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Senate

The Senate was not in session today. Its next meeting will be held on Monday, September 23, 2019, at 3 p.m.

House of Representatives

FRIDAY, SEPTEMBER 20, 2019

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of all creation, thank You for giving us another day. At the end of a very busy week, we ask Your blessing upon the Members of this people's House. As they face a rare short week-end, may they be refreshed so as to return for a busy week to address the salient issues of these days.

We ask Your blessing today for the people in and around Houston, who again find themselves dealing with serious damages due to flooding. May they and those many first responders be safe as they begin the recovery of their community.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. BLUMENAUER. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BLUMENAUER. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio (Mr. CHABOT) come forward and lead the House in the Pledge of Allegiance.

Mr. CHABOT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

HONORING RICHARD SWANN

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

Mrs. MURPHY of Florida. Madam Speaker, I rise to honor the extraordinary life and enduring legacy of Richard Swann, a constituent of mine who recently passed away.

Richard's life was overflowing with action and accomplishment, trial and

triumph, and above all, family and friendship. Richard lost his childhood sweetheart and beloved wife, Doris, too young, but he poured his energy into his work, into his 4 children and 12 grandchildren, and into his large and loyal network of friends.

Richard was a wise lawyer, a far-sighted businessman, a real estate developer, and an influential player at the highest levels of American and Florida politics. Richard was a proud Orlando native and foresaw the city's potential before nearly anybody else. Richard did as much as any man to transform Orlando into the wonderful place it is today.

Richard was best known as a champion of the political causes and candidates he cared about. He was committed to the concept of responsible and engaged citizenship.

At the service celebrating Richard's life, his granddaughter Caroline read an excerpt from Teddy Roosevelt's speech, "The Man in the Arena." Richard never sat on the sidelines. He was always in the arena, striving valiantly and daring greatly.

Richard was a pillar of our central Florida community. He will be deeply missed by all of us who had the honor to call him a friend.

CONGRATULATING CINCINNATI STATE TECHNICAL AND COMMUNITY COLLEGE ON ITS 50TH ANNIVERSARY

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

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

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



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Mr. CHABOT. Madam Speaker, I rise today to thank and congratulate Cincinnati State Technical and Community College for 50 years of service to the greater Cincinnati community.

I have been privileged to visit Cincinnati State many times, most recently the Evendale campus to see firsthand the opportunities they provide to so many students. With four campuses, small class sizes, and over 100 associate degree programs, Cincinnati State is truly an excellent college.

Perhaps most notably, Cincinnati State plays a critical role in developing our region's workforce. Through extensive co-op programs and relationships with the University of Cincinnati and 600 industry partners, Cincinnati State paves many career paths, especially for nontraditional students.

Finally, I thank Dr. Monica Posey for her dedication to making Cincinnati State an even greater asset to our community.

Congratulations to Cincinnati State on its 50th anniversary. We look forward to many more.

STAND UP FOR CONSUMERS BY SUPPORTING FAIR ACT

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

Mr. BLUMENAUER. Madam Speaker, every day, thousands of Americans unwittingly sign contracts for nursing homes, credit cards, and employment contracts that surrender their rights to their day in court before an impartial judge and jury.

Instead, buried in the fine print of the contract, they agree to rely on an arbitrator who doesn't have to follow the law or facts and will have every incentive to favor the special interests that could give them repeat business.

Typically, arbitration is not public. The Wells Fargo practice of opening unauthorized bank accounts would have undoubtedly been exposed and ended sooner if Wells Fargo hadn't enforced mandatory arbitration.

This is our chance to stand up for consumers, justice, and fairness. I urge my colleagues to support H.R. 1423, the FAIR Act.

ENSURE FREE AND FAIR TRADE

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

Mr. ALLEN. Madam Speaker, every day that Speaker PELOSI delays a vote on the United States-Mexico-Canada Agreement, American workers and their families are hurt. Right now, farmers, ranchers, and businesses in Georgia and across the country face unnecessary uncertainty.

This trade deal is vital to our economy, and passing USMCA would be a huge win for the American people. Canada and Mexico both serve as top mar-

kets for a number of our U.S. agricultural products.

In Georgia, 22,558 jobs depend on manufacturing exports to Canada and Mexico.

Passing this trade agreement would also strengthen our already vibrant economy. The USMCA can add another 176,000 new jobs and add \$68.2 billion to GDP growth.

Let's ensure free and fair trade while granting our farmers, ranchers, and manufacturers the protections they deserve.

I urge my Democratic colleagues to end these partisan politics and pass USMCA or, at the very least, put the bill on the House floor for a vote.

CONGRATULATING DR. NEIL SHARKEY ON HIS RETIREMENT

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

Mr. THOMPSON. Madam Speaker, I rise today to recognize and congratulate a friend and educational leader, Dr. Neil Sharkey, vice president for research at Penn State University, upon his retirement.

For the last 22 years, Dr. Sharkey has managed, facilitated, and advanced the university's entire research portfolio to dig deeper and discover innovative solutions to society's most challenging questions.

Under Dr. Sharkey's leadership, Penn State's research expenditures reached an all-time high in 2017 and 2018, totaling \$927 million. This investment in the university's research has helped fund important research projects in life sciences, cyber science, social science, cancer research, energy and the environment, and a variety of other interdisciplinary fields.

Before his position as vice president of research, Dr. Sharkey served as the associate dean for research and graduate education in the College of Health and Human Development, as well as a professor of kinesiology.

I always say we cannot make good decisions without good data. Dr. Sharkey has been a leader in this feat, and I wish him the best of luck as he embarks on his new endeavors.

ALLOW AMERICANS TO PURCHASE VEHICLES THAT FIT THEIR NEEDS

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

Mr. LAMALFA. Madam Speaker, I rise today to applaud the efforts of U.S. EPA Administrator Andrew Wheeler and Department of Transportation Secretary Elaine Chao with regard to the unreasonable automobile fuel mileage standards put upon consumers by a 2015 Obama-era rule.

In only 5 model years from now, all U.S. cars would have to average 55 miles per gallon under this current

standard. Most people drive cars these days that are somewhere around 25 to 33 miles per gallon. They would be forced into very small cars that don't fit their family's needs.

What the administration is seeking to do is freeze this timeline at 37 miles per gallon until technology can catch up, et cetera, so people can choose to buy cars that fit their lives. Under the old rule and what the California Air Resources Board is trying to foist upon all 50 States in meeting the Obama rule, they will not have that choice anymore.

Unfortunately, a few scared automakers have sat down with CARB to try to cut a deal to fix the one they agreed to a few years ago with no real idea of how they would meet 55 miles per gallon with current technology and physics at the time. At this point, there are very few 55-mile-per-gallon vehicles to even choose from. Most people don't want to buy those cars because it doesn't fit their family, their life, what they want, and what they desire.

CARB is trying to foist that on all 50 States, and auto manufacturers will be herded toward it by desiring to make the same car type for all 50 States, not just California. This needs to be stopped, and we must draw the line here.

FORCED ARBITRATION INJUSTICE REPEAL ACT

GENERAL LEAVE

Mr. CICILLINE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 1423, Forced Arbitration Injustice Repeal Act, or the FAIR Act.

The SPEAKER pro tempore (Mr. BLUMENAUER). Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 558 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1423.

The Chair appoints the gentlewoman from Illinois (Ms. UNDERWOOD) to preside over the Committee of the Whole.

□ 0912

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1423) to amend title 9 of the United States Code with respect to arbitration, with Ms. UNDERWOOD in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Rhode Island (Mr. CICILLINE) and the gentleman from Georgia (Mr. COLLINS) each will control 30 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Madam Chair, I yield myself such time as I may consume. Madam Chair, I rise in strong support of H.R. 1423, the Forced Arbitration Injustice Repeal Act, or the FAIR Act.

Buried deep within the fine print of everyday contracts, forced arbitration deprives American consumers and workers of their day in court when they attempt to hold corporations accountable for breaking the law. This private system lacks the procedural safeguards of our justice system. It is not subject to oversight, has no judge or jury, and is not bound by laws passed by Congress or the States, but it has become a requirement of everyday life. Consumers and workers must surrender their rights to corporations through forced arbitration clauses, which are unilaterally imposed by companies before disputes even arise.

When forced arbitration is combined with nondisclosure agreements, it effectively silences the victims of rampant corporate misconduct. This shameful, humiliating, and corrupt system has isolated and silenced people who are ultimately deprived of their right to hold wrongdoers accountable through their day in court.

Few instances of this silencing effect are as stark and disturbing as the experiences of victims of sexual harassment and assault, who are routinely exploited by forced arbitration.

Forced arbitration has also eroded the fundamental rights of our Nation's men and women in uniform, veterans, and their families. These brave Americans have sacrificed much in service to our country. They have fought to protect the fundamental idea that we are a Nation of laws and institutions that guarantee the rights to every American and that every American should have the freedom to enforce these rights meaningfully.

But for too long, arbitration has eroded these fundamental protections by forcing servicemembers' claims into a private system set up by corporations. The Military Coalition, which represents 5.5 million current and former servicemembers, The American Legion, and 29 other military service organizations, notes that forced arbitration has funneled the claims of servicemembers, veterans, and their families into "a rigged, secretive system in which all the rules, including the choice of the arbitrator, are picked by the corporation."

□ 0915

Let me give an example. Lieutenant Commander Kevin Ziober, who testified in support of the FAIR Act earlier this year, has served in the U.S. Navy Reserves since 2008, but in the fall of 2012, he was called into Active Duty for deployment to Afghanistan.

Kevin notified his employer and conveyed his desire to resume work upon his return, but after over 2 years with the company, on the last day of work, right before his deployment to Afghanistan, following a farewell party with a big cake with a symbol of the United States flag on it, he was fired by his employer for serving his country.

When he tried to hold his employer accountable for violating his rights under USERRA, his company forced his claim into arbitration, citing an arbitration clause in Kevin's employment contract that he was required to sign 6 months into his employment waiving his constitutional right to a jury trial.

This outrageous practice is nothing short of a corporate takeover of our Nation's system of laws, and the American people have had enough. The overwhelming majority of voters, including 83 percent of Democrats and 87 percent of Republicans, support ending forced arbitration. It is time to act.

H.R. 1423, the FAIR Act, does just that. This important legislation ends the use of forced arbitration in everyday consumer, employment, antitrust, and civil rights abuses. It is supported by a broad coalition of groups dedicated to advancing the rights of women, servicemembers, veterans, consumers, and hardworking Americans.

Madam Chair, I reserve the balance of my time.

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

I rise in opposition to the bill and will speak to that.

Arbitration—let's go back to some basics here—provides consumers a simpler, cheaper, faster path to justice than does the judicial system. That is what the evidence showed the last time the Judiciary Committee performed oversight of the arbitration system during the 111th Congress, and that is what the evidence showed earlier this term when we renewed oversight in the Subcommittee on Antitrust, Commercial and Administrative Law.

In fact, the evidence in favor of preserving access to arbitration has only increased over time. Companies are continuing to improve the fairness of arbitration agreements and have long been following improved arbitration protocols to help assure due process is given to claimants against them.

The market resolved problems in consumer credit arbitrations considered during the 110th and 111th Congresses. A string of new Supreme Court decisions has demonstrated the Court's confidence in the arbitration system.

Even the Consumer Financial Protection Bureau's 2015 study of arbitration highlighted problems consumers would face if they had no access to arbitration but, instead, had to rely on flawed judicial class actions. The study shows the rise of predispute, mandatory binding arbitration agreements in consumer settings did not come out of nowhere. It stems directly from the repeated abuses of class actions that

have plagued the judicial system in recent decades.

That is not to say that the arbitration system is perfect, but the arbitration system is generally good and should be preserved.

Unfortunately, that is not what the forced injustice repeal act would do. Rather than preserve and strengthen arbitration, it would wipe it out for enormous numbers of consumer and employment disputes, as well as many civil rights and antitrust disputes.

What that would do is not end injustice, but it would actually promote it. Because what happens when everyday consumers and employees are denied rights to arbitrate, rights their contracts guarantee them? In far too many cases, it means Americans will be shut out of the justice system entirely.

If their claims are small enough for small claims court, there may be an option. In 46 States and the District of Columbia, however, small claims courts only take claims worth \$10,000 or less; 30 of those jurisdictions limit it to \$5,000 or less.

Millions of claimants with cases worth amounts not much more than those ceilings will never be able to pay the courtroom lawyers enough to take their cases to ordinary trial courts.

Maybe if the claimants could qualify as plaintiffs in a class action, they could join those actions. Millions more will not. And even those who do can expect to get nothing in return but a postcard telling them they have won a few dollars and cents on a coupon.

Meanwhile, class action plaintiffs' trial lawyers will reap multimillion-dollar shares in fees from the recoveries they dole out to plaintiff class members at mere pennies on the dollar.

If you ask me, it would be better to call this bill the forced class action injustice guarantee act today.

Rather than wipe out arbitration, we should consider ways to make it better; and, while we do that, we should do everything we can to reform the abuse of the class action system.

Senate Judiciary Chairman GRAHAM suggested that we ought to do just that at a Senate Judiciary Committee hearing on arbitration earlier this year, and he was exactly right. The worst result Congress could deliver to the American people would be to wipe out access to arbitration while leaving them no alternative but an unreformed judicial system.

Before I yield back, Madam Chair, this is something that is disturbing to me, because this is a bill that my gentleman friend just stated there is a list of horrors here, there is a list of horrors of abuse, sexual abuse, military.

All of these could have been addressed if we had sat down, as a Congress should do, as I told the chairman during the markup: Mr. Chairman, if we would have just sat down and talked about the issues facing us, we wouldn't be facing a veto threat from

anywhere, we wouldn't be facing a Senate that is not going to take this up, and we could have found a bill that would not have had to have a rule. It could have been on suspension. Because we could have found the ways to fix the arbitration system, make sure that there is access, and protect those who need protecting without putting a partisan bill on the floor that simply will take people out of the system instead of including them, but be very profitable for those who do class action lawsuits.

Let's be honest about what is happening here. We are taking people out of the system, not putting them in. We are not really protecting them; we are actually hurting them. And this is the issue that could have been fixed with a true working Congress, in a true working committee. We just don't have that right now, and that is sad. That makes us all the worse in doing this.

Madam Chair, I reserve the balance of my time.

Mr. CICILLINE. Madam Chair, I would just remind the gentleman that this is a bipartisan piece of legislation, and the most recent polling shows 87 percent of Republicans and 83 percent of Democrats support it. So it is broadly bipartisan all across the country. It is bipartisan in terms of its introduction and sponsorship. It is just not bipartisan in the Republican caucus, apparently.

Madam Chair, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON). He is not only a distinguished Member; he is the lead sponsor and author of the FAIR Act.

Mr. JOHNSON of Georgia. Madam Chair, it is strange, because my friends on the other side of the aisle are not interested in working on anything together. They are only interested in giving tax cuts to the top 1 percent and the big corporations, and they are interested in privatizing everything. And a privatized justice system is the ultimate injustice, and that is what forced arbitration is all about.

The FAIR Act would restore justice to millions of Americans.

We are a country of justice and fair play. When people cheat, we take pride in holding them accountable before a jury in a court of law; but forced arbitration clauses hidden in the fine print deprive victims of their day in court before a jury of their peers.

Using forced arbitration, corporations force victims into secret proceedings where the deck is stacked against them. Predictably, the end result is the corporation wins, and the victim is deprived of justice.

And because the proceeding is secret, the public never learns what happened. We won't know which corporation tolerates a climate and a culture of sexual harassment of its employees or which corporation fraudulently overcharges its customers or which nursing home has a sordid history of mistreating its patients.

For too long, people have been tricked by complicated legal jargon

hidden in take-it-or-leave-it contracts. People like Diana, from my home State of Georgia.

Diana, after 5 years at Kay Jewelers, learned she was making less than her more recently hired, less experienced male colleagues; but because of her forced arbitration clause she was tricked into signing, she couldn't get the backpay that she deserved. She is one of millions of victims who have been denied justice because they unwittingly signed away their right to take a wrongdoer to court.

It is not fair and it is not right. If you believe in consumer rights, then you should support the FAIR Act.

The CHAIR. The time of the gentleman has expired.

Mr. CICILLINE. Madam Chair, I yield an addition 30 seconds to the gentleman.

Mr. JOHNSON of Georgia. Madam Chair, if you believe in consumer rights, then you should support the FAIR Act; and if you believe in justice and the rule of law, then you should vote to pass the FAIR Act.

Madam Chair, I want to thank my colleagues who have worked so hard to support this bill—Congressman CARTWRIGHT, Congressman CICILLINE, Congressman RASKIN, Congresswoman JAYAPAL, and, last but not least, Chairman NADLER—for their work in getting this bill to the brink of passage today.

Mr. COLLINS of Georgia. Madam Chair, yes, it is me, and I do speak truth here, and I will acknowledge there is one Republican cosponsor of this bill. It is bipartisan in that regard. However, it could have had 100 or more Republican cosponsors if we would have actually done legislation.

Instead, my gentle friend from Georgia just gets up and repeats trite statements about what Republicans want to do and what Republicans don't want to do. That is the problem we have right here. That is the problem, why we don't have legislation that actually works and will actually get signed and put into law.

Remember, a bill that only comes through one part and cannot get through to get a President's signature is simply a political statement. That is what we are doing today.

Madam Chair, I yield the balance of my time to the gentleman from North Dakota (Mr. ARMSTRONG) so he may manage the remainder of the time.

Mr. ARMSTRONG. Madam Chair, I reserve the balance of my time.

Mr. CICILLINE. Madam Chair, I yield 1 minute to the gentlewoman from Georgia (Mrs. MCBATH), who has been a fierce advocate for workers and consumers.

Mrs. MCBATH. Madam Chair, I rise in support of the FAIR Act, a bipartisan bill introduced by my friend and fellow Georgian, Congressman JOHNSON.

I am proud to cosponsor this bill which will help small businesses by ending the use of forced arbitration. These tiny clauses hidden in the fine

print are used to trick rising entrepreneurs in their dealings with sophisticated conglomerates.

Small businesses need to sign contracts for phone plans, credit cards, and rental cars, but too often, lurking in the fine print, a few words can cost them their constitutional right to their day in court. With this bill, our entrepreneurs can focus on growing their businesses and investing in our communities.

Madam Chair, I ask my colleagues to join me in supporting this bill.

Mr. ARMSTRONG. Madam Chair, I want to quote Justice Breyer in a Supreme Court opinion:

The typical consumer who has only a small damage claim, who seeks, say, the value of only a defective refrigerator or television set would be left without any remedy but a court remedy, the costs and delays of which could eat up the value of an eventual small recovery.

Madam Chair, I yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK), my friend.

Mr. MCCLINTOCK. Madam Chair, this bill purports to assert a very important constitutional right: the right to trial by jury in civil actions. But it does this by denying another very important constitutional right: the freedom of unimpaired contract, the right of two parties to agree to exchange goods and services according to their own best judgment.

Now, because of the excesses and expenses and uncertainties that have plagued our civil courts, many consumers and producers and many employees and employers find it mutually advantageous to waive their right to civil jury trials in any disputes between them in favor of simpler, cheaper, and faster arbitration.

Now, the proponents tell us that it is an uneven playing field and this requirement is often imposed in nonnegotiable, take-it-or-leave-it propositions. First of all, this isn't exactly true. Every employee and every consumer, no matter how weak and vulnerable, has an absolute defense against a bad agreement: It is the word, "no." No, the pay isn't good enough; no, the price is too high; no, I don't like the terms, and I am taking my business elsewhere.

Even when there aren't good alternatives, the fact is that every provision in a contract is a take-it-or-leave-it proposition if one side or the other insists on it. The question for each side is whether the totality of the contract is beneficial to them or not. It is my right to make that decision for myself without somebody in government making it for me.

Now, remember, an arbitration provision binds both sides. For example, I am not a lawyer. I can't afford to hire one to take a big company to court. For me, binding arbitration helps level the playing field by providing an inexpensive alternative that the company must abide by. This bill takes that protection away from me.

According to the U.S. Chamber of Commerce, through arbitration, employees prevail three times more often, recover twice as much money, and resolve their claims more quickly than if they went through the civil courts in litigation; and, in most cases, the employer pays the entire cost of arbitration.

According to one study, in claims between \$10,000 and \$75,000, the consumer claimant was charged an average of \$219. Now, you compare that to the cost of hiring an attorney and taking on an entire corporate legal department.

The net result of this bill will be higher prices for products and lower wages for workers as companies factor the higher cost of litigation into their business models, and, meanwhile, it denies consumers and employees the freedom to choose a much simpler and less expensive way to resolve their disputes.

□ 0930

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

Madam Chair, my colleagues on the other side of the aisle have argued that forced arbitration is cheaper or easier than litigation and that consumers and workers should have a choice.

The FAIR Act doesn't take away anybody's choice. It restores choice. It restores choice that has been taken away from the American people by big corporations that don't want to face liability or public scrutiny for their actions. This is a complete misrepresentation of what the bill does.

The FAIR Act does not ban arbitration. It eliminates forced arbitration that is imposed on everyday consumers and hardworking Americans before a dispute even arises.

And the notion that you have a choice, most consumers don't even know it is happening. When you check that box on the contract for your phone or your cable, you have given away your right to have your claims heard. It is very widespread in consumer employment contracts.

These clauses are hidden, very often, from consumers and workers. They appear inside of envelopes and delivery boxes in the fine print of privacy policies, which often span dozens of pages. In most cases, people aren't even aware that they have signed away their right to a day in court, simply by using everyday goods and services.

Companies still have the option to use arbitration, but only on a voluntary basis after a dispute arises and not by unilaterally imposing it on people by big corporate entities.

Madam Chair, I yield 1 minute to the distinguished gentleman from Florida (Mr. DEUTCH), the distinguished senior member of the Judiciary Committee.

Mr. DEUTCH. Madam Chair, I thank my friend from Rhode Island, a great champion for consumers, for yielding.

