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No. 65

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 27, 2016.

I hereby appoint the Honorable EVAN H. JENKINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

REMEMBERING PRINCE

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

Mr. PAULSEN. Mr. Speaker, I rise today to remember somebody of unquestionable talent, somebody who appealed to and spoke to people of all types, ages, and cliques, and somebody who also never stopped finding different ways of expressing coolness.

Of course, I am speaking of Minnesota's native son, Prince, who tragically passed away this last week in Chanhassen, my hometown.

Prince was the personification of limitless ability and creativity, and, even better for Minnesotans, he was one of us.

For me, the music of Prince was intertwined with growing up in Chanhassen. I remember spending time with high school friends after a football game or a soccer game. We would take the time to actually drive up his driveway, which we thought was kind of fascinating. We would head over to his house. We were a little entranced with his simple, purple, split-level house.

The fact that the man responsible for some of our favorite songs and music was living right in our backyard seemed actually too good to be true.

I remember my very first concert I went to was also Prince on his Purple Rain Tour back in 1984 at the St. Paul Civic Center.

To hear his contemporaries tell the story, Prince's guitar playing simply was indescribable. If the best musicians of our day can't find the words to express how talented he really was, I certainly can't find a way to express the skill that he possessed.

Of course, he was much more than his guitar playing. He could also sing and play numerous other instruments and write hit after hit. But what inspires so many is that it shows that greatness lives within us.

Prince grew up in Minneapolis. He didn't have any formal classical musical training at an elite school, but he did rise to the top of the music world and never looked back.

Even with all the stories that we have heard over the past several days and week about the greatness of Prince, more inspiring are the stories of him extending a helping hand to help lift others up in times of need, stories of how he was very active in our community.

Just a few weeks before he passed away, he played a very surprise show

with friends at the Chanhassen Dinner Theater, a very popular venue and Minnesota favorite, where I worked as a high school busboy.

Day after day we are hearing stories now of donations to schools, to different causes and, of course, to people. Those are the folks that Prince made happy in terms of their time of need. Prince had a giving heart.

Ultimately, it is for these reasons that we have seen the outpouring of grief from around Minnesota, from around the country, and also from around the world.

As we continue to remember Prince, the man, and his music, it is his words from one of his earliest top hits, "1999," that helps put things in perspective. He says: "But life is just a party, and parties weren't meant to last."

While his party has certainly sadly come to an end, these lyrics remind us each and every day to live those days to the fullest and to set out to achieve great things.

We will miss Prince Rogers Nelson. May he rest in peace.

UNGASS REFLECTIONS

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

Mr. BLUMENAUER. Mr. Speaker, last week I had the opportunity to be an official observer at the United Nations as they had a special meeting dealing with the international war on drugs.

Much has happened since President Clinton addressed the Global Drug Summit at the United Nations in 1998, carrying the American war on drugs to the international stage. But this, in my mind, solidified the need for us to reset these failed drug policies.

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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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People across the political spectrum now agree that this approach to drug policy is flawed and ineffective. We have spent over \$1 trillion on this effort over the years.

We have undermined countries in Latin America and helped unleash an unprecedented wave of violence in Mexico, killing tens of thousands of people in the drug wars.

Yet, despite all the effort, all the money, drugs are still widely available in the United States, actually less expensive than before we started. We seem unable to even keep drugs out of our own prisons.

America's failure to deal with harm reduction, treatment, and prevention has helped lead to the epidemic of opioid addiction and death. In 2013 alone, we lost 20,000 people to prescription drug overdose.

As people get hooked on amazingly over-prescribed prescription drugs, it leads to heroin addiction when they substitute it when they can no longer get access to opioids.

Now, it is interesting that some of the countries that have been most devastated by this war on drugs, in dealing with the international cartels—Mexico, Colombia, Guatemala—were there at the United Nations leading the charge for a different approach.

Many of the presentations that I witnessed were suggestions to the Outcome Document, with the common theme that it did not go far enough in reforming the path forward.

Calls for harm reduction, greater access to treatment, and fighting the barbaric practice of executing drug offenders energized that consensus.

Now, America was on the sidelines. America was not calling for adjustment and change in reform. We were sort of between those more progressive forces, including those countries that have really been in the throes of the drug wars.

And then there is Iran and China and Russia, and we were sort of floating in between. It is kind of embarrassing, as an American, to see the United States not leading.

I come back to Washington, D.C., more committed than ever for the new administration and the next Congress to be a voice of reform to change these failed policies.

We need to put an end to the mindless military action and hard-edged policies that fail and replace them with policies that will make a difference, saving lives, and having effective regulations as tools.

Now, the United States is moving ahead at reform at the State and local levels. Forty States now provide some access to medical marijuana. Four States and the District of Columbia deal with adult use, and there will be four or five more States that will join this year.

In 2019, when we go back to the United Nations, hopefully to be able to make some of these reforms, the world is going to look different.

First of all, there are moves in both Canada and Mexico to expand the use of medical marijuana and to legalize adult use.

In 2019, virtually every American will have a legal access to medical marijuana, and we will continue the action at the State level, making those critical changes. Public opinion, once and for all, will be settled in favor of regulation, taxation, and responsible adult use.

We will break the shackles of research on marijuana, where the Federal Government actually gets in the way of being able to have the information that the scientists and doctors can produce to settle the question so we don't have to guess.

I am hopeful that the United States will be on the right side of reform, that we will stop expensive and regressive policies that don't work, and that we will be able to respond to the emerging American consensus of the people at the State and local levels to do it better. This is one effort we can't afford to fail.

RECOGNIZING THE OUTSTANDING WORK OF ILLINIPAC

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

Mr. DOLD. Mr. Speaker, I rise today to recognize the outstanding work of IlliniPAC, a group of students on the University of Illinois Urbana-Champaign campus who are making a positive and important impact through their pro-Israel advocacy.

IlliniPAC is focused on building bridges throughout the student community and educating fellow students of all backgrounds about Israel.

At a time when there are so many concerted efforts to promote myths and terrible mistruths about Israel, the student leaders of IlliniPAC have stepped forward with a positive message to highlight the importance of a strong and bipartisan U.S.-Israel relationship.

I particularly want to commend IlliniPAC for its proactive and constructive efforts to oppose misguided calls to promote boycotts, divestment, and sanctioning, otherwise known as BDS, against Israel.

As the sponsor of the bipartisan Combating BDS Act of 2016 in Congress, I greatly appreciate the efforts by IlliniPAC to oppose BDS campaigns targeting Israel. These BDS campaigns perpetuate damaging falsehoods against Israel only to serve to divide and separate students on campus.

The truth is that the BDS movement has neither brought Israelis and Palestinians closer to peace nor advanced the laudable goal of improving dialogue between supporters of both sides. Instead, the BDS movement has simply been employed as a hateful weapon to delegitimize Israel and those who stand with her.

Once again I would like to thank IlliniPAC for taking a leadership role

on campus and for the work that they do to spread the positive message about Israel, an oasis of freedom, democracy, and tolerance in one of the world's most volatile regions.

GREAT LAKES RESTORATION INITIATIVE ACT OF 2016

Mr. DOLD. Mr. Speaker, yesterday we in the House of Representatives passed the Great Lakes Restoration Initiative Act of 2016.

I am proud to be a cosponsor of this important bipartisan effort to protect our Great Lakes. I believe that, when it comes to our environment, we must all work together to strengthen conservation programs and other policies that protect our natural resources.

Mr. Speaker, I am fortunate to represent Illinois' 10th Congressional District, which borders one of our Nation's greatest treasures, Lake Michigan. Lake Michigan offers miles of beachfronts, natural habitats, recreational space for all of those that visit her, as well as drinking water for millions.

As a scoutmaster, I teach my Scouts that we should always leave or strive to leave areas better than when we found them. Reauthorizing the Great Lakes Restoration Initiative for the next 5 years will help us fulfill this goal with Lake Michigan.

I now urge the United States Senate to immediately take up and pass this legislation. The Great Lakes Restoration Initiative was introduced in the Senate by my friend and colleague, Senator MARK KIRK, who has been a fierce advocate for protecting Lake Michigan throughout his 15-year career representing the people of Illinois.

Working together, we can protect our country's greater natural resources for future generations to enjoy.

CONGRATULATING SHERRI RUKES

Mr. DOLD. Mr. Speaker, I rise today to congratulate Sherri Rukes, who was awarded the Golden Apple Award for Excellence in Teaching by the Golden Apple Foundation.

Ms. Rukes has been an AP chemistry teacher at Libertyville High School for 19 years. She also was the coach of the robotics team and volunteers with the science Olympiad and math team.

The Golden Apple is awarded to the best teachers in the entire country, and Ms. Rukes is very deserving of this prestigious recognition. Her innovation and passion for teaching have made her an outstanding teacher who has bettered the lives of every student who entered her classroom.

Ms. Rukes plays an important role in educating and preparing our future leaders for success. I am happy to know that our students are getting the outstanding education they need and deserve when they step into her class.

I offer my congratulations to Ms. Rukes and to Libertyville High School for this well-deserved recognition.

□ 1015

ARMENIAN GENOCIDE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. CICILLINE) for 5 minutes.

Mr. CICILLINE. Mr. Speaker, I rise today to commemorate the 101st anniversary of the Armenian genocide. Over the years in Rhode Island, I have spoken with many Armenian Americans who have recounted the stories their parents or grandparents told them about living through the horror of the Armenian genocide. Even after 100 years, there is still a deep wound in the heart of the Armenian people, particularly as genocide and atrocious human rights violations continue to be used as weapons of war in the 21st century.

Today, hardly a week goes by without news of horrific human rights violations somewhere around the world. The first step to stop these abuses is to acknowledge them for what they are and then to confront them. That is why it is important that the United States Government finally recognize and call the Armenian genocide what it is and what it was: a systematic attempt by the Ottoman Empire to annihilate the Armenian people.

The challenges, of course, continue today for the people of Armenia. All of us know that earlier this month, violence once again erupted in Nagorno-Karabakh. President Serzh Sargsyan called it “the most wide-scale military action that Azerbaijan has tried to carry out since the establishment of the 1994 ceasefire regime.”

It is critical that the United States remain deeply engaged in resolving this conflict. I recently met with the Armenian Ambassador to the United States, Ambassador Grigor Hovhannissian, to discuss relations between our two countries and what role the United States must play to help promote a resolution of this long-standing conflict. I have received briefings on the current situation, and I will continue to advocate for critical American leadership to protect the innocent men, women, and children who are living in Nagorno-Karabakh.

But as we address this current crisis, it is also critical that we continue to push for recognition of the Armenian genocide. History is clear: 101 years ago, 1½ million Armenian men, women, and children were brutally and systematically murdered while living under the Ottoman Empire. That is not an opinion, it is not an interpretation, and it is not an allegation. It is a fact.

