURANCE ACT TO REQUIRE THE RATE OF INTEREST ON CERTAIN LOANS REMAIN UNCHANGED AFTER TRANSFER OF THE LOAN, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3978) TO AMEND THE REAL ESTATE SETTLEMENT PROCEDURES ACT OF 1974 TO MODIFY REQUIREMENTS RELATED TO MORTGAGE DISCLOSURES, AND FOR OTHER PURPOSES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM FEBRUARY 16, 2018, THROUGH FEBRUARY 23, 2018

FEBRUARY 13, 2018.—Referred to the House Calendar and ordered to be printed

Mr. COLLINS of Georgia, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 736]

The Committee on Rules, having had under consideration House Resolution 736, by a record vote of 7 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 620, the ADA Education and Reform Act of 2017, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution makes in order only those amendments printed in part A of this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be sub-

ject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part A of this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 3299, the Protecting Consumers' Access to Credit Act of 2017, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution provides one motion to recommit.

Section 3 of the resolution provides for consideration of H.R. 3978, the TRID Improvement Act of 2017, under a structured rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-59, modified by the amendment printed in part B of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only the further amendment printed in part C of this report, if offered by the Member designated in this report, which shall be considered as read, shall be debatable for the time specified in this 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. The resolution waives all points of order against the amendment printed in part C of this report. The resolution provides for one motion to recommit with or without instructions.

Section 4 of the resolution provides that on any legislative day during the period from February 16, 2018, through February 23, 2018: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.

Section 5 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of the resolution as though under clause 8(a) of rule I.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 620, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 620, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments to H.R. 620 printed in part A of this report, the Com-

mittee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 3922, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 3922, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 3978, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 3978 as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment printed in part C of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 192

Motion by Mr. Cole to report the rule. Adopted: 7–4

Majority Members	Vote	Minority Members	Vote
Mr. Cole	Yea	Ms. Slaughter	Nay
Mr. Woodall	Yea	Mr. McGovern	Nay
Mr. Burgess	Yea	Mr. Hastings of Florida	Nay
Mr. Collins	Yea	Mr. Polis	Nay
Mr. Byrne		
Mr. Newhouse	Yea		
Mr. Buck	Yea		
Ms. Cheney	Yea		
Mr. Sessions, Chairman		

SUMMARY OF THE AMENDMENTS TO H.R. 620 IN PART A MADE IN ORDER

1. Denham (CA): Ensures the Department of Justice's Disability Rights Section takes action, to the extent practicable, to make ADA compliance publications available in languages commonly used by owners and operators of U.S. businesses. (10 minutes)

2. Langevin (RI): Removes the requirement that a person who claims discrimination must first provide written notice that allows 60 days for an owner to acknowledge receipt of the complaint and 120 days to demonstrate substantial progress in removing the barrier before legal action may be pursued. (10 minutes)

3. Foster (IL): Allows for punitive damages for noncompliance after the cure period. (10 minutes)

4. Speier (CA), Schrader (OR), Bera (CA), Sinema (AZ): Clarifies that the defendant is still liable if the defendant fails to make substantial progress to remove the barrier. (10 minutes)

5. Bera (CA), Schrader (OR), Peters, Scott (CA), Sinema (AZ): Shortens the timeline from 180 to 120 total days. (10 minutes)

6. McMorris Rodgers (WA): Strikes the requirement that the written notices of alleged violation include the specific sections of the ADA alleged to have been violated. (10 minutes)

7. Hartzler (MO): Allows the use of portable pool lifts and allows the sharing of lifts between pools and spas to satisfy the pool accessibility requirements under the Americans with Disabilities Act for places of public accommodation. (10 minutes)

SUMMARY OF THE AMENDMENT TO H.R. 3978 IN PART B CONSIDERED
AS ADOPTED

Hill (AR): Reduces the amount of money that the SEC can deposit in its “Reserve Fund” to a maximum of \$48 million for the current fiscal year (FY 18), and directs any amounts that exceed that limitation from the SEC to the Treasury General Fund, and strike Title VI.

SUMMARY OF THE AMENDMENT TO H.R. 3978 IN PART C MADE IN
ORDER

1. Foster (IL), Scott, David (GA): Clarifies that the requirement applies only to proprietary source code related to algorithmic trading, which contains prescriptive information. (10 minutes)

PART A—TEXT OF AMENDMENTS TO H.R. 620 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DENHAM OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, line 7, strike “Based on existing funding” and insert the following:

(a) IN GENERAL.—Based on existing funding

Page 3, insert after line 18 the following:

(b) MATERIALS PROVIDED IN OTHER LANGUAGES.—The Disability Rights Section of the Department of Justice shall take appropriate actions, to the extent practicable, to make technical assistance publications relating to compliance with this Act and the amendments made by this Act available in all the languages commonly used by owners and operators of United States businesses.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LANGEVIN OF RHODE ISLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, strike line 19 and all that follows through page 6, line 2.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOSTER OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, line 10, insert after “in violation of section 303” the following: “, except that if a violation continues to occur after the expiration of the applicable period provided for under subparagraph (B), the court may, in addition to any other available relief, award punitive damages in such amount as the court determines appropriate”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 12, insert after “barrier or” the following: “, in the case of a barrier, the removal of which requires additional time as a result of circumstances beyond the control of the owner or operator, fails”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BERA OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 15, strike “120” and insert “60”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCMORRIS RODGERS OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, beginning on line 22, strike “the specific sections of the Americans with Disabilities Act alleged to have been violated,”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HARTZLER OF MISSOURI OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add, at the end of the bill, the following:

SEC. 6. REVISION OF RULES.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Attorney General shall revise section 36.304 of title 28, Code of Federal Regulations, and any other appropriate rules in part 36 of such title to provide that—

(1) a place of public accommodation that has a pool and uses a portable pool lift on request shall be in compliance with the requirement under such rules to provide an accessible means of entry to such pool, even if installation of a permanent lift is readily achievable; and

(2) a place of public accommodation that has more than one pool and uses one portable pool lift on request for all such pools shall be in compliance with the requirement under such rules to provide an accessible means of entry to each such pool.

(b) POOL DEFINED.—The term “pool” means a swimming pool, wading pool, sauna, steam room, spa, wave pool, lazy river, sand bottom pool, other water amusement, or any other man-made body of water to which part 36 of title 28, Code of Federal Regulations, requires places of public accommodation to provide an accessible means of entry.

PART B—TEXT OF AMENDMENT TO H.R. 3978 CONSIDERED AS ADOPTED

Insert after section 1 the following:

SEC. 2. SECURITIES AND EXCHANGE COMMISSION RESERVE FUND.

Notwithstanding section 4(i)(2)(B)(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(i)(2)(B)(i)), the amount deposited in the Securities and Exchange Commission Reserve Fund for fiscal year 2018 may not exceed \$48,000,000.

Strike title VI.

PART C—TEXT OF AMENDMENT TO H.R. 3978 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOSTER OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

- Page 3, line 4, strike “source code, including”.
- Page 3, line 6, insert “algorithmic trading” before “source code”.
- Page 3, line 15, strike “source code, including”.
- Page 3, line 17, insert “algorithmic trading” before “source code”.
- Page 3, line 25, strike “source code, including”.
- Page 4, line 2, insert “algorithmic trading” before “source code”.
- Page 4, line 11, strike “source code, including”.
- Page 4, line 13, insert “algorithmic trading” before “source code”.