Madam Chair, I rise in support of the FAIR Act to protect Americans from forced arbitration agreements. These

agreements, too often, are the result of power imbalances that block claims from judicial remedies in employment, consumer, antitrust, and civil rights disputes.

The FAIR Act is critical for protecting the rights of women, in particular, who have faced gender discrimination and sexual harassment in the workplace. We have all heard the disturbing reports of tens of thousands of women employed at one large company who alleged that they were paid less than their male colleagues. They were passed over for promotions to management positions multiple times in favor of men with less experience. They faced unwanted sexual advances and attempted assault at company meetings. At least one Floridian was fired after she reported one of her superiors tried to kiss and touch her against her will.

Employees who face mistreatment deserve justice and they deserve their day in court. Making forced arbitration a condition of employment takes away their day in court and it frustrates the pursuit of justice.

The CHAIR. The time of the gentleman has expired.

Mr. CICILLINE. Madam Chair, I yield an additional 30 seconds to the gentleman from Florida.

Mr. DEUTCH. Forced arbitration provisions strip employees of their rights. They ensure that employees are no match for their employers when it comes to reporting discrimination and harassment.

Today, this House of Representatives has the opportunity to restore the rights of all workers to seek justice and public accountability.

Madam Chair, I urge my colleagues to support and pass the bipartisan FAIR Act.

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

Madam Chair, I agree with my friend from Florida; sexual assault cases should never be a part of forced arbitration, ever, under any circumstances.

The problem is, when we are doing that and moving into this, we are also taking this huge swath of cases that don't qualify at the high end, don't have enough money for class action lawsuits, but yet are too big for small claims court.

The reality of those situations in any court system across the country, is they are overworked, they are behind, and they are delayed. But, most importantly, probably, if you are dealing with a contractual lawsuit that doesn't have the ability to get treble or punitive damages, and it is a small enough claim like a refrigerator or a television, there is really no access because the cost of the lawyer will make it prohibitive to go to court.

And the argument that this only allows choice doesn't really work because the same reason you write a contract at the beginning of a business relationship as opposed to when that re-

lationship is dissolving, is because you want to put terms in place before problems arise. And the reason is when you go to arbitration in these types of cases, one side will be so disadvantaged by arbitration they would never agree to it.

But probably the most egregious part of this bill is the fact that we are retroactively applying it to hundreds of thousands, if not millions, of existing contracts. So things that were agreed to, either employee-vendor or vendee relationships, now will be null and void and we will be rewriting the rules of the game sometimes decades after it has occurred.

So it is important to recognize that—and I would just end with this—probably the most toxic area of law we have everywhere in the country, is family law—and only in a place where you can be in absolute love can you learn to hate somebody that bad—courts are moving towards arbitration prior to dispute resolution in order to deal with it. If anybody has ever dealt with that or practiced in that area of law, there are reasons why this occurs, and it is so you can try to arrange it.

I agree there are abuses. I agree with Ranking Member COLLINS that there are plenty of things we could look at to do, but we cannot throw the whole system out because you are going to have a broad swath of cases that no longer have any legal access.

Madam Chair, I reserve the balance of my time.

Mr. CICILLINE. Madam Chair, I would point out the family law cases that my friend just referenced, of course, are voluntary arbitration proceedings post dispute. This bill has nothing to do with that. This is pre-dispute forced arbitration.

Madam Chair, I yield 1 minute to the distinguished gentlewoman from Connecticut (Ms. DELAURO), a champion for women, and a Member of Congress who has fought to be sure that women have their rights vindicated against powerful corporations for a very long time.

Ms. DELAURO. Madam Chair, forced arbitration is one of the central ways that corporate America has rigged the system against middle class families and working people. It undermines our democracy.

With forced arbitration, employers can force an employee to waive their right to seek justice in court. They need to accept arbitration, which is a private legal process, without a judge or a jury.

The Economic Policy Institute predicts that by 2024, 80 percent of non-union private sector workers will have lost their right to seek justice in court.

With forced arbitration, working people lose the ability to file an individual class action lawsuit if their rights are violated. They lose the ability to hold bad acting employers to account in an open and impartial forum. And they often lose in their fight for justice.

Let's level the playing field, restore justice for millions of working people,

pass the FAIR Act, and prohibit forced arbitration agreements from being valid or enforceable if they require arbitration of employment, consumer, antitrust, or civil rights disputes. No one should have to give up the right to justice. Let's pass the FAIR Act.

Mr. ARMSTRONG. Madam Chair, I have one real quick response, particularly on family law.

The gentleman is correct; those are almost always post dispute. But in a very significant amount of those cases, they are court ordered arbitration, so I don't know how voluntary we would call it.

Madam Chair, I continue to reserve the balance of my time.

Mr. CICILLINE. Madam Chair, I yield 1 minute to the gentlewoman from California (Ms. SPEIER), perhaps Congress' strongest champion for women, particularly women as it relates to their employers, and someone who has been an advocate for this for a very long time.

Ms. SPEIER. Madam Chair, I thank the gentleman from Rhode Island for that generous introduction.

Madam Chair, I can't believe that we are having this discussion today because it is like there is a parallel universe.

I am going to talk about the 70,000 women of Sterling Jewelers. This is Kay Jewelers, and this is Jared Jewelers. They have been subjected to rampant sexism. And when they complained about it they were denied justice by mandatory arbitration. Sterling's forced arbitration clause has prevented them from seeking justice. It is more like, first you are groped, then you are gagged. That is what forced arbitration is all about.

Diana Acampora was pulled onto the lap of a manager who held her tightly as he fondled her.

Tammy Zenner was nicknamed "Texas Tammy" by colleagues because of the size of her breasts and told she should be flattered by an executive rubbing himself on her.

Dawn Souto-Coons was passed over for promotions in favor of lewd and less qualified men.

Diana, Tammy, Dawn, and countless others deserve justice.

The CHAIR. The time of the gentlewoman has expired.

Mr. CICILLINE. Madam Chair, I yield an additional 30 seconds to the gentlewoman from California.

Ms. SPEIER. Instead, Sterling has made a mockery of our laws and has used forced arbitration to make 70,000 women in this country subject to a 14-year process. That is not justice. That is enslavement.

Mr. ARMSTRONG. Madam Chair, I continue to reserve the balance of my time.

Mr. CICILLINE. Madam Chair, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT), who has been a very important champion of this legislation.

Mr. CARTWRIGHT. Madam Chair, I thank the gentleman from Rhode Island for yielding.

Madam Chair, we have heard the stories, and we will continue to hear them, of all of the employees and the consumers who have been tricked into giving away their constitutional right to a jury trial to have their rights enforced.

It doesn't really matter all the constitutional rights you have or all the statutory rights that you have; if you don't have a right to enforce these in court, all of your rights are washed away. So when consumers and employees get tricked into signing away their right to go to court, all of their rights are washed away.

We have heard the stories. And I wanted to add to the list the story of Barbara Jones-Davis, who is 98 years old. She had glaucoma and dementia. She was in a nursing home in north-west Philadelphia. They let her wander. In violation of all their own policies, she wandered outside. She wandered outside for more than 20 minutes. She went over a 15-foot precipice and fell to her death with a broken skull.

Her family got forced into arbitration. The nursing home didn't admit responsibility. They forced her into one of these secret and rigged arbitrations.

These things are unconstitutional. They take away your right to go to court. This is a constitutional right that our Founding Fathers fought and died for: that we would be able to resolve our disputes in court, in open court, fairly chosen, not one of these secret and rigged proceedings that is mandatory. It is forced because people got tricked into them.

Madam Chair, let's all vote for the FAIR Act and restore our American constitutional rights.

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

Madam Chair, they are not unconstitutional. The Supreme Court has explained that arbitration is usually cheaper and faster than litigation. It can have simpler procedural and evidentiary rules, normally minimizes hostility, and is less disruptive to ongoing and future business dealings amongst the parties.

I think that is part of the issue here. I said this the other day in committee, and I am probably going to say it more than anybody wants to hear it, but hard cases make bad law. There are obviously issues. There are issues of court systems being abused and there are issues of arbitration being abused. But we have to remember that the vast majority of these cases fall into those normal contract disputes, employment disputes, business versus business disputes, or small dollar level consumer disputes.

While you have a constitutional right to a jury trial in any State or Federal court, depending on your action, you do not have a constitutional right to be able to pay for that in a civil proceeding. The cost of these types of cases just will naturally prohibit them from being resolved in any way at all.

Madam Chair, I reserve the balance of my time.

Mr. CICILLINE. Madam Chair, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT), the distinguished chair of the Education and Labor Committee.

Mr. SCOTT of Virginia. Madam Chair, I thank Mr. JOHNSON, Mr. CICILLINE, and Chairman NADLER for their leadership on this issue.

Madam Chair, I rise in support of the Forced Arbitration Injustice Repeal Act, or the FAIR Act.

Companies are increasingly using forced arbitration clauses to shield themselves from accountability for many forms of wrongdoing, including civil rights violations, labor abuses, and unfair consumer practices. For example, 60 million workers are now subject to forced arbitration clauses that deny them their day in court.

Forced arbitration is a rigged system. That is because the arbitrators are essentially hired by the companies and consumers never have a chance. Workers and consumers should not have to sign away their rights as a condition to their employment or as a condition of a contract, and they should not have to give up their day in court.

Often, arbitration is a desirable alternative to litigation. Under the FAIR Act, arbitration would now be a voluntary option, not the only option.

Madam Chair, I urge my colleagues to support this legislation.

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Mr. ARMSTRONG. Madam Chair, I reserve the balance of my time.

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

Madam Chair, I want to respond briefly to the notion that somehow forced arbitration is good for consumers and workers and that they are really going to miss being forced into these proceedings.

According to a 2017 study by the Economic Policy Institute, consumers won only 9 percent of the claims brought in arbitration while companies won 93 percent of the claims. So in terms of who wins, who has the benefit of this rigged system, it is clear that it is the corporations.

The Economic Policy Institute's economist, Heidi Shierholz, notes that "not only do companies win in the overwhelming majority of claims when consumers are forced into arbitration, they win big."

The Consumer Financial Protection Bureau concluded in 2015 that there is "no evidence of arbitration clauses leading to lower prices for consumers."

So this notion that even though 83 percent of the American people are against forced arbitration and even though the evidence shows overwhelmingly that they lose in them, that somehow they really like them, it is just not true.

I reserve the balance of my time.

Mr. ARMSTRONG. Madam Chair, I reserve the balance of my time.

Mr. CICILLINE. Madam Chair, may I inquire how much time remains.

The CHAIR. The gentleman from Rhode Island has 14¼ minutes remaining.

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

I would like to build a little bit again on what the real impact of forced arbitration is on consumers and workers.

According to data from the two biggest arbitration providers, the American Arbitration Association and JAMS, only 1,909 consumers won a monetary award in arbitration over a 5-year period. In all nursing home arbitrations, only four won a monetary reward over that 5-year period. Of the 11,114 employment claims that were filed, only 282 won a monetary award. That is 2.5 percent.

Of the 6,012 arbitration cases involving credit cards and banks, only 131 won monetary damages. That is barely 2 percent.

These numbers make it clear that you are more likely to be struck by lightning than win a monetary award in forced arbitration.

Furthermore, forced arbitration discourages consumers and workers from adjudicating disputes altogether, while the lower probability of victory and the meager legal fees associated with forced arbitration discourage attorneys from representing individuals in arbitration proceedings.

Even when workers go to arbitration, the system can wreak havoc on their lives, and we heard many examples, particularly in the context of sexual assault and harassment victims.

We heard during our hearing on forced arbitration from advocate and former FOX News commentator Gretchen Carlson who spoke forcefully about the horrifying effect that forced arbitration has on victims of sexual assault and harassment.

Again, forced arbitration is corporate immunity. It is rigged because corporations get to pick the arbitrators and the whole proceeding is entirely secret.

That is why, overwhelmingly, the American people want forced arbitration to end once and for all, and that is what the FAIR Act does.

I reserve the balance of my time.

Mr. ARMSTRONG. Madam Chair, I think we can't talk about this bill and talk about arbitration without also talking about class actions.

Mayer Brown did a study on class-action suits. Rather than simply relying on anecdotes, the study undertook an empirical analysis of neutrally selected sample sets of putative consumer and employee class-action lawsuits filed in Federal court in 2009.

In the entire dataset, not one of the class actions ended in a final judgment on the merits for the plaintiff. None of the class actions went to trial, either before a judge or a jury.

The vast majority of cases produced no benefits to most members of the putative class, even though in a number of those cases, the lawyers who sought

to represent the class often enriched themselves in the process, and the lawyers representing the defense as well.

Approximately 14 percent of all class-action cases remain pending 4 years after they were filed, without resolution or even a determination of whether the case could go forward on a class-wide basis. In these cases, class members have not yet received any benefits and likely will never receive any, based on the disposition of the other cases we have studied.

Over one-third, 35 percent, of the class actions that have been resolved were dismissed voluntarily by the plaintiff. Many of these cases settled on an individual basis, meaning a payout to the individual named plaintiff and the lawyers who brought the suit, even though the class members receive nothing.

Just under one-third, 31 percent, of class actions that have been resolved were dismissed by a court on the merits. Again, that means that the class received nothing.

One-third, 33 percent, of resolved cases were settled on a class basis.

The settlement rate is half the average for Federal court litigation, meaning that a class member is far less likely to have even a chance of obtaining relief than the average party suing individually.

For those cases that do settle, there is often little or no benefit for class members.

I have been personally involved in this in a Barbri lawsuit for any member of the bar across the country. I have no idea how much my fellow lawyers made, but I know I got a check for \$37 in the mail. Few class members ever even see those paltry benefits, particularly in consumer class actions.

Unfortunately, because information regarding the distribution of class-action settlements is rarely available, the public almost never learns what percentage of a settlement is actually paid to class members. But of the six cases in the dataset for which the settlement dispute was made public, five delivered funds to only minuscule percentages of the class, 0.000006, 0.33 percent, 1.5 percent, 9.6 percent, and 12 percent.

Those results are consistent with other available information about settlement distribution in consumer class actions.

Although some cases provide for automatic distribution of benefits to class members, automatic distribution is almost never used in consumer class actions. Only 1 of the 40 settled cases fell into that category.

The bottom line is, the hard evidence shows that class actions do not provide class members with anything close to the benefits claimed by their proponents, although they can and do enrich attorneys.

I reserve the balance of my time.

Mr. CICILLINE. Madam Chair, I yield the balance of my time to the gentleman from New York (Mr. NADLER),

the distinguished chair of the full committee.

Mr. NADLER. Madam Chairwoman, I rise in strong support of H.R. 1423, the Forced Arbitration Injustice Repeal Act, or the FAIR Act.

This critical legislation would restore access to justice for millions of Americans who are currently locked out of the court system and are forced to settle their disputes against companies in a private system of arbitration that is often skewed in the company's favor over the individual.

Nearly a century ago, Congress enacted the Federal Arbitration Act to allow merchants to resolve run-of-the-mill contract disputes in a system of private arbitration that would be legally enforceable. The system that Congress envisioned was to be used voluntarily and only between merchants of equal bargaining power.

However, the Supreme Court, over the past 40 years, has issued a series of decisions that have expanded the use of arbitration far beyond Congress' original intent or a fair reading of the text of the Federal Arbitration Act, creating the unjust system that we see today.

Private arbitration has been transformed from a voluntary forum for companies to resolve commercial disputes into a legal nightmare for millions of consumers, employees, and others who are forced into arbitration and are unable to enforce certain fundamental rights in court.

Many companies use forced arbitration as a tool to protect themselves from consumers and workers who seek to hold them accountable for wrongdoing. By burying a forced arbitration clause deep in the fine print of a take-it-or-leave-it consumer or employment contract, companies can evade the court system, where plaintiffs have far greater legal protections, and hide behind the one-sided process that is tilted in their favor.

For example, arbitration generally limits discovery, does not adhere to the Rules of Civil Procedure, can prohibit class actions—which it almost always does—and denies the right of appeal. Worse yet, arbitration allows the proceedings, and often even the results, to stay secret, thereby permitting companies to avoid public scrutiny of potential misconduct, thereby enabling companies to continue unsafe practices after settling with one person.

For millions of consumers and employees, the precondition—whether they know it or not—of obtaining a basic service or product, such as a bank account, a cell phone, a credit card, or even a job, is that they must agree to resolve any disputes in private arbitration.

We used to refer to these kinds of agreements as contracts of adhesion, where one party with all the power dictates the terms to the other party in a take-it-or-leave-it contract.

The next time you apply for a credit card, try crossing out the term in the

fine print requiring you to agree to arbitration and see if you still get that credit card. You will be denied without a moment's hesitation.

These are classic contracts of adhesion, which were once clearly disfavored under the law, but which now seem to have been blessed by the Supreme Court as standard operating procedures in the corporate world.

Madam Chair, the Seventh Amendment to the Constitution guarantees everyone the right to a jury trial for all controversies at law over \$20. These agreements for arbitration nullify the Seventh Amendment. We have to respect the Constitution. The Constitution has more things in it than the Second Amendment. It has a few other amendments, like the Seventh Amendment, which we should respect.

These contracts of adhesion, these agreements, nullify any protections that Congress votes. If we vote or a State legislature votes on an employment protection, a union protection, a consumer protection, its enforcement can be completely nullified by these arbitration agreements.

For individuals who have no choice but to agree to these contracts, that means that their ability to enforce civil rights, consumer, labor, and anti-trust laws are subject to the whims of a private arbitrator, often selected by the companies themselves. These private arbitrators are not required to provide plaintiffs any of the fundamental protections guaranteed in the courts, and their further employment can depend on building a good reputation with the companies that hire them.

Unsurprisingly, then, arbitration has become a virtual get-out-of-jail-free card that many companies use to circumvent the basic rights of consumers and workers.

H.R. 1423, the FAIR Act, reverse this disastrous trend by prohibiting arbitration clauses in consumer, labor, anti-trust, and civil rights disputes.

Importantly, this legislation does not preclude parties from agreeing to arbitrate a claim after the dispute arises, which will ensure that arbitration agreements are truly voluntary and transparent. It does, however, prevent unsuspecting consumers and employees from being forced to give up their right to seek justice in court.

I urge my colleagues to support this vital legislation, and I reserve the balance of my time.

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

Madam Chair, like the First Amendment, Fourth Amendment, and when you are from a small State, you are a big fan of the 10th Amendment as well. I like the Second Amendment, but I like the other ones, too.

We are talking about credit cards, and we are talking about those issues, and I think we are talking about consumer contracts. The Consumer Financial Protection Bureau did a study in

2015, and it came up with a couple of things. Particularly, you cannot talk about getting rid of forced arbitration without talking about class actions again.

For example, the CFPB study found that the substantial majority of class actions are resolved with no benefits to the class members. The weighted-average claims were only 4 percent, i.e., the vast majority of class members do not file claims for payment from class action settlement funds. The average settlement payment to class members was just \$32.35, while the average attorney's fees averaged \$1 million per case. The average fee paid to class action plaintiffs' lawyers as a percentage of the announced settlement was 41 percent, with a median of 46 percent.

Class-action lawsuits produce class-wide settlements and took an average of nearly 2 years to resolve. Obviously, there are cases that go longer; there are cases that go shorter. But when you are dealing in a consumer protection area for a small amount of money, 2 years is an exceptionally long time to be dealing with that kind of litigation.

Arbitration is simpler. It is quicker. It is often easier and more convenient for the parties. In many cases, it creates less hostility and gets finished quicker.

I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I yield 2 minutes to the distinguished gentleman from Illinois (Mrs. BUSTOS).

Mrs. BUSTOS. Mr. Chair, I thank Chairman NADLER for yielding, and I also thank Congressman JOHNSON for this very important bill. I thank him for his fight on behalf of so many people.

I rise today in strong support of the FAIR Act. This is a bill that would end the secret arbitration process and the cycle of silencing victims of predatory behavior.

I first became involved with this fight a couple of years back when The Washington Post detailed allegations of a chief executive at Jared and Kay Jewelers who only promoted women who would sleep with him. The Post shed light on mandatory, alcohol-fueled managers meetings where dozens of women were demeaned and groped.

□ 1000

As I continued working on this issue, I met with women from the tech industry who watched in horror as bigwig executives were given multimillion-dollar exit packages after facing credible allegations of misconduct. But none of these women were allowed to speak out.

Why? Because they were forced into a secret arbitration process, losing their right to sue and ensuring their claims would never see the light of day. And, if they were to speak out publicly, they—they as the women who were victims of this—could be sued for breaking this nondisclosure agreement.

This is a practice that is so egregious that the attorneys general in all 50 of

our States have come out against forced arbitration clauses that are used in cases of sexual misconduct.

Mr. Chairman, I urge my colleagues on both sides of the aisle to stand on the side of workers, on the side of fairness and transparency, and on the side of doing what is right. I urge all of us to support this piece of legislation.

Mr. ARMSTRONG. Mr. Chairman, I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, may I inquire how much time is remaining, please, on each side.

The Acting CHAIR (Mr. PETERS). The gentleman from New York has 5¼ minutes remaining. The gentleman from North Dakota has 12¾ minutes remaining.

Mr. NADLER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I have been speaking about the need to ban forced arbitration since I joined Congress. It is wonderful to finally have this bill, the FAIR Act, up for a vote in Congress, and I really want to thank Congressman JOHNSON.

I think what is so troubling about forced arbitration is that, when we finally discover that we have become a victim of it, we feel helpless and taken advantage of. These forced arbitration clauses are buried in the fine print of everyday contracts, and before you know it, we are unknowingly giving up our legal rights.

But I come before you, Mr. Chairman, as a small business owner to say this is completely unnecessary. As a small business owner of 46 years, we are selling 4,000 and 5,000 cars a year, and we have never had to resort to mandatory binding arbitration. In fact, what we say is that, if you have a conflict, we would love to go to arbitration with you, and we will respect whatever the arbiter says; but, if you don't like it, you can still sue us, giving the maximum choice to the consumer. As a result, you rarely have a conflict that gets out of hand.