In a cable sent to the U.S. Secretary of State on July 10, 1915, the U.S. Ambassador to the Ottoman Empire confirmed the persecution of Armenians by “systematic attempts to uproot peaceful Armenian populations, and through arbitrary arrests, terrible tortures, wholesale expulsions, and deportations from one end of the empire to other accompanied by frequent instances of rape, pillage, and murder,

turning into massacre, to bring destruction and destitution on them.”

After 101 years of waiting, it is time for our President and the United States Government to recognize this fact and to acknowledge this atrocity as the first genocide of the 21st century. Armenia is an important friend and ally of the United States, and it is critical that we stand with our friends and honestly acknowledge the evil of the Armenian genocide.

Mr. Speaker, in closing, I would like to leave you with the words of Pope Francis who last year reminded all of us that “whenever memory fades, it means that evil allows wounds to fester. Concealing or denying evil is like allowing a wound to keep bleeding without bandaging it.”

After more than 100 years of waiting, it is time for the United States Government to finally recognize the Armenian genocide as the first genocide of the 21st century.

 CONFRONTING HEROIN AND OPIOID ABUSE CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ZELDIN) for 5 minutes.

Mr. ZELDIN. Mr. Speaker, the rapid rise in drug abuse across America, specifically the sharp increase in heroin and prescription opioid abuse, has severely impacted our local communities and has become a major issue across our country.

Tragically, 78 people each day will lose their battle with addiction and their life as a result of an opioid or heroin overdose. Sadly, with the trends moving the way they are, this number will only continue to increase. According to the CDC, in 2014, over 28,000 people lost their lives due to prescription opioid pain relievers or heroin. This was the highest recorded number of overdose deaths of any year. Newsday on Long Island just reported an increase in overdose deaths in our region, stating that 442 people died of a heroin or opiate overdose in 2014, a number that has increased from 403 overdose deaths the prior year.

Addiction is a devastating disease that takes hold of our loved ones and impacts everyone around that person. This is a lonely and heartbreaking disease that is taking lives, tearing families apart, and destroying our communities. It must be stopped.

In a report that highlights the growing drug abuse epidemic sweeping across our Nation, the CDC found that over the past decade, heroin use has doubled among young adults ages 18 to 25, and heroin-related overdose deaths have nearly quadrupled, with every 6 out of 10 drug overdoses linked to opioids or heroin. The CDC also found that almost half of the people who use heroin are also struggling with a prescription opioid addiction. As drug abuse continues to rise, claiming lives and grabbing hold of our youth, it is clear that we must come together to address this crisis.

Throughout my time in the New York State Senate, and now in the United States Congress, one of my top priorities has been to support legislation to help those coping with drug addiction by increasing treatment and recovery services.

One piece of legislation I am proud to support and cosponsor is H.R. 953, the Comprehensive Addiction and Recovery Act, also known as CARA. CARA would prevent and treat addiction on a local level through community-based education, prevention, treatment, and recovery services. The grants made available through this bill would also provide the necessary funding to expand prescription drug monitoring in States all throughout our country.

Additionally, CARA provides funding to supply our police force and emergency medical responders with higher quantities of Naloxone, a medication that is proven to reverse an opioid overdose. Since this bill was introduced at the beginning of last year, I have been pushing for a vote on CARA in the House. Just last month, the United States Senate passed this bill with an overwhelmingly bipartisan vote of 94-1. Now it is time to bring this bill to the House floor.

As a member of the Bipartisan Task Force to Combat the Heroin Epidemic, passage in the House of CARA is a top priority of mine, and I will keep fighting so that we can pass this essential piece of legislation and send it to the President's desk for his signature.

There are many other bills, other than CARA, such as the Stop Overdose Stat Act, H.R. 2850. There are bills like the Examining Opioid Treatment Infrastructure Act of 2016, which would require the Comptroller General to issue a report to Congress on substance abuse treatment availability and infrastructure needs across the country, as well as legislation that would task the FDA to create a plan on how to deal with the opioid and heroin epidemic, H.R. 4976.

Fighting drug abuse must be an effort at all levels of government, but it also must be a community effort as well. That is why I have hosted press conferences and panel discussions, including a community summit and drug task force roundtable on Long Island to bring together local elected officials, law enforcement, health professionals, community groups, parents, concerned residents, and recovering substance abusers so that we can all develop and pursue necessary solutions.

The House is also expected to take up legislation to stop the flow of illegal substances into our country, such as H.R. 3380, which would help law enforcement officials identify and target drug traffickers; and H.R. 4985, which makes it easier to prosecute drug traffickers.

We must all continue to support legislation that addresses the rise in heroin and opioid abuse to stop this tragic loss of life, family, and community as a

result of addiction. It is impacting our districts all across America. It is our duty while we are here, as Members of Congress, to do everything in our power to address this now, to turn the tide, to fight back, and to save families that are being torn apart. That is why I support all of these great bills that are moving through the process here in the House.

ARMENIAN GENOCIDE

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

Mr. COSTA. Mr. Speaker, I rise today to recognize the 101st anniversary of the Armenian genocide and honor the lives of 1.5 million Armenians who were killed between 1915 and 1923 by the Ottoman Empire. The Republic of Turkey, sadly, continues to try to silence the voices of the survivors and their descendants around the world, but we will never forget nor will we be intimidated into silence.

Several years ago I told the foreign minister of Turkey, who is now the President, that Turkey must recognize the genocide and put this chapter of history to rest. It is extremely frustrating that Turkey continues to ignore what really happened, but in addition to that, it is very disappointing and unacceptable that President Obama failed once again to call the murder of 1.5 million Armenians a genocide—because that is what it was.

Recognizing the Armenian genocide is not something to be debated. The Europe Parliament has gone on record of recognizing the genocide, and last year Pope Francis spoke of the tragedy that took place, the Armenian genocide. Scholars and historians acknowledge that the systematic killings and deportations that took place constituted a genocide.

I, however, simply do not have to rely on the word of historians. Growing up in the San Joaquin Valley in the Fresno area, I heard stories from my friends and neighbors, the Kezerians, the Abrahamians, and the Koligians, whose families experienced the horrors at the hands of the Ottoman Empire.

As we reflect on this day, it is equally fitting to honor the hundreds of thousands of Armenian men and women who bravely began new lives in the United States after witnessing unspeakable tragedies to their families and in their villages. Survivors and their descendants, many of whom settled in California, have become bright examples of what it means to live the American Dream in their own diaspora.

I would like to use this opportunity to tell you of an experience last Friday in Fresno. I had the distinct honor of participating in a wreath-laying event with leaders of the Armenian community and the Armenian National Committee of America, its national chairman, Raffi Hamparian.

I want to take this opportunity to honor someone who brought a sense of

justice to those who perished during that time. We want to recognize a true Armenian hero, Soghomon Tehlirian. As a part of Operation Nemesis, planned by the Armenian Revolutionary Federation, Soghomon Tehlirian assassinated Talaat Pasha, who was the last prime minister of the Ottoman Empire and the orchestrator of the Armenian genocide.

This was an act of justice served on behalf of the Armenian people. Tehlirian was acquitted of the charges by a jury in Germany in the 1920s and later moved to Serbia, and then to San Francisco, California. He died in 1960 and is buried at the Ararat Massis Armenian Cemetery in Fresno, California, which then was the only Armenian cemetery in the country.

I hope my colleagues will join me and the Armenians throughout the Nation and throughout the world in honoring Mr. Tehlirian and to also pay tribute to the 1.5 million lives lost in the genocide—the first genocide in the 20th century—as well as their descendants who live today, for we must never ever forget the history. As Santayana once said: Those who forget history are doomed to repeat it.

DENIM DAY

Mr. COSTA. Mr. Speaker, on a separate matter, I rise today to recognize Denim Day, which is observed in April throughout the world as being Sexual Assault Awareness Month.

My staff today is wearing denim, joining other organizations throughout the district and throughout the Nation to raise the awareness about sexual violence prevention.

I would like to commend the Valley Crisis Center in Merced, the Madera Community Action Partnership, and the Marjaree Mason Center in Fresno, and the San Joaquin Valley organizations for all that they do to support and serve the victims of sexual assault.

Today, on Denim Day, and every day we stand with the victims and survivors, their families, and their friends to make everyone aware and to prevent the spread of sexual violence.

FAIR LABOR STANDARDS ACT

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

Mr. PERRY. Mr. Speaker, this year, job creators should expect significant changes to Federal wage and hour laws, throwing yet one more hurdle in front of them and their employees as the U.S. Department of Labor, the DOL, finalizes new overtime regulations under the Fair Labor Standards Act, or the FLSA.

The basic premise of the FLSA, which applies to many Pennsylvania employers, is that if you are receiving a salary, it must be because your employer is cheating you. The rule that has the force of law discourages salaried employees and discourages the give-and-take between employee and

employer to work for the best interest of each one.

There are limited exceptions to the FLSA's overtime obligations for narrow categories of employees and for those in particular industries and occupations. The most common exemptions are for white-collar employees like executive, administrative, and professional employees.

□ 1030

Currently, an employee must satisfy three criteria to qualify as exempt from Federal overtime pay: first, you must make a salary; second, your salary must be more than \$455 per week, or \$23,660 annually; and third, your primary duties must be consistent with managerial, professional, or administrative positions as defined by the Department of Labor. They don't know every single job in every community across the country, but yet they are the ones that decide, not the people actually doing the work or the ones who started and own the business.

Last year, the DOL proposed arbitrarily increasing the salary threshold to \$50,440 per year, a 113 percent increase, just arbitrarily said that is the way it is going to be. It also proposed automatically increasing the salary threshold on an annual basis regardless of what the economy is. If the economy grew at 4 percent, I guess it would be one thing. If it didn't grow or it grew at 0.3 percent, which is what GDP is currently, it would still go up—again, just arbitrary. This doesn't come from Congress. This isn't bandied back and forth between the Democrats and the Republicans, between the House and the Senate. This is just bureaucrats making a rule, the force of law.

These proposed rules will bring sweeping changes to Federal wage and hour laws, and they will be especially burdensome on rural areas, like central Pennsylvania. They will also significantly impact local governments, nonprofit organizations, and small retailers, among many others.

Because of this rule, for instance, a dry cleaner that I met with recently simply is going to have to make a choice. They are either going to hire fewer people or raise prices for their customers.

I recently met with county commissioners in the district I am privileged to represent. If the requirement is raised, as DOL proposes, 50 county employees will be affected, which will result in either fewer employees or nearly \$400,000 in expenses for the county moving forward. How do you think they are going to offset those costs if they don't lose those employees or fire those employees? You guessed it. You and I are going to pay—the local taxpayers.

I also met with the YWCA in my district, a nonprofit organization. They looked at the potential impact of these regulations and determined that approximately 30 staff members would be affected, resulting in either a loss of

jobs or an additional expense of over \$200,000. For a nonprofit that is struggling to get by, struggling to provide services—whether it is a daycare for underprivileged folks—or just to keep the doors open, they are going to have to make a choice, all because of a rule that didn't come from here. It came from the regulators, as usual, who aren't interested in the input of the Nation's citizens in all too many cases. This is just another example of bureaucrats of the administrative state—in this case, the Department of Labor—developing top-down regulations that crush organizations like nonprofits, small businesses, and communities that can least afford it.

For this reason, I am happy to support a solution. We shouldn't have to provide this solution because this is really a problem that doesn't exist. But there is a solution, the Protecting Workplace Advancement and Opportunity Act, introduced by my colleague from Michigan, Mr. TIM WALBERG, which prevents the DOL from implementing this misguided and completely unnecessary proposal and rule. I strongly urge other Members to support this important legislation as well.

VISIT TO GUANTANAMO BAY

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

Mr. CURBELO of Florida. Mr. Speaker, earlier this week, I visited U.S. Naval Station Guantanamo Bay, a critical military national security asset serving key roles in the war on terrorism, drug and migrant interdiction, and as a strategic forward base for the Atlantic Fleet. Every day, approximately 7,000 U.S. military personnel and contractors go to work at GTMO to keep our country safe and to advance our national security interests in the Americas and throughout the world.

I had the privilege of meeting with Captain Culpepper, the base commander, who briefed us on the base's preparedness to assist with major migrant events in the Caribbean. This is important, considering the significant increase in Cubans fleeing the island over the last year.

I also met with Rear Admiral Clarke, who serves as Commander of the Joint Task Force Guantanamo. The JTF is working professionally and diligently to provide safe, humane, legal, and transparent care and custody of detainees. I was able to inspect the detention facilities, and I was impressed with efforts to treat the detainees with dignity and respect.

Our brave young people in uniform do an extraordinary job of representing our country, sometimes under very difficult circumstances, in this theater. Mr. Speaker, the men and women of Naval Air Station Guantanamo, the Joint Task Force, and the Marines who protect the base perimeter deserve the admiration, appreciation, and support of the American people and this Congress.

I thank my colleague from south Florida, ILEANA ROS-LEHTINEN, for leading our visit to GTMO. I urge all of my colleagues to work to protect and strengthen this critical military asset.

ZIKA ERADICATION AND GOOD GOVERNMENT ACT
Mr. CURBELO of Florida. Mr. Speaker, the Zika virus has wreaked havoc throughout Central America, South America, and the Caribbean. We have seen countless pregnant women infected, resulting in devastating fetal brain defects on their newborn children.

As of mid-April, 87 cases of Zika have been identified in Florida, and another 380 cases have been reported across the country. We must be prepared for the first domestic transmission of the virus, especially as the summer mosquito season begins and international travel is more frequent.

For these reasons, I have filed H.R. 5031, the Zika Eradication and Good Government Act. This bill will ensure no new funds are made available for Zika until all unspent Ebola money is disbursed, which the President already said he would do in early April.

This bill will also direct all Federal agencies that receive funds to combat Zika to work in collaboration and share best practice methods.

Finally, this bill will require a report from the President to Congress each month when any future funds are appropriated for Zika, detailing the obligations, expenditures, and effectiveness of the program.

Mr. Speaker, I support the President's call for funding emergency legislation to ensure Zika is eradicated. I also want to make sure the funds are spent wisely and effectively in fighting this virus.

This bill is an important first step forward. I strongly urge my colleagues to cosponsor the Zika Eradication and Good Government Act.

CRIMINAL JUSTICE REFORM

Mr. CURBELO of Florida. Mr. Speaker, I rise today to discuss the need to improve our prisons and criminal justice system here in the United States.

Currently, there are more than 2 million individuals who are incarcerated in our country, the majority of whom committed nonviolent offenses.

Last December, I had the opportunity to visit with over 20 inmates at Dade Correctional Institution in south Florida. These individuals were visibly moved that someone had taken the time to speak with them and learn about their struggles. I felt very fortunate to have had the opportunity to hear their stories.

Criminal justice reform is desperately needed in our country, and it is vital that we break the school-to-prison pipeline and ensure that those who have served their time have a second chance at success.

For all these reasons, I signed the Second Chance Petition, to allow nonviolent offenders to recover with dignity and become active members of their communities.

With this week's Criminal Justice Summit taking place at the White House, I call on all of my colleagues to build on this momentum and meet with inmates to learn from their experiences. I am a cosponsor of bipartisan bills focused on criminal justice reform and look forward to working with my colleagues to get these bills signed into law.

HONORING JIM BRADEN

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

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to honor Jim Braden, pictured here with his granddaughter Cates. Jim is a native of Ripley, West Virginia, who is being honored on April 30 for his significant accomplishments and contributions to the coaching of young men and women for over 52 years in Tennessee and West Virginia.

Jim Braden's roots in Jackson County, West Virginia, baseball began with his father, Ed Braden. Ed Braden was a member of the Sandy Valley baseball club in the 1940s, which received numerous county pennants that earned them the right to play in the Little World Series.

Ed built houses to accommodate the influx of people relocating to work at the new Kaiser Aluminum plant in the 1960s. He also founded Braden Plumbing and Heating in Ripley and was responsible for installing the first bathrooms in many Jackson County homes. Throughout the years, Ed was a staple at Ripley High School baseball and other athletic events.

While at Ripley High School, Jim Braden was in a car accident that cut his baseball career short. Once he recovered from the accident, Jim, still a high school student in Ripley, West Virginia, started coaching youth sports teams.

After a brief period at Glenville State College, Jim Braden proudly served our country for years in the Vietnam war as a part of a U.S. Navy helicopter squadron.

Upon returning to the United States, he took employment as a teacher at Roane-Jackson Technical Center.

Jim moved to Farragut, Tennessee, in 1980, and enjoyed a long career as an industrial sales consultant. But he took his love of baseball and, most notably, his Cincinnati Reds with him, never forgetting his West Virginia roots. His sister, Pam Braden, is on the board of Ripley Convention & Visitors Bureau.

Braden and his wife, Catherine, raised their two children, Laura and Mark, while Braden continued coaching baseball, basketball, and football. In Farragut, Braden was instrumental in organizing and implementing the countywide Knox County Middle Schools baseball league. He created the Dugout Club's Web page and continues

to serve as one of its Web masters. He also serves as a guiding force to help raise funds for facilities and other activities supporting Farragut baseball.

Braden has coached numerous Division I and professional baseball players, including former Minnesota Twins pitcher Kyle Waldrop, Eli Lorg, and Cale Lorg. He also coached White Sox player Nicky Delmonico, Curt Powell from the Detroit Tigers organization, Nick Williams from the Marlins organization, and Philip Pfeifer from the Dodgers organization.

Thank you, Coach Braden, for your service to our country and for coaching generations of young baseball players.

CONGRATULATING BRITTANY FRENCH

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to congratulate Ms. Brittany French of Berkeley County, West Virginia, for being named the National Volunteer Fire Council's Junior Firefighter of the Year.

As a member of the Junior Volunteer Fire Company and the Volunteer Fire Department in Hedgesville, Brittany is a third-generation firefighter.

Brittany has continually demonstrated a passion for learning about health and emergency services. She studied these subjects, earning several certifications at James Rumsey Technical Institute during her junior and senior years in high school. She is now enrolled in the paramedic course at Blue Ridge Community and Technical College, allowing her to continue her education while still serving her community.

Brittany clearly enjoys helping others and has excelled in doing so. She previously won first place in EMT skills in a statewide health competition. She has helped the fire department fundraise, and she continues to be actively involved in her church.

Brittany is among West Virginia's most devoted young leaders. I am honored to join her family, friends, and the dedicated firefighters with whom she works in congratulating Brittany on being named the National Volunteer Fire Council's Junior Firefighter of the Year.

SEXUAL ASSAULT

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise today to address an issue that has impacted millions of Americans from coast to coast, north to south, also an issue that has impacted my family personally. Mr. Speaker, I care deeply about the survivors of sexual assault and want to ensure that their voices are heard.

Every 2 minutes, Mr. Speaker, an American is sexually assaulted. That is 200,000 of our fellow American citizens that are impacted by this horrendous crime. Sadly, Mr. Speaker, less than half of those victims will report their attack to law enforcement, making sexual assault one of the most under-reported crimes in America.

□ 1045

That is why I am proud to stand with my colleague from California, JACKIE SPEIER, to introduce a resolution to recognize April as Sexual Assault Awareness and Prevention Month.

As Members of Congress, we are in a unique position to raise awareness and speak out on behalf of sexual assault survivors. We must unite. When one in five women will be raped in her lifetime, we cannot afford to stand silent on this issue.

It is only right, Mr. Speaker, that we say enough is enough with sexual assault in America. Enough is enough to no longer speak about this issue because it is something that is difficult to speak publicly about.

That is why I am an ardent and active supporter of the NO MORE Campaign. The NO MORE Campaign has taken it upon itself to unite across the country, to stand in one voice, and many of us across America have seen the commercials on our TVs to say no more to sexual assault.

No more can we put up with excuses like: "She deserved it." "She was drunk." "Of course she got what she was looking for." No more can we say: "Well, that is what boys do. That is what young men do."

We need to stand together as American citizens, men and women in this Chamber, to say: No more to sexual assault. It is unacceptable for us to stand silent any longer.

I ask my colleagues to join us in the effort to recognize April as Sexual Assault Awareness and Prevention Month and join us in one voice to send a clear message across America to say: No more.

HONORING DUNBAR HIGH SCHOOL'S BOYS BASKETBALL TEAM

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

Mr. BARR. Mr. Speaker, I rise to honor the boys basketball team at Paul Laurence Dunbar High School in Lexington, which is my hometown, for winning the Kentucky High School Athletic Association's State championship, better known in Kentucky as the Sweet Sixteen.

As everyone knows, Kentucky is a basketball-crazy State, and this is a great accomplishment. This is the school's first-ever State championship in boys' basketball and the first championship for a Lexington high school since 2001.

In the first three games of the tournament, the Bulldogs posted come-from-behind wins over Mercer County, Bowling Green, and Newport Central Catholic to reach the finals.

However, in the final game, led by junior Taveion Hollingsworth, who was the tournament MVP, they led wire to wire, defeating Louisville's Doss High School 61-52. Like any successful en-

deavor, the victory was won by dedication, hours of practice, determination, and teamwork.

I congratulate the students, head coach Scott Chalk, and the entire coaching staff on the State championship. I am proud to honor Dunbar High School before the United States House of Representatives.

HONORING PREVENT CHILD ABUSE KENTUCKY

Mr. BARR. Mr. Speaker, I rise in recognition of National Child Abuse Prevention Month and to highlight the work of Prevent Child Abuse Kentucky.

This organization is on the front lines to make sure Kentucky's children are raised in safe, loving homes and are not abused, mistreated, or neglected. It develops and promotes effective strategies and programs through community involvement, public education, and advocacy.