One only needs to think of the Wells Fargo case where Wells Fargo was sued by several of its customers for using their personal information to open all these fake accounts; but, when they filed suit against Wells Fargo, they found out they had this mandatory forced arbitration clause buried in the customer agreement.

Mr. Chairman, I encourage us to support this good bill.

Mr. ARMSTRONG. Mr. Chairman, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, I rise in strong support of H.R. 1423, the FAIR Act.

Forced arbitration clauses were originally intended to mediate business disputes among businesses, not between businesses and individuals, but now they are found in every aspect of

our lives. From employment contracts to student loans, to cellphone plans, to credit cards and numerous other goods and services, every American has agreed to forced arbitration, whether they want to or not.

This bill ensures that individuals have the right to choose how they seek justice: the choice to go to court, the choice to join a class action lawsuit, and, yes, even the choice to go to arbitration.

But these choices should not be made for them by somebody else. Passage of the FAIR Act will restore that choice, and I urge all of my colleagues to support this important legislation.

Mr. ARMSTRONG. Mr. Chairman, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Chairman, I thank the chairman and distinguished gentleman from Georgia for his tremendous leadership.

Women have a right not to be sexually harassed; people of color have a right not to be discriminated against; workers have a right not to be exploited; consumers have a right not to be defrauded; and the American people have a right to liberty and justice for all. Unfortunately, the malignant practice of forced arbitration takes these rights away.

The American people are being hoodwinked, bamboozled, and led astray. The practice of forced arbitration effectively makes rights available without a remedy. This practice is unconscionable, unacceptable, and un-American.

Vote “yes” on the FAIR Act so we can end this practice of forced arbitration once and for all.

Mr. ARMSTRONG. Mr. Chairman, I yield myself the remainder of my time.

In closing, I just want to ask one simple question: Under this bill, who wins and who loses?

Do consumers win? No. Studies show arbitration provides consumers faster and cheaper results that are just as good as court outcomes deliver; and we know that they will have way more access to a result in small cases that are bigger than small claims and too small—those in which hiring a private lawyer at an hourly rate makes sense but are too small so class action doesn’t apply.

Do employees win? No. Research shows employees are three times more likely to win in arbitration than in court, and prevailing employees typically win twice as much money in arbitration in a shorter period of time.

Do class action plaintiffs win? Not if you listen to the Consumer Financial Protection Bureau. The CFPB’S 2015 study of arbitration and class actions found the substantial majority of class actions were resolved with no benefits flowing to the absent class members. The weighted average rate in class actions was only 4 percent, meaning the

vast majority of class members do not file claims for payment under class action settlement funds. The average settlement payment, again, was only \$32.35.

Does anybody win under this bill? Surprise, surprise, somebody does. It is the plaintiffs’ in class action trial bar. Once again, all you have to do is look at the CFPB’s study. It found that class action attorneys’ fees average \$1 million per case, and the average fee paid to a class action plaintiffs’ lawyer as a percentage of the announced settlement was 41 percent, with a median of 46 percent.

So the answer to the question about this bill is simple: Consumers don’t win. Employees don’t win. Even class action plaintiffs don’t win. But the plaintiffs’ class action trial lawyers sure do win, and they make out like bandits.

Mr. Chairman, I urge my colleagues to vote “no” on this unjust bill, and I yield back the balance of my time.

Mr. NADLER. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, we have a bedrock principle in this country, and that is that all Americans deserve their day in court. We make a mockery of this principle, however, when individuals can be stripped of this fundamental right and be forced into private arbitration proceedings without the safeguards our judicial system affords.

We make a mockery of this right not only when individuals can be stripped of this right, but when almost all Americans are stripped of this fundamental right and are forced into private arbitration proceedings without the safeguards our judicial system affords.

Now, we heard the statistics cited by the gentleman, which come from the Chamber of Commerce, and Mr. CICILLINE showed how wrong those statistics were.

But the real point is, of course, that, under this bill, if a plaintiff thinks that he can get a better deal under arbitration, then arbitration is available voluntarily, as it should be.

What this bill seeks to ban is individuals—almost all Americans—involuntarily giving up their sacred constitutional right to a trial by jury, to their day in court, whether they like it or not. This bill will guarantee that people have their rights. They can opt for arbitration if they want to, but they don’t have to.

This bill supports liberty; it supports constitutional rights; and it supports the little guy against the giant corporation. H.R. 1423, the FAIR Act, rights these wrongs by reopening the courthouse door to all Americans.

I applaud the gentleman from Georgia (Mr. JOHNSON) for his leadership on this legislation which has 222 cosponsors.

This measure is also supported by a broad coalition of more than 70 public-interest, labor, and advocacy organizations, including Public Citizen, Con-

sumer Reports, the Communications Workers of America, the Leadership Conference on Civil Rights, and the American Association of Justice, not just by trial lawyers.

In addition, 84 percent of Americans across the political spectrum support ending forced arbitration in employment and consumer disputes, according to recent polling data.

Mr. Chairman, it is up to Congress to end this secretive and unfair practice. I urge my colleagues to support the FAIR Act and to restore access to justice for millions of Americans, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, as a senior member of the Judiciary Committee, I rise in strong support of H.R. 1423, the Forced Arbitration Injustice Repeal Act or the FAIR Act.

I support the FAIR Act because it restores the rights of workers and consumers by making forced arbitration between individuals and corporations illegal.

This would allow individuals the choice as to how to pursue their rights against a corporation.

It also means that corporations will know that when they violate the law, they can be held publicly accountable.

I have been a champion of FAIR since 2006 when we were discussing the LaVar Arrington and arbitration process of the National Football League Players Association.

Mr. Arrington was an All-Pro linebacker for the Washington Redskins and the New York Giants in the NFL.

In 2004, the NFLPA agreed to represent LaVar Arrington in the matter and retained a major New York law firm.

I am advised that the law firm did not meet with LaVar Arrington until shortly before his non-injury grievance arbitration was scheduled to be heard.

LaVar Arrington was not impressed with the performance of his legal representatives, and after the hearing called NFLPA President Gene Upshaw to complain.

LaVar Arrington asked Mr. Upshaw, who had hired a major New York firm, how they could be his lawyers if they had not even bothered to meet with him, the client, until shortly before the arbitration.

LaVar Arrington told Gene Upshaw he was going to hire his own attorney who could give him an objective view and did so shortly thereafter.

After LaVar Arrington retained new counsel, the arbitration was adjourned for the purpose of pursuing settlement negotiations.

Through the efforts of new counsel, a settlement was reached and Mr. Carl Poston played an important role in achieving this settlement, including arranging a meeting with Redskins Coach Joe Gibbs to explain LaVar Arrington’s feelings concerning the situation.

Coach Gibbs helped prevail on the Redskins to reach an acceptable settlement with LaVar Arrington.

The settlement provided that no one did anything wrong or improper and provided for a new contract for LaVar Arrington under which he could obtain an additional \$4.85 million under certain conditions, including the right to void the contract if he made Pro Bowls in the next four years unless the Redskins paid LaVar Arrington an additional \$3.25 million.

The settlement agreement provided:

"This Agreement shall not be construed as an admission of liability or a finding of wrongdoing by any party."

As LaVar Arrington has put it, "[m]y grievance against the Redskins has been settled on no-fault, win-win resolution."

In 2006, when faced with the issues of the NFLPA's arbitration procedures, I had the questions of:

(a) whether the arbitration procedures employed by the NFLPA are fair;

(b) whether they ensure a neutral arbitrator;

(c) whether adequate opportunity for judicial review exists; and

(d) whether the procedures comport with the intent underlying the Federal Arbitration Act and, if not, what might be a proper legislative response.

We cannot continue to allow corporations to bury forced arbitration clauses in employee handbooks and smart phone apps.

Notably, the bill also applies to small businesses seeking to protect their rights under federal antitrust laws.

We know it is a one-sided system and that corporations write the clauses to be so rigged so most people give up pursuing their rights altogether.

Corporations choose the forced arbitration provider, the rules under which the forced arbitration will take place, the state in which the forced arbitration proceeding will occur, and the payment terms.

Most people do not know about forced arbitration but even those who are aware have no say in the process and, because these clauses apply to most jobs, products, and services, a person has no choice but to live with the total deprivation of their rights via forced arbitration or give up the job/product/service altogether.

I would like to acknowledge a victim of forced arbitration.

I have been told we are joined by Alexander Newton, the brother of Andowah Newton from New York.

Andowah Newton is Vice President, Legal Affairs at LVMH Moët Hennessy Louis Vuitton Inc., a multinational luxury goods conglomerate.

For years, Ms. Newton was sexually harassed at work by a colleague.

When she formally reported the harassment, the company demanded she apologize to the harasser for reporting him and the company promoted the harasser.

It also began retaliating against her at work.

Ms. Newton had been forced to sign a mandatory arbitration agreement as part of accepting her offer of employment.

Pursuant to New York's 2018 law prohibiting employment agreements that mandate arbitration of sexual harassment claims, in 2019, Ms. Newton filed her sexual harassment claims in New York state court.

The company has moved to compel arbitration, arguing that the New York law is preempted by federal law and that Ms. Newton should be forced into mandatory confidential arbitration proceedings.

Ms. Newton continues to fight the motion to compel in court.

For Ms. Newton and for all of the victims of forced arbitration, we need to resolve this injustice.

Buried in the fine print of everything from nursing home admissions forms and credit card "agreements," to online click-through

"terms and conditions" and employee handbooks, forced arbitration enables corporations to evade responsibility and avoid accountability.

Forced arbitration means that when a corporation violates the rights of their workers or consumers, they cannot enforce their rights.

Forced arbitration lets corporations funnel aggrieved workers and consumers into a private and secret system which is designed by the corporation to be so rigged that most people are forced to give up their rights altogether.

We know that because corporations know that most individuals will simply give up when faced with a forced arbitration, there is virtually no incentive for corporations to follow the law, or to quickly and fairly handle consumer or worker claims.

The FAIR Act would restore the rights of workers and consumers by making forced arbitration between individuals and corporations illegal—meaning that individuals will be returned the choice as to how to pursue their rights against a corporation.

The FAIR Act also means that corporations will know that when they violate the law, they can be held publicly accountable, thereby returning to corporations the powerful incentive to follow the law in the first place and to treat people justly and fairly.

Forced arbitration is a private, secretive system without any enforceable standards or legal protections.

There is no public review of decisions to ensure the arbitrator got it right.

Federal law does not even require that arbitrators have any legal training or even follow the law and the entire system is unaccountable to the public.

American heroes fought hard for fundamentally important laws—such as federal anti-discrimination laws and laws to protect servicemembers and their families—but these laws are now unenforceable.

It is time to close the forced arbitration loophole that gives corporations the power to ignore the laws Congress enacted.

The Supreme Court held that corporations are allowed to force individuals into arbitration because the Federal Arbitration Act, which was passed in 1925—wipes out all rights under all other laws unless and until Congress updates that law.

Thus, the FAIR Act simply amends the Federal Arbitration Act to make clear that workers and consumers cannot be forced into arbitration against their will.

This prohibition on forced arbitration would apply to all workers (no matter how they are classified by their employer), consumers, and small businesses seeking to enforce their rights under antitrust laws.

I urge my colleagues to join me in supporting H.R. 1423, the "Forced Arbitration Injustice Act."

The Acting CHAIR. All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, it shall be in order to consider as an original bill for purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-32, modified by the amendment printed in part A of

House Report 116-210. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1423

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 "Forced Arbitration Injustice Repeal Act" or the "FAIR Act".

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) prohibit predispute arbitration agreements that force arbitration of future employment, consumer, antitrust, or civil rights disputes, and

(2) prohibit agreements and practices that interfere with the right of individuals, workers, and small businesses to participate in a joint, class, or collective action related to an employment, consumer, antitrust, or civil rights dispute.

SEC. 3. ARBITRATION OF EMPLOYMENT, CONSUMER, ANTITRUST, AND CIVIL RIGHTS DISPUTES.

(a) IN GENERAL.—Title 9 of the United States Code is amended by adding at the end the following:

"CHAPTER 4—ARBITRATION OF EMPLOYMENT, CONSUMER, ANTITRUST, AND CIVIL RIGHTS DISPUTES

"Sec.

"401. Definitions.

"402. No validity or enforceability."

"§ 401. Definitions

"In this chapter—

"(1) the term 'antitrust dispute' means a dispute—

"(A) arising from an alleged violation of the antitrust laws (as defined in subsection (a) of the first section of the Clayton Act) or State antitrust laws; and

"(B) in which the plaintiffs seek certification as a class under rule 23 of the Federal Rules of Civil Procedure or a comparable rule or provision of State law;

"(2) the term 'civil rights dispute' means a dispute—

"(A) arising from an alleged violation of—

"(i) the Constitution of the United States or the constitution of a State;

"(ii) any Federal, State, or local law that prohibits discrimination on the basis of race, sex, age, gender identity, sexual orientation, disability, religion, national origin, or any legally protected status in education, employment, credit, housing, public accommodations and facilities, voting, veterans or servicemembers, health care, or a program funded or conducted by the Federal Government or State government, including any law referred to or described in section 62(e) of the Internal Revenue Code of 1986, including parts of such law not explicitly referenced in such section but that relate to protecting individuals on any such basis; and

"(B) in which at least 1 party alleging a violation described in subparagraph (A) is one or more individuals (or their authorized representative), including one or more individuals seeking certification as a class under rule 23 of the Federal Rules of Civil Procedure or a comparable rule or provision of State law;

"(3) the term 'consumer dispute' means a dispute between—

"(A) one or more individuals who seek or acquire real or personal property, services (including services related to digital technology), securities or other investments, money, or credit for personal, family, or household purposes including an individual or individuals who seek certification as a class under rule 23 of the Federal Rules of Civil Procedure or a comparable rule or provision of State law; and

"(B)(i) the seller or provider of such property, services, securities or other investments, money, or credit; or

“(ii) a third party involved in the selling, providing of, payment for, receipt or use of information about, or other relationship to any such property, services, securities or other investments, money, or credit;

“(4) the term ‘employment dispute’ means a dispute between one or more individuals (or their authorized representative) and a person arising out of or related to the work relationship or prospective work relationship between them, including a dispute regarding the terms of or payment for, advertising of, recruiting for, referring of, arranging for, or discipline or discharge in connection with, such work, regardless of whether the individual is or would be classified as an employee or an independent contractor with respect to such work, and including a dispute arising under any law referred to or described in section 62(e) of the Internal Revenue Code of 1986, including parts of such law not explicitly referenced in such section but that relate to protecting individuals on any such basis, and including a dispute in which an individual or individuals seek certification as a class under rule 23 of the Federal Rules of Civil Procedure or as a collective action under section 16(b) of the Fair Labor Standards Act, or a comparable rule or provision of State law;

“(5) the term ‘predispute arbitration agreement’ means an agreement to arbitrate a dispute that has not yet arisen at the time of the making of the agreement; and

“(6) the term ‘predispute joint-action waiver’ means an agreement, whether or not part of a predispute arbitration agreement, that would prohibit, or waive the right of, one of the parties to the agreement to participate in a joint, class, or collective action in a judicial, arbitral, administrative, or other forum, concerning a dispute that has not yet arisen at the time of the making of the agreement.

“§ 402. No validity or enforceability

“(a) IN GENERAL.—Notwithstanding any other provision of this title, no predispute arbitration agreement or predispute joint-action waiver shall be valid or enforceable with respect to an employment dispute, consumer dispute, antitrust dispute, or civil rights dispute.

“(b) APPLICABILITY.—

“(1) IN GENERAL.—An issue as to whether this chapter applies with respect to a dispute shall be determined under Federal law. The applicability of this chapter to an agreement to arbitrate and the validity and enforceability of an agreement to which this chapter applies shall be determined by a court, rather than an arbitrator, irrespective of whether the party resisting arbitration challenges the arbitration agreement specifically or in conjunction with other terms of the contract containing such agreement, and irrespective of whether the agreement purports to delegate such determinations to an arbitrator.

“(2) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in this chapter shall apply to any arbitration provision in a contract between an employer and a labor organization or between labor organizations, except that no such arbitration provision shall have the effect of waiving the right of a worker to seek judicial enforcement of a right arising under a provision of the Constitution of the United States, a State constitution, or a Federal or State statute, or public policy arising therefrom.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Title 9 of the United States Code is amended—

(A) in section 1 by striking “of seamen,” and all that follows through “interstate commerce” and inserting in its place “of individuals, regardless of whether such individuals are designated as employees or independent contractors for other purposes”;

(B) in section 2 by inserting “or as otherwise provided in chapter 4” before the period at the end,

(C) in section 208—

(i) in the section heading by striking “CHAPTER 1; RESIDUAL APPLICATION” and inserting “APPLICATION”, and

(ii) by adding at the end the following: “This chapter applies to the extent that this chapter is not in conflict with chapter 4.”, and

(D) in section 307—

(i) in the section heading by striking “CHAPTER 1; RESIDUAL APPLICATION” and inserting “APPLICATION”, and

(ii) by adding at the end the following: “This chapter applies to the extent that this chapter is not in conflict with chapter 4.”.

(2) TABLE OF SECTIONS.—

(A) CHAPTER 2.—The table of sections of chapter 2 of title 9, United States Code, is amended by striking the item relating to section 208 and inserting the following:

“208. Application.”.

(B) CHAPTER 3.—The table of sections of chapter 3 of title 9, United States Code, is amended by striking the item relating to section 307 and inserting the following:

“307. Application.”.

(3) TABLE OF CHAPTERS.—The table of chapters of title 9, United States Code, is amended by adding at the end the following:

“4. Arbitration of Employment, Consumer, Antitrust, and Civil Rights Disputes 401”.

SEC. 4. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the date of enactment of this Act and shall apply with respect to any dispute or claim that arises or accrues on or after such date.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order, except those printed in part B of House Report 116–210. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. JORDAN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 116–210.

Mr. JORDAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, strike lines 16 through 25.

The Acting CHAIR. Pursuant to House Resolution 558, the gentleman from Ohio (Mr. JORDAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JORDAN. Mr. Chairman, the amendment addresses a glaring flaw in the legislation.

The bill strips nonunion employees of any and all benefits they might gain by contracts they have signed to arbitrate their disputes. It says that contracts which force arbitration for employment disputes—thereby, contracts which open a faster, cheaper path of justice for employees—are no longer permitted even though research has

shown that employees obtain more favorable judgments in arbitration than in court. In court, of course, the average employee stands to be seriously outgunned by an employer who has far more resources to hire costly courtroom counsel.

While the bill takes those benefits out of the hands of nonunion employees, it doesn't do that for union employees. Predispute, mandatory binding arbitration contracts negotiated by unions with employers or with other unions are left untouched by the bill.

This bill is titled the Forced Arbitration Injustice Repeal Act, but it should be titled the forced injustice guarantee act because the bill enacts injustice between union and nonunion employees.

Nonunion employees get handed over to the high-cost plaintiffs' trial lawyers and may never be able to afford their day in court. Union employees get all the benefits of forcing arbitration with their employers and don't have to make a sacrifice at all like the nonunion employees do.

Mr. Chairman, the amendment fixes the hypocritical treatment in the legislation. I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chair, I rise in strong opposition to this amendment.

There are more than 60 million workers who make up a majority of nonunion, private sector employees and who are subject to forced arbitration clauses. These employees are told that, if they want to get a job or keep the job they have, they must sign away their right to their day in court and submit to forced arbitration. These workers have absolutely no choice.

Many of these workers have no idea that they are subject to forced arbitration, and even if they are aware, there is nothing they can do about it; and, of course, it is not possible for them to know that they may be victims of sexual assault, wage discrimination, or other illegal behavior before they begin employment.

This is a serious power imbalance which allows companies to unilaterally impose unfair terms upon nonunion employees. The FAIR Act aims to put power back into the hands of these 60 million workers who have been forced by their employer to sign away their rights.

But when real choice is part of the equation, arbitration can be a reasonable alternative to litigation. Collective bargaining, which involves meaningful negotiation between the company and the union, results in a much different arbitration process and can produce much different results.

In a 2019 report, the Economic Policy Institute noted that “beyond the use of the world ‘arbitration,’ the system that organized labor and management have long been using to resolve disputes has almost nothing in common

with the top-down, take-it-or-leave-it brand of arbitration.”

□ 1015

The collective bargaining process provides protections that are simply unavailable to many nonunion workers, such as the ability to reject unfair employment terms. In collective bargaining, the company cannot just impose its will upon the union. There must be buy-in on both sides.

When arbitration is agreed to through collective bargaining, there is less likely to be an experience gap between the parties. In nonunion arbitration, the company continuously interacts with arbitrators, while the employee may only see the arbitrator once, if that. And in most cases, the company gives itself unilateral power to pick the arbitrator. This creates a conflict of interest in which the arbitrator has a strong incentive to prioritize the company's interest by finding in its favor than to fairly assess the claim at issue.

The collective bargaining process looks much different. Like the company, the union also has the benefit of being a repeat player in arbitration. The union understands how the process works, and it may even have experience practicing in front of the same arbitrator multiple times.

When the repeat player dynamic exists on both sides of the arbitration, the risk that one party will be systematically favored over the other is greatly reduced.

Furthermore, through collective bargaining, a union can secure a variety of important protections for workers, such as requiring truly neutral arbitrators, paid time off for employees to participate in the arbitration, and transparent decisionmaking.

Often, union employees are guaranteed a multilevel appeals process, lowering the risk that an arbitrator will ignore relevant laws or that there will be an unjust result.

The concerns that the FAIR Act is designed to address simply do not occur in the context of collective bargaining and, therefore, makes no sense to apply its restrictions to such contracts.

Accordingly, I strongly oppose this amendment, and I encourage my colleagues to vote against this amendment.

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

Mr. JORDAN. Mr. Chair, I have seen elected officials change their positions. I have never seen it happen in 5 minutes.

Mr. Chair, 5 minutes ago, the chairman of the Committee on the Judiciary stood up at the end, closing out the debate on the overall legislation before we got to the amendment debate, and he said this, “a bedrock principle in this country is you get your day in court.” The next word he used was important. He said, “all” Americans deserve their day in court. Now, he just told us that is not the case.

I guess by “all,” he meant only if you are nonunion do you get your day in court. Union people don’t. They have to abide by these arbitration contracts.

This is really simple. This is about fairness. If it is good for the goose, it is good for the gander. That is all we are saying here.

If the chairman of the Committee on the Judiciary believes what he just said 5 minutes ago, then he should be in support of this amendment.

Or maybe he didn’t mean “all” when he said “all” Americans deserve their day in court.

Maybe he didn’t mean “bedrock principle” when he said bedrock principle. Maybe he only meant, Oh, it is a principle just for some people, which means, by definition, it is not a principle at all.

So I want to know which position the chairman has; the one he said 5 minutes ago, or the one he said 2 minutes ago.

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

Mr. NADLER. Mr. Chair, I yield myself the balance of my time.

If anything, this discussion about collective bargaining shows that arbitration can be a fair and reasonable process when there is actual choice on both sides of the tracks. But for the majority, the overwhelming majority of nonunion private sector workers, that choice simply does not exist.

This amendment fails to comprehend these critical distinctions between collective bargaining and the take-it-or-leave-it arbitration clauses that the majority of workers face. And it fails to recognize that restoring equity and choice is exactly what the FAIR Act claims to do. You cannot compare apples and oranges, as the gentleman from Ohio (Mr. JORDAN) tried to do.

Finally, as the AFL-CIO explains, this amendment, “would also be directly contrary to the intent of Congress in both the Wagner and Taft-Hartley Acts, which encourage the practice of collective bargaining and the resolution of contract disputes through arbitration.”

And, again, arbitration voluntarily agreed to by the workers through their democratically elected union is not the same as coercive forced arbitration.

Mr. Chair, accordingly, I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. JORDAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JORDAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 2 OFFERED BY MRS. FLETCHER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 116-210.

Mrs. FLETCHER. Mr. Chairman, I have an amendment at the desk, and I ask for its consideration.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end, add the following:

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, shall be construed to prohibit the use of arbitration on a voluntary basis after the dispute arises.

The Acting CHAIR. Pursuant to House Resolution 558, the gentlewoman from Texas (Mrs. FLETCHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Mrs. FLETCHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, I offer this amendment to the bill for the simple purpose of clarifying its scope and applicability.

The FAIR Act prohibits the enforcement of mandatory pre-dispute arbitration provisions—forced arbitration—in contracts involving consumer, employment, antitrust, and civil rights disputes.

This amendment makes clear that the FAIR Act applies to pre-dispute forced arbitration in these disputes, and not to voluntary arbitration that is agreed to by the parties in these cases after a dispute occurs.

It does not apply, as some have suggested, to commercial cases between businesses; it does not eliminate arbitration altogether, and there are good reasons for this.

There is certainly a role for the arbitration of disputes and other forms of alternative dispute resolution. From my own experience as a lawyer, I understand the utility arbitration can provide for businesses to resolve disputes, especially in the context of an ongoing business relationship.

That is not what the FAIR Act is about. The FAIR Act is about restoring access to justice for the people.

It is for consumers and workers.

It is for people whose civil rights have been violated.

It is for the small business people who have antitrust claims.

It is for the millions of Americans who are denied their rights to seek justice and accountability today because of forced arbitration.

This amendment makes clear that the act does not prohibit the option to participate in arbitration after a dispute has arisen provided that the agreement to arbitrate the dispute is voluntary and the parties actually consent.

This amendment anticipates that, for reasons of their own choosing, some parties may elect to participate in arbitration after a dispute has arisen on a voluntary basis and this act does not prohibit that choice. The amendment acknowledges the right to consent, but it must be truly voluntary.

When an agreement to arbitrate is a contract of adhesion, it is not voluntary. When an agreement to arbitrate is not disclosed, it is not voluntary. When an agreement to arbitrate is a condition of employment, it is not voluntary. When an agreement to arbitrate is forced, it is not voluntary. But when actual consent is given after a dispute arises, parties with full knowledge may choose to arbitrate.

Fundamentally, the FAIR Act and this amendment protects the freedom to contract, the freedom of choice, and the freedoms granted in our Constitution including, importantly, its 7th Amendment.

Mr. Chair, it is for these reasons that I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. ARMSTRONG. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from North Dakota is recognized for 5 minutes.

Mr. ARMSTRONG. Mr. Chair, I appreciate the sentiment, but the amendment is unnecessary. The bill's terms clearly already do nothing to prevent post-dispute arbitration agreements from being negotiated or enforced, in theory.

Honestly, the amendment really does nothing. It is a fig leaf designed to hide the mischief that is actually being done by the bill. It pretends to preserve the possibility of negotiating agreements to arbitrate once disputes arise, but if this bill succeeds in wiping out pre-dispute arbitration agreements, parties will almost never ever arbitrate. And the simple reason is, if one person really wants to be in arbitration, the other person will be really disadvantaged by arbitration.

In order to have a post-dispute arbitration, you need both parties to agree. And the simple fact is, that once a dispute arises, there is always going to be a benefit for one of the parties to go to court. And most of the time, it is not going to be the consumer or the employee that sees these advantages. It will be a company or an employee with the resources to overwhelm a consumer or an employee in court with discovery, procedure, and expensive lawyer fees.

And far too often, just the prospect of that will be enough to dissuade a consumer or employee from even filing a lawsuit to begin with, which means that the parties with the deepest pockets will just be able to get off scot-free.

The reality is, in most disputes, no matter what venue you are in—you can be in Federal court, you can be in State court, you can be in arbitration—there is going to be unequal bargaining power. Pre-dispute arbitration gives people with less financial means in your basic employment dispute, contractual dispute, or consumer dispute, a venue that is affordable, gets done in a reasonable amount of time, and allows them to move through.

Now, if you are a company and you are not forced into that in pre-dispute, why in the world would you ever agree to go back there?

Mr. Chair, I urge opposition to this amendment, and I yield back the balance of my time.

Mrs. FLETCHER. Mr. Chair, the gentleman from North Dakota's argument makes the argument for the FAIR Act, because the essential point there is about the ability to contract with equal bargaining power.

And we have heard debate this entire morning about the imbalance that exists with these contracts of adhesion, these contracts that require arbitration as a term of employment, and that there is also somebody who benefits.

And I think what we have seen is exactly what the FAIR Act is designed to prevent. The idea of equal bargaining power is not something we see in these consumer cases, in these employment cases, and that is exactly what we are here to protect.

However, we have also seen the argument that this is the end of arbitration, and that is simply not the case. There is a place in our system for people who elect to arbitrate, but it must be with equal bargaining power, and it must be with full information and voluntary compliance.

The amendment simply makes clear that the FAIR Act does not prohibit arbitration on a voluntary basis after a dispute arises and can't be construed to do so.

Mr. Chair, it is for these reasons that I urge my colleagues to support the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mrs. FLETCHER).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. JORDAN

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on amendment No. 1 printed in part B of House Report 116-210 offered by the gentleman from Ohio (Mr. JORDAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 161, noes 253, not voting 26, as follows:

[Roll No. 539]

AYES—161

Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Baird
Balderson

Banks
Barr
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Brady
Brooks (AL)

Brooks (IN)
Buchanan
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert

Carter (GA)
Carter (TX)
Chabot
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Crenshaw
Curtis
Davidson (OH)
DesJarlais
Duncan
Dunn
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Fox (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Grothman
Guthrie
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Hill (AR)
Holding
Hollingsworth
Hudson

Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Kelly (MS)
Kelly (PA)
King (IA)
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marshall
Massie
McCarthy
McCauley
McClintock
McHenry
Meadows
Meuser
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Rice (SC)
Riggleman

NOES—253

Adams
Aguilar
Allred
Axne
Bacon
Barragan
Bass
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis (CA)
Davis, Rodney

Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael
F.
Emmer
Engel
Escobar
Eshoo
Espallat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
Garcia (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Griffith
Grijalva
Guest
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (LA)
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford

Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Simpson
Smith (MO)
Smith (NE)
Smucker
Spano
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho

Houlahan
Hoyer
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kinzinger
Kirkpatrick
Krisnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan
Luria
Lynch
Malinowski
Maloney
Carolyn B.
Maloney, Sean
Mast
Matsui
McAdams
McBath
McCollum
McGovern

McKinley	Raskin	Stauber
McNerney	Reschenthaler	Stefanik
Meeks	Rice (NY)	Steil
Meng	Richmond	Stevens
Miller	Rose (NY)	Suozi
Moore	Rouda	Swalwell (CA)
Morelle	Roybal-Allard	Takano
Moulton	Ruiz	Thompson (CA)
Mucarsel-Powell	Ruppersberger	Titus
Murphy (FL)	Rush	Tlaib
Nadler	Ryan	Tonko
Napolitano	Sablan	Torres (CA)
Neal	Sánchez	Torres Small
Neguse	Sarbanes	(NM)
Norcross	Scanlon	Trahan
Norton	Schakowsky	Trone
O'Halleran	Schiff	Turner
Ocasio-Cortez	Schneider	Underwood
Omar	Schrader	Van Drew
Pallone	Schrier	Vargas
Panetta	Scott (VA)	Veasey
Pappas	Scott, David	Vela
Pascrell	Serrano	Velázquez
Payne	Sewell (AL)	Visclosky
Perlmutter	Shalala	Wasserman
Peters	Sherman	Schultz
Peterson	Sherrill	Waters
Phillips	Sires	Watson Coleman
Pingree	Slotkin	Welch
Plaskett	Smith (NJ)	Wexton
Pocan	Smith (WA)	Wild
Porter	Soto	Wilson (FL)
Pressley	Spanberger	Yarmuth
Price (NC)	Speier	Zeldin
Quigley	Stanton	

NOT VOTING—26

Abraham	Cunningham	King (NY)
Babin	Davis, Danny K.	Marchant
Beatty	Duffy	McEachin
Bergman	González-Colón	Radewagen
Buck	(PR)	Reed
Cheney	Hagedorn	San Nicolas
Clyburn	Huffman	Shimkus
Crawford	Jackson Lee	Thompson (MS)
Cummings	Keller	Weber (TX)

□ 1056

Messrs. JOHNSON of Georgia, O'HALLERAN, Mrs. HAYES, Messrs. LYNCH and ROSE of New York changed their vote from "aye" to "no."

Messrs. HOLDING, MULLIN, and PALAZZO changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HIGGINS of Louisiana. Mr. Chair, on rollcall No. 539, I mistakenly voted "no" when I intended to vote "yes."

The Acting CHAIR (Mr. BUTTERFIELD). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PETERS) having assumed the chair, Mr. BUTTERFIELD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1423) to amend title 9 of the United States Code with respect to arbitration, and, pursuant to House Resolution 558, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment re-

ported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. ARMSTRONG. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on passage of the bill will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 225, noes 186, not voting 23, as follows:

[Roll No. 540]

AYES—225

Adams	Doyle, Michael	Lawson (FL)
Aguiar	F.	Lee (CA)
Allred	Engel	Lee (NV)
Axne	Escobar	Levin (CA)
Barragán	Eshoo	Levin (MI)
Bass	Españillat	Lewis
Bera	Evans	Lieu, Ted
Beyer	Finkenauer	Lipinski
Bishop (GA)	Fletcher	Loeb
Blumenauer	Foster	Loftgren
Blunt Rochester	Frankel	Lowenthal
Bonamici	Fudge	Lowe
Boyle, Brendan	Gabbard	Luján
F.	Gaetz	Luria
Brindisi	Gallego	Lynch
Brown (MD)	Garamendi	Malinowski
Brownley (CA)	Garcia (IL)	Maloney,
Bustos	Garcia (TX)	Carolyn B.
Butterfield	Golden	Maloney, Sean
Carbajal	Gomez	Matsui
Cardenas	Gonzalez (TX)	McAdams
Carson (IN)	Gottheimer	McBath
Cartwright	Green, Al (TX)	McCollum
Case	Grijalva	McGovern
Casten (IL)	Haaland	McNerney
Castor (FL)	Harder (CA)	Meeks
Castro (TX)	Hastings	Meng
Chu, Judy	Hayes	Moore
Cicilline	Heck	Morelle
Cisneros	Higgins (NY)	Moulton
Clark (MA)	Hill (CA)	Mucarsel-Powell
Clarke (NY)	Himes	Murphy (FL)
Clay	Horn, Kendra S.	Nadler
Cleaver	Horsford	Napolitano
Cohen	Houlahan	Neal
Connolly	Hoyer	Neguse
Cooper	Jayapal	Norcross
Correa	Jeffries	O'Halleran
Costa	Johnson (GA)	Ocasio-Cortez
Courtney	Johnson (TX)	Omar
Cox (CA)	Kaptur	Pallone
Craig	Keating	Panetta
Crist	Kelly (IL)	Pappas
Crow	Kennedy	Pascrell
Davids (KS)	Khanna	Payne
Davis (CA)	Kildee	Perlmutter
Dean	Kilmer	Peters
DeFazio	Kim	Phillips
DeGette	Kind	Pingree
DeLauro	Kirkpatrick	Pocan
DelBene	Krishnamoorthi	Porter
Delgado	Kuster (NH)	Pressley
Demings	Lamb	Price (NC)
DeSaulnier	Langevin	Quigley
Deutch	Larsen (WA)	Raskin
Dingell	Larson (CT)	Rice (NY)
Doggett	Lawrence	Richmond

Rose (NY)	Sherman	Torres Small
Rouda	Sherrill	(NM)
Roybal-Allard	Sires	Trahan
Ruiz	Slotkin	Trone
Ruppersberger	Smith (NJ)	Underwood
Rush	Smith (WA)	Van Drew
Ryan	Soto	Vargas
Sánchez	Spanberger	Veasey
Sarbanes	Speier	Vela
Scanlon	Stanton	Velázquez
Schakowsky	Stevens	Visclosky
Schiff	Suozi	Wasserman
Schneider	Swalwell (CA)	Schultz
Schrader	Takano	Waters
Schrier	Thompson (CA)	Watson Coleman
Scott (VA)	Titus	Welch
Scott, David	Tlaib	Wexton
Serrano	Tonko	Wild
Sewell (AL)	Torres (CA)	Wilson (FL)
Shalala		Yarmuth

NOES—186

Granger	Olson
Graves (GA)	Palazzo
Graves (LA)	Palmer
Graves (MO)	Pence
Green (TN)	Perry
Griffith	Peterson
Grothman	Posey
Guest	Ratcliffe
Guthrie	Reschenthaler
Harris	Rice (SC)
Hartzler	Riggleman
Hern, Kevin	Roby
Herrera Beutler	Rodgers (WA)
Hice (GA)	Roe, David P.
Higgins (LA)	Rogers (AL)
Hill (AR)	Rogers (KY)
Holding	Rooney (FL)
Hollingsworth	Rose, John W.
Hudson	Rouzer
Huizenga	Roy
Hunter	Rutherford
Hurd (TX)	Scalise
Johnson (LA)	Schweikert
Johnson (OH)	Scott, Austin
Johnson (SD)	Sensenbrenner
Jordan	Simpson
Joyce (OH)	Smith (MO)
Joyce (PA)	Smith (NE)
Katko	Smucker
Kelly (MS)	Spano
Kelly (PA)	Stauber
King (IA)	Stefanik
Kinziger	Steil
Kustoff (TN)	Steube
LaHood	Stewart
LaMalfa	Stivers
Lamborn	Taylor
Latta	Thompson (PA)
Lesko	Thornberry
Long	Timmons
Loudermilk	Tipton
Lucas	Turner
Luetkemeyer	Upton
Marshall	Wagner
Massie	Walberg
Mast	Walden
McCarthy	Walker
McCauley	Walorski
McClintock	Waltz
McHenry	Watkins
McKinley	Webster (FL)
Meadows	Wenstrup
Meuser	Westerman
Miller	Williams
Mitchell	Wilson (SC)
Moolenaar	Wittman
Mooney (WV)	Womack
Mullin	Woodall
Murphy (NC)	Wright
Newhouse	Yoho
Norman	Young
Nunes	Zeldin

NOT VOTING—23

Cummings	King (NY)
Cunningham	Marchant
Davis, Danny K.	McEachin
Duffy	Reed
Hagedorn	Shimkus
Huffman	Thompson (MS)
Jackson Lee	Weber (TX)
Keller	

□ 1106

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

Mr. BERGMAN. Mr. Speaker, on rollcall Votes 539 and 540, I am not recorded because I was not present in the House. Had I been present, I would have voted: "nay" on rollcall No. 539 and "nay" on rollcall No. 540.

PERSONAL EXPLANATION

Mr. CUNNINGHAM. Mr. Speaker, on September 19 and 20, 2019, I was absent from the House chamber. I returned to my district in South Carolina to attend to a family matter. Accordingly, I was unable to vote on three legislative measures on the floor. Had I been present and voting, I would have voted as follows: "aye" on rollcall No. 536: H. Res. 564, On Motion Ordering the Previous Question on the Rule providing for consideration of H.R. 4378; "aye" on rollcall No. 537: H. Res. 564, On Passage of the Rule providing for consideration of H.R. 4378; "aye" on rollcall No. 538: H.R. 4378, On Passage, Making continuing appropriations for fiscal year 2020, and for other purposes; "nay" on rollcall No. 539: H.R. 1423, On Agreeing to the Amendment, Jordan #1 to the Forced Arbitration Injustice Repeal Act; and "aye" on rollcall No. 540: H.R. 1423, On Passage, the Forced Arbitration Injustice Repeal Act.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 463

Mr. GARAMENDI. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 463, a bill originally introduced by Representative Walter Jones from North Carolina, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 3193

Mr. GARAMENDI. Mr. Speaker, I ask unanimous consent that the names of Representative KILDEE from Michigan and Representative LURIA from Virginia be removed as cosponsors of H.R. 3193, the Transportation Emergency Relief Funds Availability Act, of which I am the sponsor.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. SCALISE. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. HOYER), my friend.

Mr. HOYER. Mr. Speaker, I thank my friend for yielding.

On Tuesday, the House will meet at 12 p.m. for morning-hour debate, and 2 p.m. for legislative business, with votes postponed until 6:30 p.m.

I remind Members that is Tuesday, not Monday. We will not be in session on Monday.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour debate and 12 p.m. for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

We will consider several bills under suspension of the rules, including H.R. 1595, the SAFE Banking Act of 2019, as amended. The complete list of suspension bills will be announced by the close of business today.

The House will consider H.R. 2203, the Homeland Security Improvement Act, and H.R. 3525, the U.S. Border Patrol Medical Screening Standards Act. These bills will improve how the Department of Homeland Security oversees border issues in a humane and responsible manner, including the care of children.

Members are of course advised that there is additional legislation that may come forward.

Mr. SCALISE. Mr. Speaker, I thank the gentleman for going through the schedule.

I know the gentleman joins me in extending our sincere condolences to our friend, my counterpart as the majority whip of the House, JIM CLYBURN, on the loss of his wife, Emily. They were married for 58 years, and were a wonderful family.

□ 1115

I know she had been battling for awhile and she is in a better place, but for our friend, I know it is a tough time.

I got to know his daughter Mignon, who served on the FCC for a number of years during the Obama administration, and she definitely learned from her mom and dad, just a wonderful person.

So, I am sure my friend would join me to extend our sincere condolences and our heartfelt prayers to our friend JIM CLYBURN and his whole family dur-

ing this difficult time with the loss of his wife.

Mr. Speaker, I yield to the gentleman.

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

Mr. Speaker, I know that Mr. CLYBURN and the Clyburn family very much appreciate his condolences and his remarks.

JIM CLYBURN and I have known each other for over half a century. His wife, Emily, he met during the course of the civil rights struggle. She, too, was a drum major for justice, as JIM CLYBURN has been.

She has, as the gentleman pointed out, been facing health challenges for some period of time. And, yes, she is in a better place. But as one who has lost his spouse, I know what a difficult time this is for JIM CLYBURN.

I would let all the Members know that there will be a service in Columbia, a wake, on Sunday at 5 o'clock, and the funeral will be in Charleston at 11 a.m. I intend to be in attendance. Any Member, I know, would be welcome to be there as well.

JIM CLYBURN has been a giant in this body. He has been a leader on our side of the aisle now for almost 20 years, and before that, a leader of the Congressional Black Caucus and somebody who has been a strong voice, particularly for rural communities and for people who are challenged either because of the color of their skin or their economic status.

I know that Emily was his partner in those efforts, as the gentleman knows. She was a wonderful, warm woman and will be greatly missed. But the gentleman's observation that she is in a better place is one with which I agree, and I know that JIM CLYBURN agrees as well.

Mr. Speaker, I thank the gentleman for his comments. I know that all Members join us in sending JIM CLYBURN and the family our deepest sympathy and condolences.

Mr. SCALISE. Mr. Speaker, our hearts will be with him during that ceremony and service, and we will all be there for him to lean on us during these next months. At times it is going to be difficult, but we appreciate the fact that he is going to continue to be with us, but probably be leaning on us even more.

A wonderful, wonderful family.

Mr. Speaker, I would like to shift gears and ask the gentleman about the USMCA trade deal. I know there have been some more negotiations with Ambassador Lighthizer, and just last week, he had sent a letter in response to some of the issues that were raised by the Speaker and her team that is working on USMCA. I know he worked in those weeks after the initial requests were made to try to see how each of those can be addressed, hopefully in a way that allows us to move forward with an actual vote on the House floor on USMCA.

Mr. Speaker, I just want to inquire if the gentleman has any timetable or update on where we are in those talks.

Mr. Speaker, I yield to the gentleman.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his question.

I don't have a timetable, but I share his view that we want to move this along. As I told him, and the Speaker was on the floor, we were trying to get to "yes" on this.

Again, we appreciate Ambassador Lighthizer's good faith. We think he has been dealing in good faith on behalf of the administration and on behalf of getting to an agreement, so we appreciate that.