Efforts are centered on recognizing the inherent potential and goodness of children, on strengthening families, and on empowering the community to become involved with this important mission.

This cause is personal to me. As the father of two girls and as the former president of the board of directors of Prevent Child Abuse Kentucky, I am incredibly proud of the good work this group does every single day for Kentucky's children and all year long.

I hope all of my colleagues will join me in thanking Prevent Child Abuse Kentucky and similar organizations around the country as we recognize National Child Abuse Prevention Month.

HONORING DINNY PHIPPS

Mr. BARR. Mr. Speaker, I rise to honor the life of Mr. Ogden "Dinny" Phipps for his contributions to the American thoroughbred horse-racing industry and in remembrance of a legend in the sport of kings.

Mr. Phipps leaves a proud legacy in his having made a profound and positive impact on the game for many decades. As an owner and breeder, Mr. Phipps owned and reared numerous champions, including the 1993 Kentucky Oaks winner Dispute, the 2005 Breeders' Cup Distaff winner Pleasant Home, and, most recently, the 2013 winner of the Kentucky Derby, Orb.

However, one could argue that Mr. Phipps' greatest impact was felt beyond the racetrack, as he was a steadfast advocate for the industry and served the racing community as an industry executive.

From 1983 until his recent retirement in 2015, Mr. Phipps served as chairman of The Jockey Club, the official breed registry of the thoroughbred industry. He also served as a longtime member of the New York Racing Association, serving as the Association's chairman from 1976 to 1983.

Mr. Phipps' love of this great American pastime will leave an enduring mark on the thoroughbred industry. Mr. Phipps is survived by his wife, Andrea, and his children, Kayce, Kelley, Lilly, Daisy, Samantha, and Ogden.

I extend my deepest sympathy to the Phipps' family, and I join my fellow Americans in honoring the life, contributions, and service of Ogden "Dinny" Phipps.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. Wade Stevenson, Gideon Missionary Baptist Church, Waukegan, Illinois, offered the following prayer:

God of unity and of peace, we come to this opening session acknowledging that You are the source of life and that each person's life is subject to Your governance.

We bring to this session the diverse concerns of the districts we represent, and in bringing those concerns, we acknowledge that through You we can serve in unity.

As we come to this session and into these Halls, we also acknowledge that through You we can have peace. Let peace rest within these Halls, and let us rest in that peace through the demonstration of our patience and cooperation in serving.

Finally, we pray that our time spent here will be meaningful and that You will bless our service to produce fruit in the lives of those we represent.

We thank You for the opportunity to serve through Your unity as instruments of Your peace.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. CRAWFORD led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND DR. WADE STEVENSON

The SPEAKER. Without objection, the gentleman from Illinois (Mr. DOLD) is recognized for 1 minute.

There was no objection.

Mr. DOLD. Mr. Speaker, I rise to welcome my good friend, Pastor Wade Stevenson from Waukegan, Illinois, in Illinois' 10th Congressional District.

For his entire life, Pastor Stevenson has been called to serve others. Pastor Stevenson is the head pastor at Gideon Baptist Church in Waukegan, and at Gideon, he helps to bring God's grace and the word of the Lord to our community.

Pastor Stevenson is the president of the North Shore Baptist Ministers' Alliance and the second vice president of the Lake County Chapter of the NAACP. His numerous public recognitions and appointments reveal a life of public service to the people of our community.

But Pastor Stevenson's role in our community can't be summed up by a list of titles or awards. Since he became pastor of Gideon Baptist Church more than 10 years ago, he has become a beacon of hope for countless people in our community. Pastor Stevenson is one of the first people in our community that people turn to when they are looking for guidance, both spiritual or otherwise.

I have been blessed to work side by side with him to distribute Thanksgiving turkeys to families in need. His dedication has brought joy to countless families around the holidays year in and year out.

It is a great honor to welcome my friend, Pastor Stevenson, to the House of Representatives today, and I am confident that the blessings he brings will serve us well.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

COMMENDING WE THE PEOPLE COURSE

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

Mr. CRAWFORD. Mr. Speaker, 19 students from Valley View High School in my hometown of Jonesboro, Arkansas, have been studying our Nation's constitutional democracy for several months in an intensive course. The course called We the People is taught to students particularly interested in the history and principles of the United States Government.

Last week, those students put their knowledge to the ultimate test in Washington, D.C. They competed in a simulated congressional hearing by evaluating, taking, and defending posi-

tions on a variety of historical and contemporary issues. Our government functions more efficiently when passionate citizens engage in the political and policymaking process, and I am proud that these students are already preparing themselves for that process through their education.

Traci Smith, the group's civics teacher, deserves our thanks and respect for the incredibly important role that she plays in preparing our rising generation. I would also like to applaud the efforts of the We the People Arkansas State coordinator, Jeff Whittingham, associate professor at the University of Central Arkansas who has done such a remarkable job through the years organizing and directing the We the People program for our State.

AUTHORIZING DAVID'S SLING WEAPON SYSTEM

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

Mr. HIGGINS. Mr. Speaker, the discovery of major offshore natural gas deposits 90 miles west of Haifa presents Israel with new opportunities—and new threats.

Developing this resource will reduce Israel's dependence on fuel imports and improve ties with its neighbors through export agreements. However, the offshore platforms will be an attractive target for Hamas, Hezbollah, and other terrorist organizations. A successful attack could be a humanitarian, economic, and environmental disaster.

The United States-Israel Maritime Security Partnership Act would authorize the use of the David's Sling Weapon System to intercept short-range missiles, promote Israel's inclusion in naval exercises, and increase the number of visits by U.S. naval vessels to Israeli ports.

Mr. Speaker, I urge my colleagues to help our ally protect its coastline and offshore infrastructure from attack by cosponsoring this timely legislation.

CELEBRATING 125TH ANNIVERSARY OF HECLA MINING COMPANY

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

Mr. LABRADOR. Mr. Speaker, I rise today to recognize the 125th anniversary of the Hecla Mining Company.

Hecla was founded in 1891 to acquire and trade mining claims in north Idaho's Silver Valley. Over the years, this mining district has produced 1.2 billion ounces of silver. The company has survived and thrived through world wars and economic depressions, and today Hecla is the Nation's largest primary producer of silver and employs over 1,300 people in my district and throughout the world.

I recently had the opportunity to visit Hecla's Lucky Friday mine and was able to see firsthand the state-of-the-art mining practices that Hecla uses to extract silver from deep in the Earth.

As Hecla celebrates its 125th anniversary, I join with others in celebrating the company's great legacy and success.

CELEBRATING 125TH ANNIVERSARY OF RHODE ISLAND SCHOOL FOR THE DEAF

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

Mr. CICILLINE. Mr. Speaker, this weekend the Rhode Island School for the Deaf will celebrate 125 years as an educational institution that serves deaf and hard-of-hearing students in Rhode Island.

Each year, approximately 12,000 children are born with some level of hearing loss in this country. The Rhode Island School for the Deaf offers essential support, guidance, and information for deaf and hearing-impaired children from the moment they are born until they are ready to graduate high school and go on to college or a career.

The Rhode Island School for the Deaf's Parent Infant Partners program helps children develop English and American Sign Language skills at an early age. Its elementary, middle, and senior high school programs provide quality education, as well as vocational programs and opportunities to participate fully in social activities and athletic events alongside hearing children.

I applaud the extraordinary educators and staff at the Rhode Island School for the Deaf for their ongoing work to serve deaf and hearing-impaired children, and I congratulate them on their 125th birthday celebration this Friday.

CELEBRATING THE CONTRIBUTIONS OF BOB EPLING IN SOUTH FLORIDA

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to honor Bob Epling, one of south Florida's most distinguished business and civic leaders.

Bob currently serves as the president and CEO of the Community Bank of Florida and sits on numerous boards, including the National Football Foundation and the College Football Hall of Fame. Bob earned this installment in part because of his arduous work as president of the Orange Bowl Committee. He also serves as chairman of Tomorrow's South Dade, a project of vision that addresses business development, infrastructure, agriculture, and other issues that impact the residents of south Dade.

Another testament to Bob's commitment to our community was as chairman of the board of the International Hurricane Research Center where he spent countless hours helping to rebuild homestead following the devastating impact of Hurricane Andrew.

Bob has also been the recipient of numerous accolades, including the Florida Bankers Association Legends Award, as well as the University Distinguished Service Award and FIU Medallion, both from my alma mater, Florida International University.

I encourage our community to join me in honoring Bob Epling and his contributions to the agricultural sector at this Saturday's Dade County Farm Bureau's Annual Barbecue and "Fun" Raiser.

Congratulations, Bob, on a job well done.

HAZING IN THE MILITARY

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

Ms. JUDY CHU of California. Mr. Speaker, this month marks the fifth anniversary of the death of my nephew, Harry Lew. While deployed in Afghanistan, Harry was hazed and brutally assaulted by his fellow marines for almost 4 hours. Twenty minutes later, he took his own life. He was 21 years old.

Harry's story is not unique. I have now heard from families and service-members across the country who have their own tragic stories and tried to seek help, but many are at a loss of where to turn. That is because the Pentagon's guidance on hazing is unclear, inconsistent, and imperfectly applied. Without an accurate system of tracking hazing incidents, we have no way to actually know the full extent of the problem. This failure costs lives.

It is time the military treat this problem seriously. My bill, the Harry Lew Military Hazing Accountability and Prevention Act, would require the Department of Defense to track and report annually on the problem of hazing in the military.

Our men and women in uniform protect us. We must do what we can to protect them.

COMMEMORATING THE LIFE OF REGNAL WALLACE

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

Mr. ABRAHAM. Mr. Speaker, I rise today to commemorate the life of Regnal Wallace, the "Original Voice of Louisiana Agriculture."

It is a nickname he earned for good reason. When you heard his voice on the radio, you knew immediately that it was Reg. As a farmer myself, I knew I always needed to listen up because what he was going to tell me was important.

In 1981, Reg launched "This Week in Louisiana Agriculture," a show he imagined as a new way to tell the public about the incredible work taking place in the fields and processing plants across the State by some of the hardest working men and women in Louisiana.

Thirty-five years later, this show is still carried by 18 affiliates in Louisiana and nationwide by RFD-TV, bringing the story of agriculture to 400,000 people each week.

Reg died earlier this month at his home in Franklin Parish, which I represent. Those of us in Louisiana will be forever grateful for Reg's contributions to agriculture in our State and the life he dedicated to serving farmers.

REMEMBERING JUSTICE LAURA LIU

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

Mr. QUIGLEY. Mr. Speaker, Chicago lost a tremendous judge, attorney, mother, wife, and friend on April 15th with the death of Justice Laura Liu. She fought a courageous battle against breast cancer for 5 years, and her spirit, passion, and determination never faltered.

Born to immigrant parents, Justice Liu didn't start speaking English until elementary school, but ended up as class valedictorian.