Mr. Speaker, as the gentleman knows, we are eager to update and improve NAFTA so that it functions better for the American businesses and workers. However, for House Democrats, as the gentleman knows, getting NAFTA 2.0 done right means doing more than just changing its name. We need to make sure it changes actually its work, and by that, we mean enforcement.

Both the Speaker and I voted for NAFTA. We were concerned and disappointed that the sidebars were not carried out, so we are pursuing that.

The U.S. Chamber of Commerce, as the gentleman knows, has said: "The commitments in the trade pact aren't worth the paper they are written on if they can't be enforced."

Not only do we agree with that, but that has been our experience, so we are hoping that we get mechanisms to accomplish that objective.

In 25 years, we have only had one successful enforcement action under NAFTA—dispute resolution procedures—and none in the past 20 years, so that is why we believe enforcement is so very important.

Mr. Speaker, I will tell the gentleman—and I know he will find this as a positive—there is a meeting today with the task force that was set up by the Speaker, headed by Mr. NEAL, with Mr. Lighthizer, so this process is under active and vigorous consideration.

We hope we get to a place where the administration will be able to submit, pursuant to the statute, the proper agreement so that we can proceed on it, but we want to get this done.

Mr. SCALISE. Mr. Speaker, I would just encourage those talks to move as quickly as they can, because as we share the interest of making sure that not only do we have better agreements, which this USMCA deal that was negotiated with Mexico and Canada does have better provisions for the United States, we need to make sure that there is proper enforcement, because if somebody doesn't follow through, then we need to make sure we can hold them accountable.

While I am confident that there are already enforcement provisions in the agreement, if they can be made stronger, I know Ambassador Lighthizer is working to find a way to do that, but also in a way that doesn't start the whole process over, where we don't have to open the entire agreement up

and then Mexico, which has already ratified it, would have to go back. Canada stands waiting to move on it as well, but right now, we are the holdup.

There are a lot of jobs at stake, over 160,000 jobs. Our farmers are counting on this. So many other manufacturing sectors in our economy are counting on this.

So, hopefully, we can move quickly to work through these and then ultimately get it passed and move to the next countries that want to enter into agreements with the United States, and ultimately to confront China, to resolve the differences that we are having with China.

But I know the gentleman is working on his side. And, again, I would just encourage that we do that as quickly as possible and expedite it and then get it passed, but we will continue working on that.

Something else we would like to work on in a more bipartisan way is drug pricing.

The President has been very clear that he wants a bipartisan bill that is worked out here in Congress to lower drug prices. There have been many efforts made and, in fact, positive steps taken by the Energy and Commerce Committee to pass a package of bills out of committee unanimously to lower drug prices.

Unfortunately, the Speaker took a different turn and, yesterday, had a press conference and then ultimately filed a bill last night, H.R. 3, which was written in secret. Many Democrats don't even know what is in it.

But no Republicans were consulted and involved in the process, and it ended up becoming a very partisan bill, much to the socialist left, which wouldn't solve the problem and, more importantly, wouldn't get to the President's desk because it is not an effort that involved any bipartisan cooperation.

Again, I point out there was a package of bills that passed unanimously out of Energy and Commerce that would lower drug prices. Both parties agreed. Every single member on the Energy and Commerce Committee agreed. Unfortunately, that was shelved in lieu of this partisan approach.

I would hope that we take it more seriously than that and actually work together to get a bill that the President can sign to lower drug prices as quickly as possible. The approach that was taken yesterday does not answer this call, and I would hope we would do better.

Mr. Speaker, I yield to the gentleman.

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

Mr. Speaker, let me first say, if the gentleman wants to pursue bipartisanship—I know that they all want to use the word "socialist," which was egregiously misidentified in an ad that I wrote to Mr. SCALISE about, which was a hateful ad. My suggestion is "liberal," this, that, and the other.

The drug bill that we have is going to be dealing with private sector producers, privately owned, of prescription drugs.

This is not anything about socialism, but I know the gentleman wants to use that word. I know his advisers apparently have told him that is going to be a catchword that politically will be great for the next election. But if the gentleman wants to seek bipartisanship, let's just not try to color everything we say in terms that clearly reek of partisanship, not bipartisanship.

Now, as to the bill itself, very frankly, we introduced a bill yesterday. The committee has been working on it. When I say "the committee," the Energy and Commerce, the Education and Labor, and the Ways and Means Committees have all been working on this bill. There has been no secret about it. We have been discussing it.

It has three components, essentially, as the gentleman knows. It has a component of negotiation, which, of course, as the gentleman knows, the Veterans Administration does so right now.

I don't know whether the gentleman thinks that is socialism in the Veterans Administration—maybe he does—but in any event, it is not a unique proposal. It puts inflation limits on drug prices so we can't have drug prices that people need to maintain their health and their lives increase 100, 200, 300, 400, 500, 700, 800 percent in a very short period of time. We don't think that is really what ought to happen.

Lastly, it restructures the medical part D benefit to cap out-of-pocket spending for seniors, somewhat as the Republicans did with their part D under President Bush.

So this is a proposal that is doing what we said we would do in the last election, and that is to try to look at bringing down the cost of prescription drugs, lifesaving, life-enhancing, health-enhancing drugs, so that people are not priced out of the market or have to make a choice between food, mortgage, rent, and the prescription drugs which they need to be healthy.

Now, I agree that we do need a bipartisan solution, but so does the President of the United States. When the gentleman says "done in secret," let me give a quote that the President of the United States says: "I like Senator GRASSLEY's drug pricing bill very much. . . ."

I will say, I do not know the depths of Senator GRASSLEY's bill, but it is Senator GRASSLEY's bill, the Republican chairman of the Senate Finance Committee.

Now, continuing to quote the President: ". . . and it's great to see Speaker PELOSI's bill today."

That is the "socialist" bill to which the gentleman referred just now.

Let's get it done in a bipartisan way. In other words, what the President of the United States is saying is the Republican chairman of the Senate Finance Committee has introduced a bill;

Speaker PELOSI and others have introduced a bill. Let's try to work together on those bills. That is what President Trump said just the other day. That is what I expect we are going to do.

So I appreciate the gentleman's comments. We hope we can work in a bipartisan way, because this is a very critical challenge that the American people face. They know they need these prescription drugs to stay alive, to stay well, to be able to continue to work. But if they are priced out of the market, they suffer; and, therefore, our economy suffers; and, therefore, we all suffer.

So I share the gentleman's view that I hope we can get this done in a bipartisan way. Senator GRASSLEY has a proposal; we have a proposal. Let's see what we can do together to assist the American people in having something that they absolutely must have.

Mr. SCALISE. Mr. Speaker, there are a number of items to address there.

First, clearly, there is kind of a recoil that seems to happen by Mr. HOYER and a number of others on the other side when the term "socialism" is used to identify the policies that are being—

Mr. HOYER. Mr. Speaker, will the gentleman yield to me?

Mr. SCALISE. Mr. Speaker, I yield to the gentleman.

Mr. HOYER. Mr. Speaker, I wrote the gentleman a letter. Did he believe that that ad that I complained about and that I thought was so egregious, so disgusting, does he agree with me that that ad totally misrepresented what socialism is? It deluded the American people. It was a big lie. Does the gentleman agree with me?

□ 1130

Mr. SCALISE. First of all, I haven't seen the ad the gentleman is referring to. But if he wants to start going through ads and he wants me to send him some ads where people on his side lie about positions that Members on our side have taken, I will be happy to give him a litany of false ads, misleading ads, then we can go back and forth on that.

But if he is trying to hide from the term "socialism" when he promotes socialist policies, we can have a debate about what socialism is. It is an ideology, it is not a word that is thrown around, and it involves government control of your life.

So when you move bills like the Green New Deal or when you see a Presidential candidate on your side running around saying he is going to go to people's houses and take their guns—that is a candidate for President of the United States on your side—those are socialist policies. If the gentleman doesn't want the term applied, then don't promote that ideology, don't embrace that ideology, reject the ideology. But he won't.

You want to try to play it both ways. You want to try to act like you are going to impeach the President, but

say you are not going to impeach the President. You want to promote the Green New Deal, but you don't want to bring it to the floor, so your Members don't have to be exposed to the vote.

But, ultimately, as long as the gentleman is going to embrace and allow socialist ideas to come forward, people are going to call it for what it is. And if the gentleman doesn't agree with socialism, then just stop embracing the ideology and the actual policies.

So when the gentleman talks about a bill where the President said—and he read it and I will read it again—let's get it done in a bipartisan way; the bill that was filed by Speaker PELOSI yesterday was not a bipartisan bill, it was a hyperpartisan bill. So we are talking about the House bill. The Senate bill is still a work in progress. And we all know how the Senate works. Maybe they produce a bill and maybe they don't, but it is not a final product.

The bill that was filed on your side, yesterday, is a bill that most of your own Members haven't even seen, because it was written in secret only from a very far left approach. When Speaker PELOSI, yesterday, was asked if she is willing to negotiate a bill that doesn't allow the government to negotiate prices, she said, "no, absolutely, positively no," so she is not even willing to negotiate.

That is not bipartisan. That is not an approach that is going to get a bill signed into law to lower drug prices. You want to lower drug prices. We worked together.

By the way, Ranking Member WALDEN was not even consulted, but Ranking Member WALDEN worked with Chairman PALLONE to bring bills out of Energy and Commerce, for example, to stop a process that currently is legal that allows drug companies, right before the patent expires, when the drug is about to become available for generics, companies, of course, go and make the generic drug. And, right now, the process of the FDA is for a period of time, usually a rolling 6 months, one company is given the exclusive rights to provide the generic for a period of time. Ultimately, other companies are allowed in. But for the first period of months and months, it could be years, only one company has the exclusive right to do the generic. And the drug companies are allowed to pay the generic company not to sell the product. So you only have the original drug. You don't have the generic available because the companies can pay the company not to make the generic.

We have a bill called No Pay for Delay. We make it illegal for the drug companies to pay the generics not to make generics. That will lower drug prices.

We also improve the process where you can get the drugs to the generic companies earlier so they can make the product. For the companies to actually make a generic, you have to have available the details of what is in the drug so you can make the generic.

And, a lot of times, the companies don't give that information to the generic company, so it is harder to get generics, which are lower prices.

It is not the government coming in saying, if you think you know what a drug price should cost, or any product should cost, good luck out there in the marketplace. But if you want to stifle innovation, if you want to stifle the ability to actually go and invest and have companies come up with life-saving drugs, it costs billions of dollars. If you want to lower drug prices, work with us to reform the FDA process so that it doesn't take 10 years and \$5 billion to develop a drug.

There are real things that can be done in a bipartisan way to address that, and yet the gentleman's party won't do that. They want to sit in a room and come up with a bill that nobody else has seen, that no Republicans were allowed to be a part of, that is not going to become law. So there is a way to lower drug prices.

And, again, there was a package of bills passed out of Energy and Commerce, every single Member, Republican and Democrat, voted for it. That is the path right there to get something done and you shelved the bills. You threw poison pills on the bill, so they won't become law.

Why not work with people who have the expertise and come to an agreement? That bill could be signed by the President today. People could be paying lower prices for drugs today, but you won't bring that bill to the floor. Why not bring that package of bills to the floor?

If you want to come up with other ideas to lower drug prices in other ways, great, let's work on that, too. But, at a minimum, bring the bills that already came out of committee unanimously, that absolutely everybody agrees, Republican and Democrat, will lower drug prices, and you refuse to bring that bill to the floor, that package. Why not do that?

Mr. Speaker, will the gentleman consider bringing that package of bills that was unanimous out of committee to lower drug prices? Every Republican and every Democrat agreed on the committee of jurisdiction that these things will lower drug prices, and we can't get a vote on that.

Mr. Speaker, I yield to the gentleman.

Mr. HOYER. Mr. Speaker, we brought a bill to the floor that the gentleman spoke about that prohibited pay for delay, prohibited drug companies from paying generics not to bring their drugs to the market so that drug prices would be lower for consumers.

Mr. Speaker, of the 194 Republicans, maybe even 98 Republicans—I don't know how many were elected at that point in time—5 of them voted for it, 190 voted against it.

Mr. SCALISE also said that we wanted to protect that no one with a pre-existing condition would be denied healthcare. Five Republicans voted for

that bill. Six years, the Republicans, Mr. Speaker, were in charge, totally. There was no effort to bring a bill to this floor to bring drug prices down. And, in fact, Americans know drug prices didn't come down. The President was a Republican, the House was Republican, the Senate was Republican. They didn't bring a bill to the floor, Mr. Speaker.

Two of the three proposals in our bill are also in the Grassley bill.

And, Mr. Speaker, we are going to have regular order. We have introduced a bill, it is going to go to committee, it is going to be subject to amendment, it is going to be subject to debate, it is going to be subject to hearings.

Now, we will see whether it is a bipartisan process. Because, very frankly, the record of bipartisanship when the Republicans were in charge is pretty absent.

Of the 19 major bills that we passed, we got 618 Republican votes, so they weren't too partisan. Now, admittedly, about 400 of those votes were on four bills that went through this place in a very bipartisan fashion.

So I would hope that we see bipartisanship when the committee marks up this bill, and we will do what the President says he wants to do. We will see whether he supports that.

They have the Grassley bill and now you have a Democratic bill in our House. They are going to have hearings in the Senate, led by Republicans, Mr. Speaker. We will have hearings here, led by Democrats. But Republicans and Democrats will both participate in those hearings, and it is going to be bipartisan, and we will see whether we can come up with bipartisanship.

But the gentleman continues to want to make some political patina with this, some partisan patina, Mr. Speaker. I asked him, but he didn't respond. He says he hasn't seen the ad. I wish he would look at the ad. It is an egregious piece of political diatribe. But I would hope that he would also urge his Members to work together.

And this business we negotiate for drugs right now, Mr. Speaker, through the Veterans Administration to ensure that our veterans get the best cost they can get. Apparently, that is okay, but doing the same thing, Mr. Speaker, for American consumers of prescription drugs who are not veterans is somehow characterized by the gentleman as government control.

I urge the gentleman to proceed, as he speaks, on a bipartisan basis and see whether or not we can get to an agreement in this House. But we are going to pass something to bring drug prices down for the American consumer because that is what we promised to do, and we are going to do it. We hope we can do it in cooperation with everybody in this House, but we are going to do it.

Mr. SCALISE. Mr. Speaker, I hope the gentleman is not going to try to use the VA as the standard of care that every American should get. We saw the

scandals at the VA, veterans dying waiting to get care.

We actually passed legislation this Congress that got signed into law last Congress to allow veterans to go to another hospital that can actually treat them if the VA is not doing the job. And I know a number of people in the gentleman's party oppose that, but our veterans appreciated it. While you might be able to get good care at some VA hospitals, there were—and the scandals, you have seen the ads, those aren't false ads—veterans literally dying waiting to get into VA hospitals, and the VA was telling us there was no secret list when, in fact, there were secret lists that were not allowing these veterans to get proper care.

So the VA CHOICE Act was passed specifically to address that problem and, ultimately, allow our veterans to be able to go to another hospital if the VA isn't properly taking care of them. Our veterans deserve the best care. If a VA hospital can't provide it, then someone else should, and, in fact, now other hospitals are. Our veterans have asked for that and now have that ability.

But if the gentleman wants to talk about bipartisanship, again, I go back to the bills that passed out of committee unanimously. When those bills came to the floor, they were changed to make them partisan. And if he thinks 5 Republicans out of 197 is bipartisan, I think he needs to go and look back at what, ultimately, is going to allow a bill to become law. To become law, it is going to have to have a lot more support than that, which means the games have to stop being played. The poison pills can't be put in a bill and then expect that to become law. You can pass it out of the House, and it will never become law.

So the ultimate goal, I would hope, would be for us to come together to get a bill to the President's desk. The bills that came out of committee unanimously could have absolutely gotten to the President's desk and would be lowering drug prices. Once you start adding things to them—maybe you get a few Republicans here and there—but ultimately you took an unanimous bill and made it a partisan bill and it is not going anywhere.

So there is a path, if you want to get it back on track, to get a bill to the President's desk. You can make statement, or you can make law, and I would hope we do both. I hope we actually work together to make something come together that not just can pass the House and barely get it across the finish line, but where we can get overwhelming support. The ability is there.

And those bills, by the way, took years to come together, just like the 21st Century Cures Act, a bill that took a long time to put together when we were in the majority, but, ultimately, got to the desk of Barack Obama, and he signed it. It is great law. It is something that, ultimately, is going to help us cure major diseases, and we came

together to get that done. It is law. It wasn't just a bill that we passed out of the House in a partisan way. We worked with Democrats and we got it done. It is on the books now.

So I would hope, if we are looking at models to use, that we look at the models of those bills that have actually made it all the way through the process where we worked with people on both sides and solved real problems. That should be the objective. Not to make a statement and just work with a few people here and there when you have a roadmap for something that can be overwhelmingly passed out of this House and then get to the President's desk.

Mr. Speaker, I yield to the gentleman.

□ 1145

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

Mr. Speaker, the gentleman didn't answer my question, of course.

Mr. SCALISE. Mr. Speaker, I ask the gentleman: What was the question? I yield to the gentleman.

Mr. HOYER. Mr. Speaker, it has nothing to do with the standard of care at the VA, managed by the administration, which, of course, has had the Presidency for the last 3 years.

Whether you pay \$5 for prescription drugs or \$50 for prescription drugs, that is not the standard of care. That is how much you are paying for the drug that you think helps either a veteran or a nonveteran.

But let me say this: The gentleman keeps talking about, Mr. Speaker, these bipartisan bills. The reason they weren't bipartisan in passing this House is because we added ACA protections.

We added preexisting condition provisions to those bills, and the Republicans, therefore, voted against. Why? Because they have been against the Affordable Care Act and its adoption, against it in the campaigns.

When they had the opportunity to change it, they couldn't do it. They came up with a goose egg, Mr. Speaker.

The President said, during the course of the campaign, that he was going to present a bill that included coverage for every American at a lower cost and a higher quality. I tell the press, as soon as he sends that bill down, Mr. Speaker, I am going to vote for it. He has been President now for 3 years, a little short of that. No bill has come down.

The bill that the Speaker and majority leader went down to the White House and cheered about, look, we passed this bill, and they sent it to the Senate. The President was there at the White House. It was a great bill, and within 14 days, he called it a "mean" bill.

Let me tell you what the President further said, Mr. Speaker, and the characterization differs from the characterization that my friend, the Republican whip, exhibited. The President

endorsed Medicare drug price negotiations in his campaign and put forward a proposal to use international prices as a guide to limit out-of-control U.S. prices. That is what the gentleman's President said.

The administration has endorsed the other two concepts of inflation limits on drug prices and improving Medicare part D as part of the legislation put forward by Senator GRASSLEY.

I guess everybody has their own definition of bipartisanship.

Mr. SCALISE. Well, clearly, as the gentleman talks about the Grassley bill that is moving through the Senate, let them do their work. Let them find a way to come together with their 60-vote rule and produce a bipartisan bill. I encourage them to do that. They haven't yet, but I encourage them to do that.

When the gentleman talks about the ACA, let's be clear, because the vast majority of people on the gentleman's side now—especially in the Presidential campaign, the Democratic candidates for President—are not talking about the ACA anymore. They are talking about what is referred to as Medicare for All.

I will yield in a moment, but if the gentleman read the bill, Medicare for All, number one, it gets rid of the private insurance marketplace. Over 180 million people lose that healthcare. Then, if you look at Medicare Advantage, an incredibly popular and successful part of Medicare is gone. It goes away.

So 200 million people lose what they have now that they like, and everybody is placed in Medicare, which, as we all know, pays below-market rates. Most rural hospitals said they will close. If that bill passes, they can't even operate. They will close because they can't continue to run and make any kind of profit. They lose money, and they ultimately close down. They have said it.

People know, people understand, how the healthcare marketplace works. Know that if you get rid of the private insurance market, that is what is paying for Medicare and Medicaid today.

Medicare for All, which, again, is the catchphrase that is being used by every Presidential candidate on the gentleman's side, and maybe they all want to have their own version of it, is a far different place than even the ACA.

We can continue and will continue to have a debate about the best way to fix our broken healthcare system, and focus on lowering prices and protecting people with preexisting conditions, but in a way that you can actually let people choose their own plans and buy whatever they want from wherever they want it.

That is how people get all other products. Healthcare, for various reasons, doesn't work that way. But, clearly, on the drug-pricing side, there have been a lot of good ideas that came together that would be proven to lower drug prices.

If we want to get into the high cost, which I agree is a problem, let's look at

the fundamental reasons why it costs billions of dollars, instead of maybe hundreds of millions of dollars, to create a new lifesaving drug.

There are reasons that the cost is so high to bring a drug to market. Thank goodness there are companies that are out there that are willing to invest billions of dollars. Sometimes they don't succeed, by the way, and they have to eat that cost. But if they do succeed in finding a new drug that will save lives, it typically costs billions of dollars and years and years of bureaucratic red tape and other processes that they have to go through to finally bring that drug to market.

That is where we should focus our energies, on compressing that process so it can happen quicker, addressing other problems within the way that a drug comes to market so that it doesn't cost billions of dollars, and we can have more lifesaving drugs at lower costs.

If we are going to ignore that side of the equation and say: Here, we are just going to set the price without addressing the fundamental problems that are leading to such high costs, then all that is going to happen is that nobody is going to make the investment to go find the next lifesaving drug.

You will never know what could have happened. We see every day there are amazing breakthroughs in medical technology, and we want to continue encouraging that.

Something like the 21st Century Cures Act actually achieves it. Again, we came together to put that bill into law to now allow for lifesaving drugs, especially in areas like cancer, Alzheimer's, and ALS. We are going to get real big breakthroughs. There are already some big breakthroughs because of that.

I yield to the gentleman.

Mr. HOYER. Mr. Speaker, I have nothing more to say.

Mr. SCALISE. Mr. Speaker, I know we will have more debates next week over the limited number of items coming to the floor. Hopefully, some of these other items can get addressed in a bipartisan way, but I know there are other battles ahead, and we will do our part to try to come together to address these problems.