For nearly 20 years, Justice Liu worked as a litigator, then as a circuit court judge, and finally was appointed to the Illinois Appellate Court. In the court, Justice Liu was a strong advocate for interpreter services for immigrants and people with limited English who might have been otherwise overwhelmed.

She was a tremendous advocate and mentor to Chicago's Chinese American community, setting an exemplary model for young boys and girls that their opportunities were endless if you worked hard.

Our thoughts and prayers are with Justice Liu's family during this difficult time.

MANAGING WILD HORSES AND BURROS

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

Mr. STEWART. Mr. Speaker, the BLM just announced that it would significantly cut grazing allotments and possibly eliminate all cattle grazing on Federal lands in Elko, Nevada, to accommodate the overpopulation of wild horses. Many rural areas in my district are facing the exact identical situation where wild horses are taking over the ranges.

I grew up ranching and riding horses, and I desperately want to protect them. But with 50,000 wild horses on

ranges in the West—which is double what the land can sustain—the ranges are overgrazed, and now horses are starving to death.

Not only are the current conditions inhumane, but due to the overpopulation, the Federal Government is forced to house an additional 50,000 horses at a cost of \$55,000 per horse.

I urge my colleagues to join with me to look for solutions to this problem. One solution is my bill, the Wild Horse Oversight Act, which would simply allow States to manage wild horses and burros.

If you care about these horses like I do, then help me solve the problem. If you care about our range and how these animals are destroying the range, then, again, help me solve this problem.

□ 1215

NO ACTION ON ZIKA, FLINT, AND OPIOID ADDICTION

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

Mr. CARTWRIGHT. Mr. Speaker, I rise to give voice to lament that House Republican leadership has done nothing at this point to help the thousands of Americans struggling to protect their families from the threat of three different public health emergencies: the Zika virus, the opioid addiction and overdose problem, and the Flint water crisis as well.

Last month, House Democratic leadership wrote to Speaker RYAN asking for him to address these public health crises, calling for swift and decisive congressional action. Unfortunately, House Republican leadership has not responded with anything but inaction and indifference.

As reported by Roll Call: “an average of 78 people are dying every day from opioid overdoses, and mosquitoes carrying the Zika virus have been found in 30 States. But Congress has shown no urgency about addressing those issues. Maybe that’s not surprising from a Republican majority that can’t even adopt a nonbinding budget resolution after months of ‘family’ discussions.”

Mr. Speaker, hardworking families deserve a Congress that can get things done.

ADMINISTRATION USES CLIMATE SCARE TACTICS

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

Mr. SMITH of Texas. Mr. Speaker, the Obama administration recently released a report that tried to tie extreme weather events to climate change. This is the administration’s latest effort to scare the public into supporting its radical climate agenda. The report ignores science in order to justify the administration’s dire predictions.

For example, the administration’s report says that hurricanes are projected to increase. But hurricanes have not increased in intensity, frequency, or damage since 1900. The same can be said for almost all other extreme weather events.

The administration continues to incite fear so that Americans will wrongly believe that extreme climate events are due to climate change, but the administration should not push costly climate regulations on Americans when there is no good reason for them to do so.

HONORING KEN CHRISTY

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

Mr. FOSTER. Mr. Speaker, I rise today to honor Ken Christy, a letter carrier, an extraordinary leader, a member of our community, and a friend of mine.

Ken passed away unexpectedly this past Easter weekend. A family man, Ken left behind his three daughters and his wife, Bonnie, his high school sweetheart, to whom he was married for 52 years.

Ken gave back to his community in spades. He volunteered countless hours to the letter carriers’ annual food drive because he wanted to make a real difference in the lives of those in our community who are less fortunate.

Since 2013, Ken served as the clerk of Aurora Township.

Ken always stood up for working families. As president of the Illinois Letter Carriers Association, Ken made sure that the voices of his members were heard by public officials on both sides of the aisle. Not surprisingly, Ken was named into the Illinois Letter Carriers Hall of Fame in 2012.

He knew people from all walks of life and all political persuasions, but I never heard a bad word said about him. Ken was, indeed, a friend. He was a friend to the city of Aurora, he was a friend to the letter carriers and to their families throughout the State of Illinois.

Ken Christy will be missed.

END PRESIDENT OBAMA’S LAWLESS AND DELUSIONAL REFUGEE RESETTLEMENT PROGRAM

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

Mrs. BLACKBURN. Mr. Speaker, I rise today to commend State Senator Mark Norris and State Representative Terri Lynn Weaver for their work in the Tennessee General Assembly to authorize the State to enter into a lawsuit against the Federal Government. This lawsuit is over concerns with the refugee resettlement program and the 10th Amendment.

I have put forth legislation at the Federal level, H.R. 4218, that would im-

mediately suspend the Syrian refugee resettlement program.

Yesterday, Kansas Governor Sam Brownback announced that he was withdrawing Kansas from the resettlement program because of security concerns. There is no way—no way—to vet these Syrian refugees, Mr. Speaker.

Islamic radicals want to attack America. It is no secret to the American people. However, President Obama and this administration seem not to recognize this.

I call on all of my colleagues to join me to stand against the President’s lawless and delusional refugee resettlement program.

DENIM DAY

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

Ms. SPEIER. Mr. Speaker, in 1999, the Italian Supreme Court ruled that a 45-year-old driving instructor had not raped his 18-year-old student because she “wore very, very tight jeans, she had to help remove them, and by removing the jeans it was no longer rape but consensual sex.”

Outraged, the women in the Italian Parliament said they would wear jeans to work until decisions were changed. Their protests spurred action across the globe.

Seventeen years later, and during Sexual Assault Awareness Month, I wear this denim jacket in solidarity with survivors and advocates around the world. I wish I could say that the need for Denim Day was a thing of the past. But, unfortunately, sexual assaults remain rampant, including in our military and on our college campuses. In fact, one in five college coeds will be raped or some sexual assault will be attempted on them, and 20,000 men and women in the military are assaulted each year.

I urge my colleagues to wear denim today, and to support sexual violence prevention and education every day.

The SPEAKER pro tempore. In response to earlier remarks, Members are reminded to refrain from engaging in personalities towards the President.

150TH ANNIVERSARY OF RENOVO, CLINTON COUNTY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to commemorate the 150th anniversary of Renovo, Clinton County.

Renovo, which is located northeast of Lock Haven, in western Clinton County, was founded in 1866 and built for and by the Philadelphia and Erie Railroad as the midpoint between Philadelphia and Erie. For many years after the community’s founding, it was advertised as a mountain resort location,

with several large hotels built there before the turn of the 20th century.

Although it was the railroad that built Renovo and its mountain location that attracted travelers, the lumbering industry formed the bedrock of the town's heritage and economy. Clinton County's timber industry continues to thrive, contributing more than \$90 million to the economy of that county.

Many celebrations are planned in May to mark Renovo Borough's anniversary, including a parade along Erie Street, the opening of a time capsule, and a firework display.

I want to commend the local officials and the residents of Renovo and the surrounding areas of western Clinton County for this recognition of their long history.

RECOGNIZING THE RICHMOND HILL HIGH SCHOOL MARCHING BAND

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the Richmond Hill High School marching band for being selected to perform in the 2016 National Cherry Blossom Parade.

The Richmond Hill band has gained many accolades and enjoyed numerous successes since its beginning 9 years ago. Membership in the band has become popular among students, as it has grown from an original 90 musicians to nearly 200. The band has also competed and performed across the State of Georgia and twice at Universal Studios in Florida.

The selection process to perform at the National Cherry Blossom Parade is highly competitive. High schools, universities, and specialty marching bands from all across the U.S. apply to march in the parade. Crowds of people line the streets, and thousands at home watch on TV as these bands march down Constitution Avenue.

The band also used the visit to Washington as an educational experience. The students spent time visiting many museums and monuments on The National Mall.

It is with great pride that I rise today to honor the members of the Richmond Hill marching band for their hard work, determination, and perseverance to become a successful marching band. It is truly an honor for them to perform at the parade.

PROVIDING FOR CONSIDERATION OF H.R. 4498, HELPING ANGELS LEAD OUR STARTUPS ACT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 701 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 701

Resolved, That upon adoption of this resolution it shall be in order to consider in the

House the bill (H.R. 4498) to clarify the definition of general solicitation under Federal securities law. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, I rise today in support of the rule and the underlying legislation, which will benefit small innovative companies and startups by ensuring that they have access to the necessary capital to succeed, grow, and create jobs in their companies.

But I also stand up today to make sure that we are here for a marketplace that is fair and equitable to all Americans, regardless of whether they work for a small company or a large company, whether they are a big-time investor or whether they are a person who is looking at the marketplace, perhaps, with ideas and opportunities.

Last night, the Rules Committee met and reported a structured rule for H.R. 4498, the Helping Angels Lead Our Startups, or the HALOS, Act. The rule provides 1 hour of debate equally divided between the chair and ranking member of the Financial Services Committee.

I also want to point out that the Rules Committee asked all of our Members of this body to submit their ideas and amendments. As a result, this resolution makes in order all of the amendments that were submitted. That is important because what this Rules Committee is attempting to accomplish is to ask all of the Members for their feedback about how to make

bills better; and in this case, when something was germane, it was made in order.

The Securities and Exchange Commission has a three-pronged statutory mission in overseeing U.S. capital markets: to protect investors; to maintain fair, orderly, and efficient markets; and to facilitate capital formation.

Unfortunately, the SEC historically has ignored its mandate to facilitate capital formation in the absence of congressionally mandated rulemaking.

□ 1230

The SEC's inability to fulfill its statutory mandate is ultimately to the detriment of entrepreneurs, smaller companies, and startup ventures, such as Teladoc, the Nation's first and largest telehealth platform, which had it not received startup investment, may not have existed at all.

To remedy the SEC's inaction on capital formation, my colleagues and I passed the bipartisan Jumpstart Our Business Startups, or JOBS Act, which was signed into law on April 5, 2012. The recognition that we had problems in the marketplace for smaller companies and smaller groups of people to bring their ideas to the marketplace was a huge impediment based upon the SEC, and that is why this JOBS Act was created.

Although startups and small businesses are at the forefront of technological innovation and job creation, they often still face significant and unnecessary obstacles in obtaining funding in the capital markets. The JOBS Act lifted the burden of certain securities regulations to help small companies obtain access to these important markets, but we are back at the table again.

Unfortunately, when the SEC promulgated rules to implement the JOBS Act, it classified events held by angel investors as general solicitations, and thus, they were subject to accredited investor mandates, yet another example of the Federal Government's creating unnecessary red tape, stifling innovation, and quite honestly, making it hard for smaller, single entrepreneurs to participate in a worldwide marketplace.

This new classification is burdensome and it jeopardizes educational and economic development for events like demo days. Demo days are held in marketplaces all across our country. It is an opportunity for not just investors, but for general communities to come, primarily in the tech field, and learn about the newest startups as they are occurring. When startups interact with angel investors and venture capitalists, it means that best ideas can then be brought forward to create more jobs, investment, and can move forward so an idea that perhaps was on somebody's blackboard goes directly to the marketplace.

Demo days have been an important part of the entrepreneurial financing

process for decades—nothing new—often with lead sponsorships by Federal, State, and local governments, which are bringing these best ideas into play for the marketplace to see not only about the idea, but for it to become a reality in an economic development format.

To be clear, demo days have existed long before the passage of the JOBS Act and have created collaborative and engaging educational environments that have brought together startups, leading-edge thought leaders, young programmers, people who are looking to network, and, I think, an overall more diverse network of individuals that is looking to exchange ideas. These are the kind of educational incubators that our country needs more of, not less of.

We are here today because the SEC developed rules that would change demo days greatly—and other activities like this—to the detriment of the marketplace, yes, but, more importantly, to the detriment of small business and entrepreneurs.

To address the SEC's burdensome rule, Congressman STEVE CHABOT from Ohio, the chairman of the Committee on Small Business, introduced H.R. 4498, the Helping Angels Lead Our Startups Act. This legislation defines an "angel investor group" and clarifies that the Securities Act's general solicitation limitations do not apply to a presentation, communication, or event conducted on behalf of an issuer at an event that is sponsored by certain organizations; where any advertising for the event does not reference any specific offering of securities by the issuer; or where no specific information regarding an offering of securities by the issuer is communicated to or distributed by or on behalf of the issuer.

What does this mean?

This means that these demo days that are regularly held across the country are opportunities whereby a presenter of an idea or a person who represents that idea might bring forward those ideas, many times to hear about a collaborative basis, where there may be someone who recognizes he could add on to that idea or be a part of that idea or work with that idea or be a programmer for that idea or to host or to sponsor something that would enable that idea to get further down the road.

What the SEC did is throw a wet blanket across it and said: You can't do these.

We are trying to segment that out and say: For the purpose of a demo day, when it does not relate to a specific offer or ask for funding, it still can take place.

This is not a narrow interpretation. The intent is to understand that the purpose of a demo day should be to get ideas further down the road so they can gain not only the opportunity for investment, but so they can make their ideas even better.

H.R. 4498 provides essential protections for States, municipalities, trade

associations, and other venues that facilitate such meetings between investors and fund managers.

It is important for Congress to act. Just because we are not aware of how marketplaces work does not mean we should wait for the Federal Government to regulate them and then find out, whoops, they made a mistake. Members of Congress need to be active to understand that the SEC should live up to its statutes, that it should live up to its mission statement, and that it should not stifle innovation, but, rather, allow for the creative opportunity and development of these issues and ideas to come forth in order to better not only employment and ideas, but, more specifically, employment within the United States so consumers will then have better options over time. To ensure that angel investors play an active role in startups is why we are here today.

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

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

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS), my friend, the chairman of the Committee on Rules, for the customary 30 minutes.

I rise in opposition to this structured rule, which provides for the consideration of H.R. 4498, the so-called Helping Angels Lead Our Startups Act, otherwise known as the HALOS Act. I also oppose the underlying legislation unless through the amendment process we can improve it.

The gentleman from Texas said something that I agree with: "It is important for Congress to act."

I think where we differ is: Act on what? What should Congress be acting on right now? Should we be talking about this? Or should we be talking about other things, quite frankly, that are much more important to this country and to the American people?

Four days from now, Puerto Rico faces a \$422 million debt payment. Given the items listed for consideration in the House this week, it appears as though the Republican majority has no plans to act on legislation to address the debt crisis in Puerto Rico.

I understand that my Republican friends in the majority are having a difficult time in coming to an agreement within their Conference on how to move forward, but I urge my colleagues to continue working with Leader PELOSI and Ranking Member GRIJALVA toward a bipartisan solution that allows Puerto Rico to restructure its debt. This is a big deal. The Senate is waiting for us to act, the people of Puerto Rico are waiting for us to act, and our constituents are waiting for us to act. Rather than acting on that which is urgent, we are doing this.

Another thing we might want to think about acting on and is an area in

which the House Republican leadership has also failed to act is that of the public health emergency created by the Zika virus. This is a big deal. It is the public health. The well-being of our citizens is a big deal, or at least it should be, but you would never know it if you are following the proceedings on the House floor. My colleague from New York, Congresswoman LOWEY, has an emergency supplemental bill to help to fund what is necessary to protect our people from this virus, but we are told that is on the back burner.

What about doing something in response to the terrible tragedy that unfolded in Flint, Michigan, where that community was poisoned by the water that came out of their faucets? Why aren't we addressing that emergency?

By the way, Flint is not unique, unfortunately. There are other places across this country where the levels of lead in the drinking water are unacceptably high, are dangerously high. We need to make sure that our infrastructure in this country is up to the point at which people don't have to worry about drinking the water that comes out of their faucets. We should be addressing that issue, but for some reason we don't have the time.

There are lots of young people here who are visiting the Capitol this week. Why aren't we doing something about student financial aid so that people can afford to go to college, creating a situation by which young people who go to college are debt free when they get out of college, lowering the interest rates on college loans or eliminating the interest rates on college loans, thus making college more affordable?

That is a huge priority. That is important, but we don't have time to talk about that here in the people's House.

This Congress also continues to shirk its constitutional duty to vote on an authorization for the war against ISIS. In the past week, the Pentagon announced that the United States will send 250 more troops to Syria and 200 more to Iraq. In Iraq alone, the official number of U.S. troops is now over 4,000, but this House still can't seem to find time to debate and vote on an AUMF.

I have great reservations about the President's policy with regard to these wars. I think we ought to debate those wars and I think we ought to go on record as voting to authorize those wars. Instead, we don't want to talk about it. We are putting the lives of young American men and women in harm's way. We are sending them halfway across the world to be engaged in an effort, in my opinion, in which there is not a clearly defined mission.

We are not living up to our constitutional responsibility, which is we ought to debate and deliberate and vote on these wars. That is our constitutional responsibility, and we are not doing it. We don't have the time, or maybe we are just too cowardly to be able to tackle some of these important issues.

The American people are tired of endless wars, and it is our responsibility to

debate these escalations that continue to invest more American tax dollars, add more firepower, and put more U.S. troops closer to the front lines; but, again, this leadership isn't focused on these very serious situations that call for immediate action.

Just so you know, we are not paying for most of these wars. While my friends like to talk about our debt, I would point out that most of these wars are unpaid for. They just go on the credit card. We don't even have the guts to have a vote on whether to pay for these wars. Instead, we are doing this today.

Mr. Speaker, 2 weeks ago, House Republicans missed the legally mandated deadline for Congress to enact a budget, and it appears as though we are not going to see a budget resolution on the floor this week or anytime soon. On the most pressing issues facing our country today, my friends in the Republican majority have failed—and they have failed miserably—to do their job, plain and simple.

So what is the House debating today? What is so urgent to debate today that all of these other things can be put to the side?

We are debating legislation, the so-called HALOS Act, that will undo an important investor protection that Democrats fought to include in the 2012 JOBS Act.

I supported the JOBS Act, which expanded opportunities for small business capital formation. Since the JOBS Act became law in 2012, companies have raised roughly \$71 billion of capital by using the new general solicitation and advertising exemption.

□ 1245

But it is important to balance our desire for capital formation with their need to protect investors, particularly unsophisticated retail investors.

The JOBS Act removed the ban on solicitation in advertising to the general public for private offerings, provided that companies verify the purchasers of their offerings are accredited investors.

The legislation before us today repeals that verification requirement when companies solicit their offers at a wide range of sales events.

The private securities marketplace is already under limited SEC oversight, and many of us share the concern that this legislation could unnecessarily expose investors to risks that they are unprepared to absorb.

Now, my friend, Ranking Member MAXINE WATERS, will offer an amendment later today to restore some of the investor protections that would be eliminated by the underlying legislation. I urge my colleagues to support that amendment.

Mr. Speaker, the House is set to adjourn on Friday for yet another weeklong break and we have yet to consider any of the priority legislation that I had just spoken about earlier. We need to focus on important issues.

We need to focus on urgent issues rather than taking away important investor protections.

So I urge my colleagues to defeat this rule and the underlying legislation.

I reserve the balance of my time.

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

I do appreciate the gentleman from Massachusetts (Mr. MCGOVERN) bringing up these issues. We try and talk about these issues up at the Rules Committee. There is always a wide-ranging list of not only issues and ideas, but I certainly know that, as we talk about these, we are all after action on the floor.

I don't know the exact answer, but I believe, as it relates to the problem with the Zika virus, that we are dealing with some \$600 million. I note that Mrs. LOWEY, the ranking member of the Appropriations Committee, has come on the floor and I am subject to being corrected by her.

But it is my understanding that right now, in an account that would be allowed to be exchanged, some \$600 million is left over in that fund that is unspent from the Ebola crisis and that negotiations between our appropriators, the CDC, and other Federal agencies have said: We do recognize from the House perspective that this is a very, very serious issue. We acknowledge that.

I have acknowledged that up at the Rules Committee. The gentleman from Florida (Mr. HASTINGS) has several times, in the spirit that I appreciated and that was very complimentary to a proper answer, brought this issue up, that this is what he is looking at, that it is an issue in our country.

The responses that I continue to, I believe, receive back is that our appropriators, on a very professional basis, have allowed use of the funds to be used for that issue.

So I would like to say to the gentleman from Massachusetts that I do understand his concerns and, really, Mr. MCGOVERN, I appreciate it.

I appreciate you, Ms. SLAUGHTER, Mr. POLIS, and Judge HASTINGS bringing these issues up. But we try and go and clarify what I think are proper or sustainable answers to your ideas. The ideas about other pieces of legislation we will get to.

Where there are emergencies, I do agree with the gentleman from Massachusetts (Mr. MCGOVERN). I do not think an AUMF, which is a discussion about military use of force, is necessarily in line right now, but I know that Republicans are preparing that. I know that the gentleman from Massachusetts (Mr. MCGOVERN) could bring his effort forward and will at the appropriate time for his ideas. They will all fit.

Today, however, what we are here for is something that has been in line for some period of time that is a major issue. The gentleman very appropriately said the last time we brought

forth legislation that it created \$71 billion worth of entrepreneurial funding, funding that helps our country's research and development, new ideas in medicine, new ideas in communication, new ideas that employ people, money to the marketplace.

That is why we are here today. We think this is just as powerful. After we passed the JOBS Act, the SEC got most of it right, not all of it right, and we are trying to politely—this is the way we do things in a democracy. We try and work with government agencies to say: You got some of it right, but congressional intent needs to be done a little bit further.

Will it bring \$71 billion to the marketplace? I don't know. Will it mean that a brighter future exists for innovation, job creation, and investment that keeps America's leading edge as opposed to ideas going somewhere else around the world? Yes.