If the gentleman has nothing else, then I yield back the balance of my time.

ADJOURNMENT FROM FRIDAY, SEPTEMBER 20, 2019, TO TUESDAY, SEPTEMBER 24, 2019

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Tuesday next, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

REMEMBERING MARKIYA SIMONE DICKSON

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

Ms. SPANBERGER. Mr. Speaker, I rise today to tell the story of Markiya Simone Dickson.

She was an energetic, kind, and spunky 9-year-old girl. She was a beloved daughter and an adored sister. She was in third grade, and she was preparing to sing a Justin Bieber song in her school's upcoming talent show.

On May 26, 2019, Markiya and her family attended a community picnic in Richmond, Virginia. From across the park, a random gunshot went through the crowd, and this senseless, cruel act of gun violence took Markiya's life.

During and since this unimaginable time, Markiya's parents, Mark Whitfield and Ciara Dickson, have demonstrated extraordinary strength, determination, and courage. They continue fighting to ensure Markiya's name and her beautiful life are never forgotten.

They stand by their steadfast wish to fight back against gun violence in our communities so that other parents will never have to experience the pain that they feel following Markiya's death.

Markiya was beloved by those who knew her, and the Richmond, Virginia, community stands with her family at this time. Together, we share her story; we mourn her death; and we promise to fight for safer communities for all our children.

RECOGNIZING 75 YEARS SINCE HANFORD'S B REACTOR WENT CRITICAL

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

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize an important anniversary in our Nation's nuclear and military history.

At the start of the atomic age, thousands of men and women, our Cold War patriots, moved to central Washington State to work on a top-secret government project, building the world's first full-scale nuclear reactor.

During World War II, Hanford, Washington, was selected as one of the three sites for the Manhattan Project, and September 26 marks the 75th year since the B Reactor went critical at the Hanford site.

Since then, the Tri-Cities has grown as a hub for innovation, with an appreciation of the past and an excitement for the future, transforming into the fastest growing economy in Washington State.

The B Reactor has been converted into the centerpiece of the Manhattan National Historical Park, where all are welcome to experience its history.

But the work at the Hanford site must continue as the Federal Government has a moral and legal obligation

to clean up the country's largest nuclear waste site.

Mr. Speaker, I urge my colleagues to join me in thanking the Cold War patriots at Hanford for their important contributions to our country.

COMMENDING ATLANTIC CITY HIGH SCHOOL TRACK AND FIELD TEAM

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

Mr. VAN DREW. Mr. Speaker, the Atlantic City High School track and field team is comprised of some incredibly driven athletes.

Claudine Smith and Isaiah Whaley, both graduating seniors, were especially impressive contributors to their team's success.

During her time on the team, Claudine won three State, seven south Jersey, six Cape-Atlantic League, and six Atlantic County championships. It is unbelievable. With these accomplishments closing out her high school career, it is no wonder she was named the Press Girls Outdoor Track and Field Athlete of the Year.

Isaiah, too, surpassed many records during his time. He broke his school's 26-year-old record in the 400-meter dash and ranked number five in the State of New Jersey for the event.

These students are incredibly talented, and their head coaches, Roy Wesley, Jr., and Jonathan P. Parker, undoubtedly helped them develop and grow in their sport.

To all the members of the Atlantic County track and field team, we are immensely proud of your hard work and determination, and we can't wait to see what you all achieve in the future.

We are proud of you in Atlantic County. We are proud of you in south Jersey. We are proud of you in New Jersey. And we are proud of you in the United States of America.

FINANCIAL SERVICES ARBITRATION IS BETTER FOR CONSUMERS

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

Mr. BARR. Mr. Speaker, I rise today to explain my opposition and vote against the bill that was on the floor earlier today, H.R. 1423, the Forced Arbitration Injustice Repeal Act. I would like to highlight its negative impact on financial services.

Financial services providers and their customers use arbitration to settle disputes because it is easier, faster, and less costly for consumers than litigation. Forcing parties into litigation would dramatically extend the time before a customer is made whole and would significantly increase legal fees for all parties.

These increased costs are ultimately passed along to consumers through higher fees and fewer options, and they would negatively impact any American who has a bank account, credit card, or retirement plan. We have had that debate before.

Dodd-Frank directed that the Consumer Financial Protection Bureau promulgate a rule on mandatory arbitration. While Congress overturned that rule in 2017 because it would adversely impact consumers, the Obama administration's own study found that the average consumer receives approximately \$5,400 through arbitration and only \$32 through a class action lawsuit. That means the average customer who prevailed in arbitration received 166 times more than the average class member in class action settlements.

Mr. Speaker, my time has expired, but I would urge opposition to this wrongheaded idea in the United States Senate.

□ 1200

RECOGNIZING BURMA BEAL'S 100TH BIRTHDAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. FLORES) is recognized for 60 minutes as the designee of the minority leader.

Mr. FLORES. Mr. Speaker, I rise today to recognize Burma Beal of Bryan, Texas, who turned 100 years old on September 15, 2019.

Burma Faye Ellis Beal was born September 15, 1919, in Jewett, Texas, to Wade and Susan Ellis. She grew up in Jewett and was known as the girl who climbed to the top of the water tower when she was just 12 years old. She graduated from Jewett High School as salutatorian in 1936, where she played tennis and participated in the Texas State tournament for this sport.

In 1937, Burma graduated from the Austin Beauty School. Just a year later, she married Oren Beal. Together, they would have 3 children, 6 grandchildren, and 12 great-grandchildren.

After moving to Bryan, Texas, Burma owned and operated Burma's Beauty Shop for 46 years. In that time, she forged many strong friendships. Burma was deeply involved in her community and her church, Central Church in Bryan-College Station.

Burma and Oren also loved supporting the Texas A&M Aggies and were season ticket holders for football and basketball games for more than 35 years.

Through their church, Burma and Oren took part in the Adoptive Grandparent Program, in which they befriended students at Texas A&M. They formed such a strong bond with one young Aggie that she asked Burma and Oren to be a bridesmaid and groomsman in her wedding.

Burma is well-known among her loved ones for two things: her love for Coca-Cola and her world-famous peanut brittle. She has collected many pieces

of Coca-Cola memorabilia and still drinks a Coke every day. Also, every year, from October until Christmas, Burma is known for making delicious peanut brittle to give to friends and family, as well as her doctor, the postman, the staff at her HEB store, bankers, pharmacists, and many more. Her recipe is so good that, when her son-in-law took it to the Texas State Fair, it won third prize.

Burma has a giving spirit and aspires to bring joy to others. During her nineties, she made regular trips to nursing homes to visit with their residents and went grocery shopping for a homebound neighbor. Even now, as a resident of Crestview Retirement Home in Bryan, she spreads cheer to her friends. She prays for a long list of people every night and spends her time showing Jesus' love to others.

Mr. Speaker, Burma Beal has lived a long life filled with love, joy, and service to others. I am proud to recognize her on this joyous occasion, and I know that her family and friends love her and are proud of her. I wish Burma many more years of health and happiness.

I have requested that a United States flag be flown over our Nation's Capitol to recognize Burma Beal's 100th birthday.

As I close today, I urge all Americans to continue to pray for our country, for our veterans, for our military men and women who protect us, and for our first responders who keep us safe at home.

HONORING SERGEANT MAJOR JAMES SARTOR

Mr. FLORES. Mr. Speaker, I rise today to honor Sergeant Major James Gregory "Ryan" Sartor of Teague, Texas.

Sergeant Major Sartor was killed on July 13, 2019, after he sustained injuries from enemy fire in Faryab province, Afghanistan.

Sergeant Major Sartor was born September 23, 1978, in Teague, Texas, to James Sartor and Mary Teresa "Terri" Pryor. He was an excellent football player and graduated from Teague High School in 1997.

After graduation, he moved to College Station to work, where, in the fall of 2000, he met the love of his life and future spouse, Deanna Unger. They married in 2002 and were blessed with three children: Stryder, Grace, and Garrett.

Shortly after Sergeant Major Sartor and Deanna started dating, he joined the United States Army. He was deployed to Iraq for the first time in 2002 as an infantryman assigned to the 3rd Infantry Division. In 2005, Sergeant Major Sartor became a Green Beret and was assigned to A Company, 2nd Battalion, 10th Special Forces Group, Airborne, in Fort Carson, Colorado. He was stationed there with his family for the last 14 years.

During his career, Sergeant Major Sartor was deployed several times, returning to Iraq in 2006, 2007, 2009, and from 2010 to 2011. He also deployed to Germany and Israel in 2008, to Africa in

2012 and 2013, and to Afghanistan in 2017 and 2019. Sergeant Major Sartor's service made him a highly decorated soldier.

Sergeant Major Sartor received more than 20 awards and decorations for his bravery during his service to our country. His awards include the following: the Bronze Star Medal with three oak leaf clusters, the Defense Meritorious Service Medal, the Joint Service Commendation Medal, the Army Commendation Medal with three oak leaf clusters, the Army Achievement Medal, the Presidential Unit Citation Award, the Joint Meritorious Unit Award, the Valorous Unit Award with two oak leaf clusters, the Meritorious Unit Citation with one oak leaf cluster, and the National Defense Service Medal.

He also earned the Special Forces Tab, the Ranger Tab with the title of Honor Grad, the Combat Infantryman Badge, the Senior Parachutist Badge, the Special Operations Diver Badge, and the Dive Supervisor Badge.

Posthumously, Sergeant Major Sartor has also received a Purple Heart and a Bronze Star.

Sergeant Major Sartor was described as a "beloved warrior who epitomized the quiet professional. He led his soldiers from the front, and his presence will be terribly missed."

Mr. Speaker, Sergeant Major Sartor was a fearless leader and a decorated soldier. His selfless devotion to protect our country will be forever remembered. Furthermore, he will be forever remembered as a devoted husband, a father, a son, a soldier, a selfless servant, and a loyal friend to many.

All Americans thank him and his family for their service and their sacrifice for our country. His sacrifice truly reflects the words of Jesus in John 15:13: "Greater love hath no man than this, that a man lay down his life for his friends."

The loss of Sergeant Major Sartor serves as a reminder of the sacrifices the men and women of our Armed Forces make each day to preserve the freedom for this great Nation. We are forever in debt to these committed individuals who serve our country.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Sartor family. We also lift up the family and friends of Ryan Sartor in our prayers.

I have requested that a United States flag be flown over our Nation's Capitol to honor his life and legacy.

As I close today, I urge all Americans to continue praying for our country, for our veterans, for our military men and women who protect us, and for our first responders who keep us safe here at home.

HONORING MATTHEW RANDELL GURULE

Mr. FLORES. Mr. Speaker, I rise today to honor Matthew Randell Gurule of Belen, New Mexico, who passed away on August 17, 2019.

Matthew was born on January 12, 1987, in Albuquerque, New Mexico, to Matthew and Sandra Gurule. In 1996,

Matthew moved to central Texas with his mom and his sister. He graduated from China Spring High School in 2004 and joined the United States Marine Corps on November 7, 2005.

Matthew served many tours of duty during his time in the Marine Corps. He deployed to Iraq in 2006, 2007, and 2008 and to Afghanistan in 2009. He was highly decorated and received many awards, including: the Combat Action Ribbon, the Marine Corps Good Conduct Medal, the Sea Service Deployment Ribbon with two stars, the Afghanistan Campaign Medal with one star, the Global War on Terrorism Expeditionary Medal, the Iraq Campaign with one star, the Global War on Terrorism Service Medal, the NATO Medal International Security Assistance Force Afghanistan, a Certificate of Appreciation, a Letter of Appreciation, and Rifle Marksman Badge.

After his time in the Marine Corps, Matthew wanted to work alongside his father at Albuquerque Downs. He attended the Lookout Mountain School of Horseshoeing in 2012 and obtained his certification as a horse farrier. Looking to expand his skills, Matthew changed career fields and most recently was a mason at Cameron's Custom Homes.

Matthew had a number of interests and hobbies, which included singing, dancing, and cooking. He was noted for making a good batch of salsa, steak, baked potatoes, and green chile spaghetti. Matthew also enjoyed reading, especially about historical subjects such as the Knights Templar and the Mongol Empire.

Matthew was taken from this Earth too soon. He was last seen on July 27, 2019, leaving the Isleta Casino in Albuquerque. His car was later discovered burned and abandoned in the desert. After not hearing from Matthew for several days, his mother, Sandra Miller, traveled to New Mexico to look for her son. She discovered that his credit cards were fraudulently being used, and she was able to obtain video surveillance of the criminals who were using them. Her work led to the eventual arrest of the two people charged with Matthew's murder. His body was later found in the New Mexico desert on August 16, 2019.

Through their senseless act of violence, these criminals have caused an enormous amount of pain for all those who knew and loved Matthew. In this time of tragedy, I am deeply moved by Sandra's love for her son. As a father and grandfather, I can only imagine the grief felt by Sandra. I am in awe of her extraordinary efforts to find her son and bring his killers to justice. I commend her for her work and the example she gave of the eternal love a parent has for their children.

Mr. Speaker, Matthew Gurule's life was defined by his service to our country. He will be forever remembered as a loyal son, a brother, a veteran, a selfless servant, and a friend to many.

My wife, Gina, and I offer our deepest and heartfelt condolences to the

Gurule family. We also lift up the family and friends of Matthew Gurule in our prayers.

I have requested that a United States flag be flown over the Nation's Capitol to honor his life and legacy.

As I close today, I urge all Americans to continue praying for our country, for our veterans, and for our first responders who keep us safe and secure.

HONORING DR. JOHN JOSEPH KOLDUS III

Mr. FLORES. Mr. Speaker, I rise today to honor Dr. John Joseph Koldus III of College Station, Texas, who passed away on August 12, 2019.

Before continuing with my recognition of Dr. Koldus, I would like to provide background on Texas A&M University in College Station and its core values.

In the front of the academic building on the campus of the university, there is a statue of Lawrence Sullivan Ross, the sixth president of the university. That statue contains the following inscription: "Lawrence Sullivan Ross, 1838-1898, Soldier, Statesman, and Knightly Gentleman; Brigadier General C.S.A., Governor of Texas, President of the A&M College."

The key words in this inscription are "soldier, statesman, and knightly gentleman." They reflect some of the key ways that Texas Aggies live the Texas A&M core values of excellence, integrity, leadership, loyalty, respect, and selfless service.

Moving on to my recognition of Dr. Koldus, John was born February 10, 1930, in Gary, Indiana, to John Joseph Koldus II and Helen Kukoy Koldus. He was an outstanding athlete and lettered in football, basketball, baseball, and track. He was named the Most Athletic Boy in the Gary School District.

After graduation, he worked at U.S. Steel on Lake Michigan, just as his father had done. John then realized that higher education was a way to improve himself, and he attended Arkansas State University. At Arkansas State, he was a middleweight Golden Gloves champion and lettered 2 years in baseball and 3 years in football, capturing many individual records for the school.

In 1953, John graduated from ASU and was commissioned as a second lieutenant in the United States Army. John served in the Army until 1955.

Following his military service, he began teaching at Blytheville High School in Blytheville, Arkansas. John taught from 1955 to 1959, and during the summers he attended the University of Arkansas in Fayetteville to complete his master's degree and to begin his doctorate studies.

During his time as a teacher, John met Mary Dell Hooker. Their first date was a tennis match, and their competitive athletic spirits fostered a strong relationship. They married on May 31, 1958.

In 1973, John began his 20-year career at Texas A&M University in College Station, Texas, as vice president of student services. John was instrumental

in guiding the university through an era of incredible growth and change, as tens of thousands of women began attending the university, and by creating a unique culture which provided Aggie students with extensive leadership opportunities. In his role as vice president of student services, John had a deep and impactful relationship with the students of Texas A&M.

He had oversight of a number of organizations, including the Corps of Cadets, Recreational Sports, the Memorial Student Center, Student Activities, Student Affairs, Student Health Services, and Student Legal Services. During his time at Texas A&M, the number of student organizations doubled to more than 700. John also taught classes and served on many academic committees for graduate students.

□ 1215

In his 20 years at Texas A&M, John was a recipient of 15 significant awards, including the Association of College and University Student Personnel Administrators' Distinguished Service Award, The Association of Former Students' Distinguished Achievement Award for Student Relations, the Buck Weirus Spirit Award, and the National Association of Student Personnel Administrators Region III Outstanding Service to NASPA Award in 1984.

In 1985, this latter award was named in his honor as a reflection of his impact on student services all across this Nation. John's impact on the university was so meaningful, that when he retired in 1993, he was the recipient of the President's Medallion of Achievement, and he was named Vice President Emeritus of Texas A&M University.

The Student Services Building was also renamed the John J. Koldus Building, and the Texas A&M Foundation also created the John J. Koldus Quality of Student Life Endowment. Although neither he nor Mary Dell were graduates of Texas A&M, in 2006 they were bestowed by proclamation the title of "Texas Aggies."

In the beginning of this recognition, I discussed the attributes—soldier, statesman, knightly gentleman, and the core values of Texas A&M University: Excellence, integrity, leadership, loyalty, respect and selfless service. The reason I discussed these attributes and these values is this:

Dr. Koldus was a soldier, a statesman, a knightly gentleman, and he personified A&M's core values of excellence, integrity, leadership, loyalty, respect, and selfless service. More importantly, he helped share and model those attributes and values to the Texas A&M student body through his mentoring capabilities. His skills in this regard were noteworthy as he mentored thousands of Aggies who started their education at A&M as, what I would call, "diamonds in the rough."

I want to continue discussing this subject, because I was one of those per-

sons who arrived at A&M pretty rough around the edges. Early on, as an Aggie student, Dr. Koldus identified me as a person who might have some promise, and he invested his time and leadership skills into my education. His mentoring and friendship had an indelible impact on me as he tried to mold me to be a soldier, statesman, knightly gentleman, and he helped me live and adopt those significant Aggie core values.

The bottom line is that John Koldus had a huge impact on tens of thousands of Texas Aggies, and upon me. He was a great friend, and I miss him dearly.

Mr. Speaker, John Koldus' life was defined by his service to his family, to our country, and to Texas A&M University. He will be forever remembered as a husband, a father, a grandfather, a great-grandfather, a veteran, a mentor, a selfless servant, and a friend to thousands, if not tens of thousands.

My wife, Gina, and I offer deepest and heartfelt condolences to the Koldus family. We also lift up the family and friends of John Koldus in our prayers. I have requested the United States flag be flown over our Nation's Capitol to honor his life and legacy.

As I close today, I urge all Americans to continue to pray for our country during these difficult times, for our military who protects us abroad, and for our first responders who keep us safe at home.

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

RETRACTIONS OF NEW YORK TIMES' ARTICLES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized to address you here on the floor of the United States House of Representatives.

And I come to this floor to talk a little bit today about what is happening to our Nation, our society, our culture, our Constitution. And these are topics that have been debated in this Chamber for a long time, but some things have happened that never happened before.

And so I would start first with: It seems to me our leader seems to be a high respecter of the credibility of the New York Times. So I put together a document here that I thought might be interesting to him, and I would go through just a few of them, the articles that have come up in the New York Times, that have had to be retracted.

Let's see: There are the articles about Russian meddling in the election that had to be retracted.

They had to apologize for ruining Wen Ho Lee's career and life.

And the New York Times admits that one of the reporters engaged in frequent acts of journalistic fraud, wide-

spread fabrication and plagiarism, and found problems in at least 36 of the 73 articles written by a single individual since he had started.

Further, the Times admits—that is the New York Times—that Judith Miller took journalistic shortcuts, and that New York Times' editors, "failed to dig into problems before they became a mess."

They did become a tremendous mess. Remember, that was the allegation that Saddam Hussein possessed weapons of mass destruction. Well, we got into a war over that one, didn't we, over the New York Times—at least in part.

Most of us will remember in 2006, when the New York Times covered an alleged rape by Duke—or multiple rapes, I should say, by the Duke University Lacrosse team. The Times coverage was biased towards the accuser, despite the fact that it ended up being a hoax and there was little evidence supporting the accuser's case.

And those young men on the Duke Lacrosse team were run through the wringer. They were excoriated; they were pounded on by the national media, not only the New York Times, but that is one of the things that triggers it.

Then, again, there is a New York Times article that questioned John McCain's relationship with a lobbyist. And that faced widespread criticism to the article implying that McCain had a romantic relationship with a lobbyist. They had to issue a correction, that they did not intend for the article to imply a romantic relationship. Well, they did imply that. They just said they didn't "intend" that.

And so somehow, the Times thinks they should have a pass for their own definition of intent, even though time after time after time, the Times has been found to be less than credible.

The President of the United States has poured forth his ire against the New York Times, and called them the "lying New York Times," "the fake news New York Times," "the failing New York Times," and probably a number of descriptions that I haven't uncovered here, Mr. Speaker.

But in 2009, the New York Times' appraisal on Walter Cronkite had to have eight different corrections due to just factual inaccuracies. And this is a newspaper, of course, that America used to depend upon.

And then in 2015, the New York Times published an article claiming that new figures surrounding China's rate of coal usage could affect U.N. climate talks when, in fact, those figures were so outdated that the U.N. was already aware of that particular uptick. So, again, distorted information.

But what is consistent with this? What are the common denominators? And that is, their misinformation in the New York Times almost always fits their narrative.

And then in 2017, the New York Times incorrectly stated that China

was in the Trans-Pacific Partnership. Well, that starts a whole national debate of what is going on. If China is in the TPP, and we are not in the TPP, and then the debate churns along, well, how are we ever going to get back into the TPP? And we have to take China in with us, if they will let us in. China wasn't part of the TPP—just misinformation. And that was an obvious one that it would have failed even the most rudimentary of fact-checks.

I would go further, in 2017 the Times, because of a—their words—"because of an editing error," quoted three tweets from General Michael Flynn's parody account attributing the quotes to General Flynn, further damaging General Flynn's reputation, and probably contributing to the difficulties that the proud patriot has had as he wound up his career serving our country. An editing error caused these three tweets. They weren't editing errors. They were just picking up—because the parody account fit the Times narrative, they accepted the narrative without checking on it. That is my assertion here, and I believe it is true.