I would argue that Speaker PAUL RYAN is aware of all the issues that need to be debated. Today we feel like jobs and job creation and perhaps an opportunity to stimulate, whether it is \$71 million or \$71 billion worth of new stimulating activity for new ideas, is important.

That is why we are here today. That is why people took a number, got in line, and developed their activity. STEVE CHABOT measured twice, brought his legislation here, and understands what it is about.

I would also say, as Mr. MCGOVERN I believe politely alluded to, this is a good idea because it does not say we will only form these opportunities in Republican districts, but we will form them in districts all over the country.

It is a good, bipartisan piece of legislation that helps smaller, less sophisticated people. It helps the marketplace. I think it is important.

I reserve the balance of my time.

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

I want to say to the gentleman from Texas that I appreciate the fact that he appreciates the concerns that I have raised, but I would appreciate him even more if we could bring some of the legislation to the floor that would actually solve some of the problems and deal with some of the challenges that I outlined.

I had brought up earlier the issue of the Zika virus, which has infected 891 individuals in the U.S. States and territories, including at least 81 pregnant women. This is a big, big deal.

Some of us are not interested in robbing from Peter to pay Paul to deal with this. We don't want to be dipping into the Ebola fund, which is still an issue, to deal with the Zika crisis. I mean, we have multiple challenges that we have to deal with.

Mr. SESSIONS. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Speaker, just a polite dialogue. Do you believe in any

way, because we have not moved a bill, that the Federal Government is stopping and waiting and doing nothing on this issue?

Mr. MCGOVERN. Mr. Speaker, I reclaim my time.

We are doing something, but I think what people who are dealing with this crisis would feel better about is if there was a certainty that the resources were going to be there.

Those who are fighting the Ebola crisis are concerned that, if you are going to take money from Ebola to put into Zika, that maybe you are not going to replenish the monies to deal with Ebola. We have some serious public health issues that we are trying to deal with.

Mr. Speaker, I am going to urge that we defeat the previous question. If I do, I will offer an amendment to the rule to bring up a bill that would provide desperately needed funding to combat the Zika virus.

The administration requested this funding more than 2 months ago, and it is reckless to delay our response to this public health crisis any longer. Yes, we are doing things to respond to it. We can be doing a lot more. I think the American people want us to do all that we possibly can to protect the public health of the citizens of this country.

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

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the ranking member of the Appropriations Committee.

Mrs. LOWEY. Mr. Speaker, with great respect for our distinguished chair with whom we work very collegiately, I urge my colleagues to vote "no" on the previous question in order to provide the funding needed to mount a robust response to a pressing public health emergency.

More than 2 months ago the administration requested funding critical to respond to the Zika virus, a public health emergency tied to microcephaly and other neurological disorders in infants.

It is unconscionable that, when nearly 1,000 people in the U.S. and territories have contracted Zika, the majority continues to drag their feet on meeting our most basic responsibility.

The majority's inaction has forced the administration to redirect funding needed to meet other basic responsibilities, shortchanging still-needed investments to protect against Ebola and to help States and cities improve domestic public health.

The majority's claim that the administration has provided insufficient detail on the request doesn't make any sense. Every cent has been accounted

for. Yet, we continue to wait to sit on our hands.

Further, the majority holds this emergency to a new standard, requiring offsetting cuts before providing needed resources. This literally holds emergency funding hostage to unrelated political fights.

This simply cannot go on. Are we waiting for the height of summer when mosquito control will be infinitely more difficult? Are we waiting for this emergency to spiral out of control?

I urge my colleagues to stand with me and defeat the previous question so we can meet our responsibility to protect against Zika.

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

I am delighted that the gentlewoman from New York, who is a regular visitor to the Rules Committee and who really, I believe, adequately and fairly not only represents the needs of this Nation, but really argues many times on behalf of things that are common sense—I want to thank her for being here today.

Mr. Speaker, this is not an argument at all about the Zika virus, about Ebola. The Ebola circumstance to the United States in the United States actually occurred first in Dallas, Texas, within the congressional district that I am so lucky to represent. It did constitute not only an immediate threat and danger to not only that hospital in Dallas, Texas, but, really, all across our country, and it evoked a scare. It did.

Well, we have that same type of circumstance today. That is why, in re-touching base with our Appropriations Committee, I now can speak what I believe is from them directly as opposed to what I thought I heard, and that is that the appropriators have said that immediate funding needs for Zika should be provided from unobligated funds that are already available, which would then be backfilled in 17 appropriations bills as needed, which means that there still is money that the approval, the authorization, has been given.

Instead of us delaying through our process here, we have said that we concur this is of immediate nature. Here is a bucket of money. Here is a bucket of money.

As an example, there are some \$400 million that is available that was a part of the Ebola funding that is unobligated and is intended to be spent in future years. There is money available to meet the immediate need.

The gentleman from Kentucky (Mr. ROGERS), the chairman of the Appropriations Committee, in working with Speaker RYAN, has made sure that the money is available, can be used for this need, and Republicans agree it is the right thing to do.

□ 1300

I do appreciate Mrs. LOWEY coming down. I do appreciate the gentlemen, Judge HASTINGS and Mr. MCGOVERN, seeking these questions.

Mr. Speaker, we are trying to make sure that this body understands the money is available. It is there to be used properly, as with any other taxpayer money, but that it may be used for this purpose. Quite honestly, I am very proud of what we are doing to match up the needs of this Nation and its great people.

Mrs. LOWEY. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Speaker, I appreciate the chairman's eloquent remarks. However, I want to emphasize again that this is an emergency. People are severely, severely, being impacted because of the Zika virus. This is an emergency. We should be doing it immediately.

I understand that it may be tempting to transfer money from another account. However, to have to find offsets here when people are suffering, dying, perhaps having deformed infants doesn't make any sense now.

I would just say in closing, I thank the gentleman for his concern, and I do hope that we can pass this emergency supplemental as soon as possible because so much of where the money is going to go is long-range planning. Vaccines. We have to make sure that we prevent additional cases of Zika, and developing a vaccine can't be done in a month or 2 months. It takes time.

So if, in fact, the administration has requested \$1.9 billion, and we have responded, and the administration has responded to the very sincere questions provided to us by the chair, Chairman ROGERS of the committee, we think it has been documented very carefully.

I would ask again my colleagues to consider that this is an emergency, \$1.9 billion is what has been documented in detail. It is all in writing. I thank the gentleman for listening.

Mr. SESSIONS. Mr. Speaker, you are witnessing here a colloquy on the floor between groups of people who can work together. Mrs. LOWEY, Mr. MCGOVERN, Judge HASTINGS, Ms. SLAUGHTER, and Mr. POLIS represent not just the Democratic Party, but millions of people across the country.

I want to forthrightly try again to answer, if I can. I do hear them, Chairman ROGERS hears them. There is at least \$500 million—granted, only one-third of what has been requested—that we believe is available for it to be transferred right now.

I talked to the gentleman from Massachusetts (Mr. MCGOVERN). I said: Mr. MCGOVERN, do you believe in any way that something is being held up?

He said: No, sir. We are working. This government is working feverishly.

As a parent, I understand this. While I have an advantage of having a disabled child as a son, that does not mean that I would want anyone else to have a disabled child. I get this.

I have satisfied myself, and I believe my party has, through our great young Speaker, PAUL RYAN, satisfied ourselves that pending the time when we

can get at a supplemental—perhaps later in the year there will be wildfires, perhaps later in the year there would be a hurricane. We have the money available. No one disputes that the money right now is usable, it is fungible. The question is: When will it be backfilled?

I have properly said here today that Chairman HAL ROGERS has the ear—and we have his ear—of every Member of this body who does understand when we need to get more money and when the new cycle begins, and we will be starting this just in the next few weeks, that that would be available as an option for Chairman ROGERS to take Mrs. LOWEY's request, to take her detailed analysis of if it is a billion-some, would be able to implant that into a priority for this Conference, for this Congress, for these bodies to understand, and that we would hope to work forth then with the United States Senate, with the President of the United States, and work it well together.

Mr. Speaker, what you have seen here is a prime example of people talking, people getting closer to an answer. I am trying to respond back that I believe our Speaker, PAUL RYAN, I believe HAL ROGERS, I believe myself as an instrument of a messaging back and forth properly are responding: The money is available. Please go get your work done. As we get further down the line, we will be further down the process.

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

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

Mr. Speaker, what we are trying to do here is sound the alarm bells that we need to do something much more robust than is currently being done. I include in the RECORD the letter that we have referred to from the administration signed by Shaun Donovan, Director of the Office of Management and Budget, and Susan Rice, the National Security Adviser. This is a letter to Speaker PAUL RYAN.

THE WHITE HOUSE,
Washington, DC, April 26, 2016.

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

DEAR SPEAKER RYAN: As you are aware, on February 22, the Administration transmitted to Congress its formal request for \$1.9 billion in emergency supplemental funding to address the public health threat posed by the Zika virus. Sixty-four days have passed since this initial request; yet still Congress has not acted.

Since the time the Administration transmitted its request, the public health threat posed by the Zika virus has increased. After careful review of existing evidence, scientists at the Centers for Disease Control and Prevention (CDC) concluded that the Zika virus is a cause of microcephaly and other severe fetal brain defects. The Zika virus has spread in Puerto Rico, American Samoa, the U.S. Virgin Islands and abroad. As of April 20, there were 891 confirmed Zika cases in the continental United States and U.S. territories, including 81 pregnant women with confirmed cases of Zika. Based on similar experiences with other diseases

transmitted by the *Aedes aegypti* mosquito—believed to be the primary carrier of the Zika virus—scientists at the CDC expect there could be local transmission within the continental U.S. in the summer months. Updated estimate range maps show that these mosquitoes have been found in cities as far north as San Francisco, Kansas City and New York City.

In the absence of action from Congress to address the Zika virus, the Administration has taken concrete and aggressive steps to help keep America safe from this growing public health threat. The Administration is working closely with State and local governments to prepare for outbreaks in the continental United States and to respond to the current outbreak in Puerto Rico and other U.S. territories. We are expanding mosquito control surveillance and laboratory capacity; developing improved diagnostics as well as vaccines; supporting affected expectant mothers, and supporting other Zika response efforts in Puerto Rico, the U.S. territories, the continental United States, and abroad. These efforts are crucial, but they are costly and they fall well outside of current agency appropriations. To meet these immediate needs, the Administration conducted a careful examination of existing Ebola balances and identified \$510 million to redirect towards Zika response activities. We have also redirected an additional \$79 million from other activities. This reprogramming, while necessary, is not without cost. It is particularly painful at a time when state and local public health departments are already strained.