Again, in 2017, the New York Times claims that Trump visited Israel during the campaign, which actually it was planned, but it was canceled for political reasons, I presume. And to be relatively astute on allowing then-President Barack Obama to be in charge of foreign policy.

In fact, I have a personal experience with that, when I thought during the campaign it would be wise for then-candidate Trump to have a meeting or two with some key players around the world. But when I raised that issue, I got the straight answer back, which was, No, we don't want to have any kind of implication that we are conducting foreign policy as a candidate for the President of the United States. That is up to the current Commander-in-Chief, and that transition after the election can take place in due course.

They were exactly correct in that and conducted themselves accordingly, but the allegations that were in the paper would indicate the opposite of that.

I have a number of other stories in here. In fact, I have only gone to the top of page 2, and there is about seven pages, maybe eight pages in here, Mr. Speaker. But I think it is clear that if anybody is going to hang their hat on something that they see printed in the New York Times, they are going to find themselves—if that narrative happens to fit the narrative that the New York Times pushes and promotes—you ought to be very suspicious of the facts and the allegations around that.

I would go through a few cases that come to mind. Also, in America where misinformation came out, it happened to fit the narrative of the left, and so the New York Times, The Washington Post, MSNBC, CNN, on and on—Huffington Post—they pick up that narrative, embellish the narrative, and they look for another way to add to

that narrative, if it is a narrative that fits their ideology and their preconceived notions of what they think of their political opposition.

We think back to the best example we have is now-Justice Brett Kavanaugh, who was put through a confirmation wringer that only had been matched, perhaps, by Justice Clarence Thomas.

What do they have in common? They are both constitutionalists. They are both originalists. They are both textualists. And they are both in the process of moving America back to the Constitution, its original intent. And understanding the text of the Constitution has to mean what it was understood to mean at the time of ratification.

Mr. Speaker, I would ask you just to think about that. If the Constitution is a living and breathing document, and this definition can change on the fly, then what kind of a deal do we have at all with our Founding Fathers and with our posterity?

Can you imagine signing a contract—I have spent my life in the construction business—and can you imagine signing a contract, and during the course of that contract, the words in that contract have to mean a defined, precise, black-and-white meaning. And those words are on paper so that the deal doesn't change. That is what a contract is.

You put words on paper, you sign that document, and that says, I am committed to the language in this Constitution—or the contract—and the intent of this language in the contract, or the Constitution, and I will follow through on that, and I will complete my side of this agreement. That is a contract.

The Constitution is a written contract that lays down the foundation of our government, and it is the supreme law of the land. And it went on paper, on parchment. It went on parchment and was signed and ratified by the Thirteen Colonies so that they said, We are going to keep our part of this bargain. This is the deal.

You would have never ratified that Constitution back in the day if somebody would have said, well, it is a living, breathing document. We can redefine these words in here and ignore others and be able to just work our way around it, and we will get some activist justices that will work with us on this and give us precedent cases that undermine the original intent of the Constitution.

That is what has been going on in this modern era, probably longer than I recall, but I would say at least back to the Warren Court. And yet today, we have Justice Clarence Thomas, who is an originalist, a textualist, and he believes the Constitution has to mean what it was understood to mean at the time of ratification.

And if we don't like that, that is why we have the amendment process, Mr. Speaker. And that is the nominee Jus-

tice Brett Kavanaugh, and that is nominee Justice Neil Gorsuch. And I believe that is the case also for Justice Alito, and most of the time, I think it is also true for Chief Justice John Roberts. But if we don't have a guaranty from our Constitution, we don't have a foundation for America and our government.

And then that puts it into the hands of the willy-nilly attitudes of what might be a majority in the Supreme Court or the will of the people here on the floor of the House of Representatives, who sometimes just turn our back on the Constitution. That contract of our Constitution has to mean what it was understood to mean at the time that it was ratified.

And so why was the big fight then pushing back against Brett Kavanaugh when he was before the United States Senate to be confirmed?

And the reasons for that are the other side—the left, the radical left, that is sometimes supported by the militant left—doesn't want to live under our Constitution. They want to change it. They want to move America. They want to attack the pillars of American exceptionalism. And they have much of the news media as their allies.

So as the news media pours forth these erroneous stories and they put misinformation into the eyes and ears of the American people, while they are doing that, they are pitting the American people against the American people. And you saw that during the confirmation process of Justice Kavanaugh.

And he faced—this is just my memory, but I believe there were something like six different accusers that they accumulated over time. And these accusers, one of them was Christine Blasey Ford, who sat over there with her hair inside of her glasses and told us how bad this was.

But her testimony could not be corroborated, and that was actually the verdict that came down when Justice Kavanaugh was confirmed before the United States Senate. Neither could the testimony or the affidavits or the narratives of the others be corroborated.

And so of those five or six accusers then, none of them held up under the scrutiny, under the light of day, even though the New York Times and The Washington Post, and all these publications I have listed, and many more, came at it as if Christine Blasey Ford was the gold standard for a witness with integrity. And it is clear she was not.

□ 1230

Well, they beat up so badly on Justice Kavanaugh that, at one point, one of the Democrat Senators asked him the question: You have gone through a lot. You have been faced with all this criticism.

Essentially, I will paraphrase and summarize how I understood that, and

it is not a quote from the Senator, but it was essentially this: We have beaten you up so badly and mercilessly. We damaged your reputation so badly. We destroyed your character. You have to be personally just crushed. So, how, if you are confirmed as a Justice on the Supreme Court, can you sit in impartial judgment on ruling on the Constitution and the rule of law? Aren't you going to be tempted to retaliate because of what all you have been through?

Those are not the exact words, but that was the theme.

Now, think of this. If somebody is put forward before the public in a nomination process or some other type of scrutiny and they are so mercilessly pounded by the leftist media—and, in some cases, collaboration from Republican leadership—that their reputation is so badly damaged, the question comes up: Well, can Justice Kavanaugh do his job now that we have eviscerated him through this confirmation process?

Oh, I think he can do his job all right, and I think he can do it clearly and with a cool hand and a cool head and an analytical mind. And I think Justice Kavanaugh is doing and will continue to do this: bring America back to the Constitution, bring America back to the original intent, bring America back to the text of the language that is in the Constitution.

And, if Americans don't like the results of those decisions, we have a method to amend the Constitution rather than simply distort it by judicial activism. And that is about the best way to get revenge on people who put our Constitution under threat by the tactics that they are using in the confirmation process.

Well, that process that they were trying to deny the confirmation of Justice Kavanaugh failed, and he is confirmed, and he is serving with dignity and honor. And he should be allowed to do that for life if he chooses.

But they mounted another effort at him a week or so ago, and it turned out to be another false story. The New York Times, in particular, didn't bother to write into the story that the woman who allegedly had experienced some type of harassment, and maybe even physical harassment—and I say "allegedly"; allegedly, in case The New York Times missed it the first time I said it—that she didn't have any recollection of the incident whatsoever. They knew that, and it is reported that the reporters who wrote the story had that line in their story and that it was taken out by the editors.

So, think of that. The editors at The New York Times are redacting language, but disappearing language, so that the meaning of the story is different and it can be as pejorative as possible against a seated Justice on the United States Supreme Court. That is appalling.

And is it willful? Well, that question hangs out there: Is it willful?

I will say this. There is a Supreme Court precedent case out there from

about 1964 called *The New York Times*—excuse me. It is *Sullivan v. The New York Times Company*.

That was a case where, in Alabama, during the civil rights disruptions of the sixties, there was a story that had multiple falsehoods in it that was designed to be pejorative against the law enforcement and the people in Alabama near the Selma area.

And I am not actually sure that was Selma, but it was in Alabama.

In any case, the story that came out in *The New York Times* was inaccurate on step after step. They argued that they locked the cafeteria shut so that they could starve the students out. Or they reported that. They reported that students were refusing to register and, essentially, leaving college. Neither one of those things were true.

They argued that they circled the building with law enforcement officers essentially arm in arm. That wasn't true. There were about four other falsehoods. They had to be manufactured because what would they be based on, things like that.

Yet, when they went before the Supreme Court in the middle of the 1960s, *Sullivan v. The New York Times Company*, the Supreme Court came down with a decision, which is, well, *The Times* is protected because they are a print publication, and we have to allow them their First Amendment right—freedom of the press—even if it is false, even if it is blatantly false, even if it is obviously false. It just has to be willfully and maliciously false in order for them to be liable.

That case needs to come back before the United States Supreme Court and be reconsidered. And I am told that there are one or more Justices on that bench who would welcome such a case to make it to the Supreme Court, and I think I have named those two most likely to welcome that case here already.

So I am frustrated by this. I am glad that this case, this second round, Kavanaugh 2.0 in malicious media meddling, is pretty much now in the rear-view mirror now that the truth has been applied to the story a little bit better.

But this country is not off of this hook by any means. We have a long, long ways to go before we can get down to what is true. And I think Congress is going to have to act at some point. I don't think it is going to happen in this Congress. There has to be a majority change in this Congress. But we are going to have to act.

And the stories that have been served up to the American people—I brought up the Kavanaugh story as the first one. Then you can move along a little bit, and I will take you to—let's see. Let's do Covington Catholic.

The Covington Catholics were here during the March for Life. That would be around January 22. A lot of young men, and, also, at least one of them was wearing a MAGA hat, a "Make America Great" cap, a red one.

They were down by the Lincoln Memorial, and there was a story that there was a Native American who was beating a drum in the face of this young man, and the young man just stood there and maintained his posture, his composure, his expression.

And that just seemed to be what all the media would pile on, that they had been disrespecting a Native American who was beating a drum in his face, and that clip of the close-up seemed to be enough just to reinforce a lot of critics that the young man from Covington Catholic somehow carried an attitude that should be punished.

So they excoriated him through every media that I can think of, and that young man and the school went through days and days and days of a lot of public criticism, grief that was poured forth upon them.

And I can say with experience that, if you don't have experience with public grief being poured on you, it hurts a lot more the 1st time than it does the 2nd, 5th, 10th, 20th, 50th, or 100th time.

You do build scar tissue to this, but you can't imagine that a young man from Covington Catholic has scar tissue built up at all. Who could imagine that this would be the case?

So, they took that heat and that beating—the whole school, but he in particular—for over a week until there was a video that emerged that panned back and showed that really went on. There was no antagonism from the Covington Catholics.

There were bad words being hurled back and forth, but I don't think anybody picked up any bad words coming from those young people from Covington Catholic. Yet they got the blame for all of this when they were standing there innocently and probably stunned at the environment they were in.

I can't imagine they came out of their home State and went into the middle of that, I would say, semi-demonstration environment when they were being intimidated by groups shouting back and forth at them and a drum being beaten in their face.

You would be amazed. I recall my first experience with these things in this town. It was March 18 of 2003 when there was an antiwar demonstration that took place. I thought: I need to see this.

So I went over there near the Washington Monument where they were ginning up, the antiwar demonstrators. They had two great, big speakers up on a stage that were about the size of refrigerators, microphones, and they were ginning up the crowd.

As I walked around through that crowd—I went incognito, by the way, too, Mr. Speaker. I put on my old, vintage Washington Redskins sweatshirt and a cap so I could just, hopefully, blend into the crowd.

I saw every variety of anti-Americanism that I had ever seen. A lot of it was profane. They ginned them up, and then they marched off over to the west,

around the west side of the White House, and then came back down through Pennsylvania Avenue.

I sat there, in the middle there, what I call the grassy knoll, and watched them go by for an hour and three-quarters, a human river of discontent and anger and anti-Americanism.

I saw a young lady, maybe 16 or 17 years old, run over and spit in the face of an officer who was standing there.

I saw two marines standing on the side of the street. They were holding their American flag up, and a young man from the demonstrating crowd ran over there, grabbed a hold of that flag. They held their flag, but he ripped the top half of the flag off, and he danced around the street tearing it up in strips and wearing it around his neck and others' necks as if it were some kind of a trophy to tear up the American flag and then demonstrate.

I saw a photographer there who had a camera and who was going to clean the lens on his camera. He reached in his jacket pocket and pulled out a crumpled American flag, a small, silk flag, and used it to clean that lens. You could tell by the habits of the way he handled it that that is just what he did; he kept the American flag for a rag to clean the lens on his camera while he took pictures of anti-Americanism, hatred of America, and every kind of countercultural thing that you can think of.

That is what we are faced with, the kind of people in that demonstration, the kind of people who were down here at the Lincoln Memorial who were trying to intimidate the Covington Catholics.

So, you know how that one ended, Mr. Speaker. I will say another one.

Now, remember, this one also fit the narrative. Justice Kavanaugh, the stories against him, they picked the ones that fit the narrative and drove them.

Their narrative on Covington Catholics was these must be conservative pro-lifers—and they are—so we have got to find a way to actually expose something that is in their heart, which is, by the way, faith and love. They didn't expose that. That was the Covington Catholics.

Jussie Smollett alleged that he was the subject of, at least, a lynch threat and that they had, what, poured bleach on him and whatnot. That went on for awhile. That story was all ginned up because these were supposedly racists who were going to lynch Jussie Smollett in Chicago.

But I saw the video of the two men who went into the convenience store to buy those items that he had put on top of him, that little bit of a kind of a scrawny rope that didn't look to me that it was a rope you would use for that. But that and the other items that were there, all of it was on video, purchased at the convenience store.

It was reported, at least—now I don't know if it is true—that they were paid something like \$3,500 to do their part in this.

And Jussie managed to wear that rope all the way back to his apartment before he was interviewed by the police.

Yet, still, the story went through and through, and now the Federal Government needs to get involved in it. I believe they are doing a full investigation of what looks like, let's say, a less than enthusiastic local prosecutor there in Chicago.

But that is another story that fit the narrative. Surely, there are people out there who are racist who would go out and get rope and bleach and whatever and wait in the middle of a 20-below-zero night to waylay Jussie Smollett at a place like that.

It happened to be about the only location where there were not surveillance cameras. Carefully thought out? Only partly.

But that fit the narrative. That was published. It was The New York Times, too, but it was many others, Mr. Speaker.

Who am I forgetting now? There are a number of others. I happen to be one. So, I am waiting for a report to come down that would lay out what is going on in this Congress.

But I revere this Constitution. I carry one in my jacket pocket every day. When I say the Pledge, my hand is inside my jacket because my hand is on that Constitution, which is as close to my heart as I can get it. I believe in it, and I believe our job is to restore this Constitution back to its original meaning and intent.

The pillars of American exceptionalism are identified, most all of them, in the Bill of Rights itself. The central pillar of American exceptionalism is the rule of law. There are a number of things around that rule of law that we need to remember: innocent until proven guilty, a right to face your accusers, you get to face a jury of your peers. All of that is there.

We have other pillars of American exceptionalism. Freedom of speech is a pillar. Freedom of religion. Freedom of the press. Freedom of assembly—peaceable assembly, I might add. All of those are pillars that this shining city that Ronald Reagan described to be on the hill, I say, is supported and held up and built upon those pillars of American exceptionalism.

And I mentioned the rule of law, the central pillar, without which the rest of this collapses. Without freedom of the press, the rest of this collapses because corruption has, then, a free rein.

But when the media gets corrupt and the government gets corrupt, as we saw in the fall of 2016 and on into the beginnings of the Trump administration, when the major branches, major divisions, departments within our government are weaponized against a candidate for the Presidency, a President-elect Donald Trump and then an inaugurated President Donald Trump, when those branches of government are weaponized against him, that is weaponization against we, the people,

against our Constitution, and it undermines our freedom.

□ 1245

And when the abuse of those constitutional rights empowers media outlets to turn their targets, unjustly and dishonestly, against a duly-elected President of the United States, or a duly-elected Member of the United States Congress, that—meaning me, in case you are wondering, Mr. Speaker—threatens our republic. And this republic will eventually collapse if we continue down this path.

We must preserve those rights that are in our Constitution, including innocent until proven guilty; the right to face your accusers; a jury of your peers; due process. That has to all be there.

The President hasn't had due process. I haven't had due process. But I have added up a few things. There are currently four Members of this Congress, Mr. Speaker, that don't have committee assignments; four.

One of them resigned from the Republican Party and from his committee assignments; so that takes it down to three.

Two of them are indicted for Federal charges. That takes it down to one.

Then, the one in this Congress—being me, Mr. Speaker—and we look back through history all the way back to 1900, and we find one other Member of Congress that didn't have committee assignments since 1900. That happened to be James Traficant in about 2001. He happened to be one that was removed from his committee assignments shortly after he voted for Dennis Hastert, a Member of the opposite party, and went against many of the platform positions of the Democratic party. They decided he wasn't a Democrat any longer and removed him from his committees.

But in 120 years, there has only been one, other than those that I mentioned; that is James Traficant. And he was, later on, indicted and convicted on nine or ten Federal charges of fraud, corruption, taking bribes and racketeering, and those kinds of things. He was found guilty of all of them and served some time in prison.

So these are very serious charges when you are convicted of Federal felonies and removed from your committees. I don't think it is right to remove someone from a committee when they are charged because if they are indicted, they are innocent until proven guilty. So why would you punish somebody if they are innocent until proven guilty?

That defies a foundational principle of our government.

But, nonetheless, the charges, at least, are serious Federal felony charges for two seated Members today. Charges were certainly serious for James Traficant, who spent time in prison.

Why does STEVE KING not have committees? Because of a misquote in the

New York Times for the simple purpose of an allegation of politically incorrect speech.

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

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 19, 2019.

Speaker NANCY PELOSI,
The Capitol,
Washington, DC.

DEAR MADAME SPEAKER: I write to inform you that I will resign from the office of U.S. Representative, effective 6:00 PM EST, Monday, September 23, 2019. For the past eight years, it has been the honor of my life to represent the place that I care about and the people I love in Congress.

Sincerely,

SEAN P. DUFFY,
Representative to Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 19, 2019.

Governor TONY EVERS,
Secretary of State DOUG LA FOLLETTE,
Wisconsin State Capitol, Office of the Governor,
Madison, WI.

DEAR GOVERNOR EVERS AND SECRETARY OF STATE LA FOLLETTE: I write to inform you that I will resign from the office of U.S. Representative, effective 6:00 PM EST, Monday, September 23, 2019. For the past eight years, it has been the honor of my life to represent the place that I care about and the people I love in Congress.

Sincerely,

SEAN P. DUFFY,
Representative to Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE (at the request of Mr. HOYER) for today on account of participation in commemorative ceremonies at the 50th anniversary of women matriculating to my alma mater, Yale University.

Mr. DANNY K. DAVIS of Illinois (at the request of Mr. HOYER) for today.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 163.—An act to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices, and for other purposes.

S. 1689.—An act to permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 48 minutes

p.m.), under its previous order, the House adjourned until Tuesday, September 24, 2019, at noon for morning-hour debate.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Dan Bishop.
Gregory F. Murphy.

EXECUTIVE COMMUNICATIONS, ETC.

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

2213. A letter from the Assistant Secretary, Manpower and Reserve Affairs, Department of the Army, Department of Defense, transmitting notification to Congress of the anticipated use of Selected Reserve units that will be ordered to active duty, pursuant to 10 U.S.C. 12304b(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

2214. A letter from the Chairman, Securities and Exchange Commission, transmitting the 2018 Annual Report of the Securities Investor Protection Corporation, pursuant to 15 U.S.C. 78ggg; to the Committee on Financial Services.

2215. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 19-01, pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2216. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 19-44, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2217. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 19-41, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2218. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 19-28, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2219. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 19-42, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2220. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 19-22, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2221. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 19-21, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2222. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's FY 2018 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Reform.

2223. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States, pursuant to 28 U.S.C. 2075; Public Law 88-623, Sec. 1 (as amended by Public Law 103-394, Sec. 104(f)); (108 Stat. 4110) (H. Doc. No. 116-65); to the Committee on the Judiciary and ordered to be printed.

2224. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Criminal Procedure, the Rules Governing Section 2254 Cases in the United States District Courts, and the Rules Governing Section 2255 Proceedings for the United States District Courts, pursuant to 2072 U.S.C. 28 (H. Doc. No. 116-66); to the Committee on the Judiciary and ordered to be printed.

2225. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendment to the Federal Rules of Evidence that has been adopted, pursuant to 2072 U.S.C. 28 (H. Doc. No. 116-67); to the Committee on the Judiciary and ordered to be printed.

2226. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Appellate Procedure, pursuant to 2072 U.S.C. 28 (H. Doc. No. 116-68); to the Committee on the Judiciary and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. FITZPATRICK (for himself, Mr. GOTTHEIMER, Ms. STEFANIK, Mrs. MURPHY of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. KELLY of Pennsylvania):

H.R. 4429. A bill to ensure that a fair percentage of Federal cancer research funds are dedicated to pediatric cancer research; to the Committee on Energy and Commerce.

By Mrs. TRAHAN:

H.R. 4430. A bill to direct the Secretary of Education to assign a unique numeric identifier to institutions of higher education to facilitate data collection and reporting, and for other purposes; to the Committee on Education and Labor.

By Mr. AMASH:

H.R. 4431. A bill to limit the authority of personnel of the Department of Homeland Security to prohibit a citizen or permanent resident of the United States from boarding as a passenger on an aircraft or cruise ship based on inclusion of the individual in a watchlist, and for other purposes; to the Committee on Homeland Security.

By Mr. RICHMOND (for himself and Mr. KATKO):

H.R. 4432. A bill to require the Department of Homeland Security to prepare a terrorism threat assessment relating to unmanned aircraft systems, and for other purposes; to the Committee on Homeland Security.

By Mr. MCKINLEY (for himself, Mr. MOONEY of West Virginia, and Mrs. MILLER):

H.R. 4433. A bill to amend title 40, United States Code, to establish an Appalachian regional energy hub initiative, and for other

purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCKINLEY (for himself, Mr. TRONE, Mr. MOONEY of West Virginia, Mr. FLEISCHMANN, Mrs. MILLER, and Mr. KELLY of Pennsylvania):

H.R. 4434. A bill to amend title 40, United States Code, to reauthorize the Appalachian Regional Commission, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARTWRIGHT (for himself, Mr. GRIJALVA, Mrs. DINGELL, Mrs. NAPOLITANO, Mr. RASKIN, Mr. LOWENTHAL, and Ms. LEE of California):

H.R. 4435. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to protect taxpayers from liability associated with the reclamation of surface coal mining operations, and for other purposes; to the Committee on Natural Resources.

By Mr. POCAN (for himself, Ms. NORTON, and Ms. JAYAPAL):

H.R. 4436. A bill to authorize a National Poverty Research Center; to the Committee on Oversight and Reform.

By Mr. BIGGS:

H.R. 4437. A bill to amend the Fair Labor Standards Act of 1938 to allow the pooling of tips among all employees, and for other purposes; to the Committee on Education and Labor.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself and Mr. BYRNE):

H.R. 4438. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on investment income of private colleges and universities; to the Committee on Ways and Means.

By Mr. BUTTERFIELD (for himself, Mr. MCCAUL, Ms. SPEIER, Mr. KELLY of Pennsylvania, Mr. ENGEL, Mr. BILIRAKIS, Ms. KELLY of Illinois, Mr. HUDSON, Mr. RUSH, and Mr. MULLIN):

H.R. 4439. A bill to amend the Federal Food, Drug, and Cosmetic Act to make permanent the authority of the Secretary of Health and Human Services to issue priority review vouchers to encourage treatments for rare pediatric diseases; to the Committee on Energy and Commerce.

By Mr. COHEN (for himself and Ms. NORTON):

H.R. 4440. A bill to establish protocols for the investigation of uses of deadly force by Federal law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLINS of New York:

H.R. 4441. A bill to amend titles 49 and 10, United States Code, to provide for the authority of the Commissioner of U.S. Customs and Border protection with respect to national security determinations concerning wind turbines proposed to be constructed in the United States in bodies of water that border Canada, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY:

H.R. 4442. A bill to amend title 18, United States Code, to prohibit prenatal genetic testing and abortions on the basis of sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mr. FITZPATRICK:

H.R. 4443. A bill to amend the Fair Labor Standards Act of 1938 to provide for a Federal, cost-of-living based minimum wage, and for other purposes; to the Committee on Education and Labor.

By Mr. GOSAR (for himself, Mr. BIGGS, Mr. COX of California, Mr. HUFFMAN,

Mr. KING of Iowa, Mr. LAMALFA, Mrs. LESKO, Mr. MCADAMS, Mr. MCCLINTOCK, Mr. SCHWEIKERT, Ms. TITUS, Mrs. KIRKPATRICK, Mr. O'HALLERAN, and Mr. BUCK):

H.R. 4444. A bill to require the Administrator of the Western Area Power Administration to establish a pilot project to provide increased transparency for customers, and for other purposes; to the Committee on Natural Resources.

By Mr. GOSAR (for himself, Mr. MEADOWS, and Mr. NORMAN):

H.R. 4445. A bill to amend the District of Columbia Home Rule Act to provide for a uniform 60-day period for Congress to review laws of the District of Columbia before such laws may take effect, to permit Congress to use the authorities and procedures available under such Act for the consideration and enactment of resolutions of disapproval of laws of the District of Columbia to disapprove specific provisions of such laws, to clarify the expedited procedures available under such Act for the consideration of such resolutions of disapproval, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAWSON of Florida (for himself, Mr. RUTHERFORD, Mr. DIAZ-BALART, Mr. SOTO, Mr. DUNN, Mr. SPANO, Ms. CASTOR of Florida, Mr. YOHIO, and Mr. WALTZ):

H.R. 4446. A bill to designate the POW/MIA Memorial and Museum in Jacksonville, Florida, as the National POW/MIA Memorial and Museum, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'HALLERAN (for himself, Mr. MULLIN, Mr. LAMB, and Mr. NORMAN):

H.R. 4447. A bill to establish an energy storage and microgrid grant and technical assistance program; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PANETTA:

H.R. 4448. A bill to address loopholes in the Harmonized Tariff Schedule of the United States that allow companies to avoid the duty rate applicable to dehydrated garlic; to the Committee on Ways and Means.

By Mr. RUIZ (for himself and Mr. O'HALLERAN):

H.R. 4449. A bill to amend the Communications Act of 1934 to add access to telecommunications and information services in Indian country and areas with high populations of Indian people to the universal service principle relating to access to such services in rural, insular, and high cost areas; to the Committee on Energy and Commerce.

By Mr. RUIZ:

H.R. 4450. A bill to authorize the Export-Import Bank of the United States to use 3 percent of its profits for administrative expenses; to the Committee on Financial Services.

By Mr. RUIZ:

H.R. 4451. A bill to amend title 38, United States Code, to clarify that caregivers for veterans with serious illnesses are eligible for assistance and support services provided by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUIZ:

H.R. 4452. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for an adult child, grandchild, or grandparent who has a serious health condition, and for other purposes; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ:

H.R. 4453. A bill to amend title XVIII of the Social Security Act to distribute additional information to Medicare beneficiaries to prevent health care fraud, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF:

H.R. 4454. A bill to disclose the use of Federal funds with any privately held company owned by the President, and for other purposes; to the Committee on Oversight and Reform.

By Mr. SCHRADER (for himself and Mr. GIANFORTE):

H.R. 4455. A bill to amend title XVIII of the Social Security Act to provide for a temporary payment increase under the Medicare program for certain biosimilar biological products to encourage the development and use of such products; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG (for himself, Mr. SABLAN, Mrs. RADEWAGEN, and Mr. DAVID P. ROE of Tennessee):

H.R. 4456. A bill to direct the Secretary of Labor to train certain Department of Labor personnel how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities, and for other purposes; to the Committee on Education and Labor.

By Mr. WILSON of South Carolina (for himself, Mr. SCHNEIDER, Mr. RICE of South Carolina, Mr. KELLY of Pennsylvania, Mrs. WALORSKI, Mr. THOMPSON of Pennsylvania, Mr. TURNER, Mr. POSEY, Mr. WEBSTER of Florida, Mr. BISHOP of Utah, Mr. MURPHY of North Carolina, Mr. BISHOP of North Carolina, Mr. TIMMONS, Mr. CONNOLLY, Mr. MCCAUL, Mr. DEUTCH, and Mr. GARAMENDI):

H. Res. 569. A resolution recognizing the 111th anniversary of the independence of Bulgaria; to the Committee on Foreign Affairs.

By Mrs. WATSON COLEMAN (for herself, Ms. LEE of California, Ms. JUDY CHU of California, Ms. ROYBAL-ALLARD, Ms. KELLY of Illinois, Mr. COLE, Mr. CASTRO of Texas, and Ms. BASS):

H. Res. 570. A resolution commemorating the 20th anniversary of the Centers for Disease Control and Prevention's Racial and Ethnic Approaches to Community Health (REACH) program; to the Committee on Energy and Commerce.

By Ms. CASTOR of Florida (for herself and Mr. DEUTCH):

H. Res. 571. A resolution expressing support for the designation of September 24, 2019, as "National Voter Registration Day"; to the Committee on House Administration.

By Mr. FULCHER:

H. Res. 572. A resolution recognizing and supporting the goals and ideals of “National Forensic Science Week”; to the Committee on Science, Space, and Technology.

By Mr. GROTHMAN (for himself, Ms. MCCOLLUM, Mr. LOWENTHAL, Mr. GALLAGHER, Mr. POCAN, Ms. LEE of California, Mr. TAKANO, Ms. MOORE, Ms. LOFGREN, Mr. LAMALFA, Mr. COSTA, Ms. JUDY CHU of California, Mr. KIND, and Mr. CORREA):

H. Res. 573. A resolution recognizing the celebration of the Hmong New Year in 2019; to the Committee on Oversight and Reform.

By Ms. LEE of California (for herself, Mrs. DINGELL, Ms. BROWNLEY of California, Ms. MOORE, Ms. BARRAGÁN, Ms. MENG, Ms. HILL of California, Mr. TONKO, Mr. MCNERNEY, Mr. LOWENTHAL, Mr. KEATING, Mr. ESPAILLAT, Mr. MORELLE, Mr. GRIMALVA, Ms. TLAI, Ms. NORTON, Ms. CASTOR of Florida, Ms. SCHAKOWSKY, and Mr. RASKIN):

H. Res. 574. A resolution supporting the teaching of climate change in schools; to the Committee on Education and Labor.

MEMORIALS

Under clause 3 of rule XII,

137. The SPEAKER presented a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 52, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. FITZPATRICK:

H.R. 4429.

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

Article I Section 8

By Mrs. TRAHAN:

H.R. 4430.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. AMASH:

H.R. 4431.

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

The Due Process Clause (“[N]or shall any person . . . be deprived of life, liberty, or property, without due process of law. . . .”)

By Mr. RICHMOND:

H.R. 4432.

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

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. MCKINLEY:

H.R. 4433.

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

Article I Section 8

Section 8—Powers of Congress. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCKINLEY:

H.R. 4434.

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

Article I Section 8

Section 8—Powers of Congress. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department—or Officer thereof.

By Mr. CARTWRIGHT:

H.R. 4435.

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

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. POCAN:

H.R. 4436.

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

Article I, Section 8 of the U.S. Constitution

By Mr. BIGGS:

H.R. 4437.

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

Article I, Section of the U.S. Constitution. Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 4438.

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

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. BUTTERFIELD:

H.R. 4439.

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

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. COHEN:

H.R. 4440.

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

Article I, Section 8

By Mr. COLLINS of New York:

H.R. 4441.

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

Article 1, Section 8, Clause 1, of the U.S. Constitution

By Mr. DUFFY:

H.R. 4442.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. FITZPATRICK:

H.R. 4443.

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

Article I Section 8

By Mr. GOSAR:

H.R. 4444.

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

Article 1, Section 8, Clause 3. (Commerce Clause) The Commerce Clause give Congress the power to “regulate commerce . . . among several states”. If the matter in question is not purely a local matter or if it has an impact on inter-state commerce, then it falls within the power of Congress. *National Federation of Independent Business v. Sebelius* (2012).

By Mr. GOSAR:

H.R. 4445.

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

Article 1, Section 8, Clause 17 of the Constitution provides Congress with the exclusive jurisdiction over the District of Columbia.

By Mr. LAWSON of Florida:

H.R. 4446.

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

“Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”

By Mr. O’HALLERAN:

H.R. 4447.

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

Article II Section 8

By Mr. PANETTA:

H.R. 4448.

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

Article I, Section 8, clause 18

By Mr. RUIZ:

H.R. 4449.

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

Article I, section 8, Clauses 1 and 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.

By Mr. RUIZ:

H.R. 4450.

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

Article I, section 8, Clauses 1 and 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.

By Mr. RUIZ:

H.R. 4451.

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

clause 18 of section 8 of article I of the Constitution

By Mr. RUIZ:

H.R. 4452.

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

Article I, section 8, Clauses 1 and 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.

By Mr. RUIZ:

H.R. 4453.

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

clause 18 of section 8 of article I of the Constitution

By Mr. SCHIFF:

H.R. 4454.

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

Disclosing Official Spending at Presidential Businesses Act is constitutionally authorized under Article II, Section 1, Clause 7, and as well as Article I, Section 8, Clause 18, the Necessary and Proper Clause.

By Mr. SCHRADER:

H.R. 4455.

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

Article I, Section I; and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. WALBERG:

H.R. 4456.

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

Article I, Section 8, Clause 3 of the U.S. Constitution

ADDITIONAL SPONSORS

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

H.R. 3: Mr. LARSON of Connecticut.
 H.R. 24: Mr. TAYLOR.
 H.R. 51: Ms. CRAIG.
 H.R. 446: Ms. TITUS.
 H.R. 641: Mr. LEVIN of California.
 H.R. 832: Mr. KATKO and Mr. LONG.
 H.R. 838: Mr. CUNNINGHAM and Mr. GROTHMAN.
 H.R. 912: Ms. BASS, Mr. CARBAJAL, and Mr. ESPAILLAT.
 H.R. 940: Miss RICE of New York.
 H.R. 961: Mr. LEWIS.
 H.R. 1011: Mr. COX of California.
 H.R. 1043: Mr. RASKIN and Mr. GAETZ.
 H.R. 1075: Mr. DESAULNIER.
 H.R. 1154: Mr. DELGADO, Mr. LARSEN of Washington, Mr. COOPER, Mr. ENGEL, and Miss RICE of New York.
 H.R. 1166: Ms. BROWNLEY of California.
 H.R. 1191: Mr. KHANNA and Mr. LARSON of Connecticut.
 H.R. 1393: Mr. NADLER, Mr. EVANS, Mrs. DINGELL, Mr. DEFAZIO, Mr. POCAN, Ms. ROYBAL-ALLARD, and Mr. PERLMUTTER.
 H.R. 1394: Mr. NADLER, Mr. EVANS, Mrs. DINGELL, Mr. DEFAZIO, and Mr. PERLMUTTER.
 H.R. 1406: Mr. DEFAZIO, Mr. SIREN, Mr. STEUBE, and Mr. CRIST.
 H.R. 1434: Mr. WITTMAN.
 H.R. 1498: Mr. SHERMAN, Mr. CASTEN of Illinois, Mrs. NAPOLITANO, Mr. PAYNE, Mrs. DAVIS of California, and Ms. TLAIB.
 H.R. 1545: Mr. BOST.
 H.R. 1554: Mr. KEATING and Mr. CHABOT.
 H.R. 1568: Mr. LEWIS.
 H.R. 1603: Ms. SHALALA.
 H.R. 1705: Mr. DANNY K. DAVIS of Illinois and Mrs. CAROLYN B. MALONEY of New York.
 H.R. 1707: Mr. KIND.
 H.R. 1711: Mrs. LOWEY and Mr. O'HALLERAN.
 H.R. 1753: Mr. WRIGHT.
 H.R. 1766: Mrs. LURIA, Mrs. LAWRENCE, Mr. WALTZ, and Mr. GRAVES of Georgia.
 H.R. 1794: Mr. GRAVES of Louisiana.
 H.R. 1858: Mr. HILL of Arkansas.
 H.R. 1865: Mr. TAYLOR.
 H.R. 1869: Ms. WILSON of Florida.
 H.R. 1933: Mr. GROTHMAN and Mr. WALKER.
 H.R. 1942: Ms. DELBENE.
 H.R. 1995: Mr. BACON.
 H.R. 2070: Mr. RESCHENTHALER.
 H.R. 2089: Mr. KELLY of Mississippi.
 H.R. 2146: Mr. CARSON of Indiana and Mr. VISCLOSKEY.
 H.R. 2167: Mr. CICILLINE.
 H.R. 2214: Ms. FRANKEL, Ms. SHERRILL, Mr. PERLMUTTER, Ms. DELAURO, and Mr. MCNERNEY.

H.R. 2234: Mr. SHIMKUS and Mr. BOST.
 H.R. 2235: Mr. RASKIN.
 H.R. 2249: Ms. KENDRA S. HORN of Oklahoma.
 H.R. 2279: Mr. ZELDIN, Mr. POCAN, Mr. GONZALEZ of Texas, Mr. KEATING, and Mr. LOEBSACK.
 H.R. 2282: Mr. WENSTRUP.
 H.R. 2328: Mr. CLEAVER, Mr. PETERSON, Mr. MCNERNEY, and Mr. KEATING.
 H.R. 2382: Mr. RUPPERSBERGER.
 H.R. 2415: Mr. CLAY and Mr. STANTON.
 H.R. 2420: Mr. LOEBSACK, Mr. RUPPERSBERGER, Mr. LARSEN of Washington, and Mr. NEAL.
 H.R. 2426: Mr. GOMEZ.
 H.R. 2435: Mr. BILIRAKIS.
 H.R. 2443: Mr. DUNCAN.
 H.R. 2453: Mr. SCHRADER.
 H.R. 2491: Mrs. BEATTY and Mrs. NAPOLITANO.
 H.R. 2628: Mr. LEVIN of California.
 H.R. 2668: Mr. FITZPATRICK.
 H.R. 2788: Mr. KUSTOFF of Tennessee.
 H.R. 2802: Mr. RESCHENTHALER.
 H.R. 2815: Mr. VAN DREW and Ms. MCCOLLUM.
 H.R. 2843: Mr. RICHMOND.
 H.R. 2863: Mr. KIM.
 H.R. 2867: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CARBAJAL, Mr. VARGAS, Mr. QUIGLEY, Mr. KHANNA, Ms. SPEIER, Ms. TITUS, Miss RICE of New York, Mr. GARAMENDI, Ms. SANCHEZ, Mr. DOGGETT, Mrs. KIRKPATRICK, Mr. CONNOLLY, Mr. SERRANO, Mr. BEYER, Ms. HILL of California, Mr. YARMUTH, Mr. EVANS, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, Mr. NADLER, Ms. CASTOR of Florida, Mrs. CAROLYN B. MALONEY of New York, Mr. TRONE, and Mr. GARCIA of Illinois.
 H.R. 2903: Mr. MITCHELL and Mr. FLORES.
 H.R. 3048: Mr. SIMPSON and Mr. HARDER of California.
 H.R. 3077: Mr. SCHNEIDER.
 H.R. 3098: Mr. GARCIA of Illinois.
 H.R. 3107: Ms. PINGREE and Mr. GRIJALVA.
 H.R. 3121: Mr. SUOZZI.
 H.R. 3125: Ms. HOULAHAN and Mr. DAVID SCOTT of Georgia.
 H.R. 3127: Mr. JOYCE of Pennsylvania.
 H.R. 3155: Mr. SABLON, Mr. CARBAJAL, Mr. ROGERS of Alabama, Mrs. RADEWAGEN, Mrs. CAROLYN B. MALONEY of New York, Mr. COLE, Mr. SHIMKUS, Mr. KING of New York, Mr. CALVERT, Ms. BROWNLEY of California, and Mr. GIBBS.
 H.R. 3157: Mr. KILMER.
 H.R. 3222: Mr. YARMUTH.
 H.R. 3289: Mrs. HARTZLER and Mr. MCADAMS.
 H.R. 3306: Mr. KIM and Mr. ROUZER.
 H.R. 3349: Mr. GONZALEZ of Texas.
 H.R. 3396: Mr. GOSAR.
 H.R. 3412: Mr. CRENSHAW.
 H.R. 3463: Mr. NEGUSE and Mr. MALINOWSKI.
 H.R. 3495: Mr. SOTO, Mrs. AXNE, Mrs. DINGELL, Mr. SUOZZI, Mr. CARBAJAL, Mr. VAN DREW, Ms. SHALALA, and Mr. DELGADO.
 H.R. 3502: Mr. SCHWEIKERT and Mr. CLEAVER.
 H.R. 3509: Ms. PRESSLEY, Mr. TED LIEU of California, Ms. SLOTKIN, and Mr. SCOTT of Virginia.
 H.R. 3549: Mr. HASTINGS.

H.R. 3555: Mr. KEATING.
 H.R. 3663: Mr. GARCIA of Illinois.
 H.R. 3757: Mr. HILL of Arkansas and Mrs. HARTZLER.
 H.R. 3772: Mr. MCGOVERN.
 H.R. 3822: Mr. DESAULNIER.
 H.R. 3918: Mr. VISCLOSKEY.
 H.R. 3964: Mr. ALLEN and Mr. RIGGLEMAN.
 H.R. 3973: Mr. PAPPAS.
 H.R. 3975: Mr. VAN DREW and Mr. POSEY.
 H.R. 4022: Ms. KELLY of Illinois and Mr. KHANNA.
 H.R. 4064: Mr. POCAN.
 H.R. 4067: Mr. SHERMAN.
 H.R. 4078: Ms. JACKSON LEE.
 H.R. 4108: Mr. GARCIA of Illinois.
 H.R. 4132: Mr. RUSH.
 H.R. 4164: Mr. ROUZER.
 H.R. 4272: Ms. MENG.
 H.R. 4280: Ms. JAYAPAL.
 H.R. 4283: Mr. BANKS.
 H.R. 4300: Mrs. CAROLYN B. MALONEY of New York, Mr. BACON, Mr. CASTEN of Illinois, and Mrs. BEATTY.
 H.R. 4335: Mr. SHERMAN.
 H.R. 4343: Mr. FITZPATRICK.
 H.R. 4347: Ms. JACKSON LEE.
 H.R. 4370: Mr. MURPHY of North Carolina.
 H.R. 4386: Mr. DEFAZIO.
 H.R. 4408: Mr. DEUTCH.
 H.J. Res. 2: Mr. STANTON and Mrs. DAVIS of California.
 H.J. Res. 72: Mr. BRINDISI.
 H. Con. Res. 59: Ms. CLARKE of New York.
 H. Con. Res. 65: Mr. NEGUSE.
 H. Res. 146: Mr. BISHOP of Georgia, Mr. HASTINGS, Mr. RICHMOND, Mr. GREEN of Texas, Mr. DANNY K. DAVIS of Illinois, Ms. PLASKETT, Ms. JOHNSON of Texas, Ms. FUDGE, Mrs. LAWRENCE, Mr. VEASEY, Mr. CLEAVER, Mr. LAWSON of Florida, Mrs. AXNE, Mr. CORREA, and Mr. CALVERT.
 H. Res. 255: Ms. DELBENE, Mr. ROUZER, and Mr. Rouda.
 H. Res. 510: Mr. KINZINGER and Mr. QUIGLEY.
 H. Res. 551: Mr. CARTER of Texas and Mr. ABRAHAM.
 H. Res. 561: Ms. GABBARD.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3193: Mr. KILDEE and Mrs. LURIA.

DISCHARGE PETITIONS—ADDITIONS AND WITHDRAWALS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. SCALISE on House Resolution 102: Mr. Murphy of North Carolina and Mr. Bishop of North Carolina.

Petition 3 by Mr. MAST on House Resolution 348: Mr. Murphy of North Carolina and Mr. Bishop of North Carolina.