While this immediate infusion of resources is necessary to enable the Administration to take critical first steps in our response to the public health threat posed by Zika, it is insufficient. Without significant additional appropriations this summer, the Nation's efforts to comprehensively respond to the disease will be severely undermined. In particular, the Administration may need to suspend crucial activities, such as mosquito control and surveillance in the absence of emergency supplemental funding. State and local governments that manage mosquito control and response operations will not be able to hire needed responders to engage in mosquito mitigation efforts. Additionally, the Administration's ability to move to the next phase of vaccine development, which requires multi-year commitments from the Government to encourage the private sector to prioritize Zika research and development, could be jeopardized. Without emergency supplemental funding, the development of faster and more accurate diagnostic tests also will be impeded. The Administration may not be able to conduct follow up of children born to pregnant women with Zika to better understand the range of Zika impacts, particularly those health effects that are not evident at birth. The supplemental request is also needed to replenish the amounts that we are now spending from our Ebola accounts to fund Zika-related activities. This will ensure we have sufficient contingency funds to address unanticipated needs related to both Zika and Ebola. As we have seen with both Ebola and Zika, there are still many unknowns about the science and scale of the outbreak and how it will impact mothers, babies, and health systems domestically and abroad.

The Administration is pleased to learn that there is bipartisan support for providing emergency funding to address the Zika crisis, but we remain concerned about the adequacy and speed of this response. To properly protect the American public, and in particular pregnant women and their newborns, Congress must fund the Administration's request of \$1.9 billion and find a path forward

to address this public health emergency immediately. The American people deserve action now. With the summer months fast approaching, we continue to believe that the Zika supplemental should not be considered as part of the regular appropriations process, as it relates to funding we must receive this year in order to most effectively prepare for and mitigate the impact of the virus.

We urge you to pass free-standing emergency supplemental funding legislation at the level requested by the Administration before Congress leaves town for the Memorial Day recess. We look forward to working with you to protect the safety and health of all Americans.

Sincerely,

SHAUN DONOVAN,
Director, The Office of
Management and
Budget.

SUSAN RICE,
National Security
Advisor.

Mr. MCGOVERN. The letter basically says that the existing appropriations are not enough. This is what the letter says: "Without significant additional appropriations this summer, the Nation's efforts to comprehensively respond to the disease will be severely undermined. In particular, the administration may need to suspend crucial activities, such as mosquito control and surveillance in the absence of emergency supplemental funding. State and local governments that manage mosquito control and response operations will not be able to hire needed responders to engage in mosquito mitigation efforts. Additionally, the administration's ability to move to the next phase of vaccine development, which requires multiyear commitments from the government to encourage the private sector to prioritize Zika research and development, could be jeopardized."

I mean, I go right down the list on all the warnings here. This is a big deal. This is a big deal. If my friends on the other side are trying to rationalize putting this off, I would suggest to reread this letter. Reread this letter. Talk to the scientists. Talk to the experts. We need to have the necessary resources to be able to combat what might come our way in terms of the Zika virus. I want to do this so that we don't have a loss of life here in this country, so we are prepared.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to the previous question. I ask Members to defeat it so that the gentleman from Massachusetts (Mr. MCGOVERN) can offer an amendment for this House to immediately consider legislation to confront the Zika crisis. There are already 891 confirmed cases of the Zika virus in the United States and its territories, and 81 of them are pregnant women. This is an emergency.

We do have a disaster relief fund in this Congress. It is about \$8 billion so that when there is a flood, when there is a fire, when there is a hurricane, we can immediately move to take that

money and address the costs of life and other costs from that disaster.

Unfortunately, we don't have a public health emergency fund, which is why the President is asking for \$1.9 billion. This is an emergency. We cannot afford to wait another day to approve the President's request. Every day we delay, we redirect crucial resources away from city and State emergency preparedness funding. We are robbing Peter to pay Paul. Cities and States across the country are being robbed of emergency preparedness grants, \$44 million in total. Not only will these States have fewer resources to address public health crises, they will have fewer resources to address the Zika virus itself. Already in addition to that \$44 million, the administration has reprogrammed \$510 million from the Ebola crisis funding, and that crisis is not over in western Africa.

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

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. DELAURO. Mr. Speaker, I am going to include in the RECORD a list of all of the States and the amount of money that they have already lost in emergency grants for preparedness for health emergencies.

California, almost 10 percent loss; Florida, almost 10 percent loss; North Carolina, 8 percent; Texas, almost 10 percent in money taken away from preparedness grants.

Mr. Speaker, it is unconscionable that in the midst of a global health crisis, we cannot appropriate emergency funds to save lives and instead resort to gutting our States' emergency preparedness.

I urge my colleagues on both sides of the aisle to think of the women across our country and the predicament that they face today of choosing whether or not they should get pregnant or, if they are already pregnant, wondering whether or not their baby is okay. We must fund the President's request. It is the responsible and moral thing to do.

Yes, today, physicians are divided as to whether or not they should tell women of the United States not to get pregnant. Is that the message we want to send to American women? I don't think so.

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

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

In closing, I again urge my colleagues to vote against the previous question so we can bring forward a bill that we believe can help adequately prepare this country to deal with the Zika virus, something that I think the majority of Americans support, whether they are Democrats or Republicans.

This should not be a controversial issue. If it is, then people can vote against it if it comes to the floor, but what we do know is that what we have done up to this point in terms of our responsibility here in Congress in pro-

viding the funds has not been adequate. I read earlier from the letter from the White House all the things that could be on hold or not move forward if we don't adequately fund the necessary infrastructure to deal with this crisis.

Mr. Speaker, I would also say that it seems to me that dealing effectively with the Zika crisis is a heck of a lot more important than what we are being asked to vote on and debate today. I have been saying this every time I come to the floor and handle a rule, but it seems that legislation that has minimum impact or that in some cases might even be trivial takes precedence over legislation that actually might do something to help lift up the lives of people in this country or, even in this case, protect the lives of people in this country.

We ought to come together in a bipartisan way to make sure that at least priority items come to the floor of the House. This is supposed to be the people's House, and that is where the people's business is supposed to be done. We are not doing it. By not addressing the Zika crisis more forthrightly, we are not doing the people's business.

So, again, vote "no" on the previous question and vote "no" on the rule.

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

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

What a great day to be on the floor for us to really bring forth our ideas. The obligations that we have here as Members of Congress to work with each other, to listen to each other is apparent to me, but I don't think apparent to every single person.

We have allowed, meaning Chairman ROGERS has allowed, in consultation with the Speaker, for money to be reprogrammed, which is aplenty right now. We have agreed this is an immediate crisis. We have made sure the administration is not wanting for a penny. We recognize that in the processes that will take place, we will go through in a regular order procedure getting these funds reprogrammed and allocated to fill back up the bucket.

□ 1315

I have satisfied myself that we are trying to do the right thing. I have great concern that the American people understand we do care about the children and the families. I get this. We do care. And until we go through this process to further develop it and add money, the administration has the money necessary to do as they see fit to protect the American people, to combat this virus—this disease—and to make sure that we get a handle on it.

Mr. Speaker, the value of startups, which is why we are here today, cannot be understated.

Founded in 2013, back home in Dallas, Texas, which I have the pleasure of representing, is the Dallas Entrepreneur Center, or DEC, which is a nonprofit created to help entrepreneurs

start, build, and grow companies. According to the DEC, over 1,000 jobs were created in the past 2 years and another 500 are expected to be hired by Dallas startups in 2016. That is the power of what we are talking about.

The SEC has gotten in the way of this, not only with red tape, but with consternation directly back at the process that the free enterprise system has to make these jobs happen.

Investment in startups has been done in Dallas. Companies like Edition Collective, Rise, PICKUP, and Visage Payroll in Dallas, Texas, are prime examples of the success that could take place all across this country, not just in Dallas, Texas, but in other places where entrepreneurs should be king also. And they are king because they are providing jobs—good-paying jobs—for people.

Mr. Speaker, the Helping Angels Lead Our Startups Act is a bipartisan, bicameral bill that provides small, innovative companies and startups access to the capital they need, just as we have talked about that exists in Dallas, Texas. We are helping them succeed. We are helping them to innovate and grow jobs and turn them into opportunities for our Nation to have better products and services.

As ANGUS KING, a Senator from Maine who is one of the Senate's cosponsors, said: "By fixing flawed Federal rules, the HALOS Act will remove unnecessary roadblocks and help startups grow and thrive."

I couldn't have said it better myself. He needs it in Maine. We need it in Dallas, Texas. We do not have all the jobs we need. There are still too many people unemployed in our country. That is why we are here doing this.

In particular, two Dallas startups, iSIGHT Partners and Bottle Rocket, are revolutionizing the field of cyber threat intelligence and mobile strategy development, respectively. Imagine for just a moment what it took them, despite these problems in the marketplace, to get started and get done. I think it is time that we allow others the opportunity to make life a little bit easier.

For that reason, I urge my colleagues to support this rule. This awesome legislation and what it represents is bipartisan, is bicameral, and has no boundaries of who may participate.

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

AN AMENDMENT TO H. RES. 701 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair

and ranking minority member of the Committee on Appropriations and the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5044.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled

"Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate "(Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2016

Mr. BRADY of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4923) to establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4923

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 "American Manufacturing Competitiveness Act of 2016".

SEC. 2. SENSE OF CONGRESS ON THE NEED FOR A MISCELLANEOUS TARIFF BILL.

(a) **FINDINGS.**—Congress makes the following findings:

(1) *As of the date of the enactment of this Act, the Harmonized Tariff Schedule of the United States imposes duties on imported goods for which there is no domestic availability or insufficient domestic availability.*

(2) *The imposition of duties on such goods creates artificial distortions in the economy of the*

United States that negatively affect United States manufacturers and consumers.

(3) *The manufacturing competitiveness of the United States around the world will be enhanced if Congress regularly and predictably updates the Harmonized Tariff Schedule to suspend or reduce duties on such goods.*

(4) *Creating and maintaining an open and transparent process for consideration of petitions for duty suspensions and reductions builds confidence that the process is fair, open to all, and free of abuse.*

(5) *Complying with the Rules of the House of Representatives and the Senate, in particular with clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, is essential to fostering and maintaining confidence in the process for considering a miscellaneous tariff bill.*

(6) *A miscellaneous tariff bill developed under this process will not contain any—*

(A) *congressional earmarks or limited tax benefits within the meaning of clause 9 of rule XXI of the Rules of the House of Representatives; or*

(B) *congressionally directed spending items or limited tax benefits within the meaning of rule XLIV of the Standing Rules of the Senate.*

(7) *Because any limited tariff benefits contained in any miscellaneous tariff bill following the process set forth by this Act will not have been the subject of legislation introduced by an individual Member of Congress and will be fully vetted through a transparent and fair process free of abuse, it is appropriate for Congress to consider limited tariff benefits as part of that miscellaneous tariff bill as long as—*

(A) *in the case of a miscellaneous tariff bill considered in the House of Representatives, consistent with the Rules of the House of Representatives, a list of such limited tariff benefits is published in the reports of the Committee on Ways and Means of the House of Representatives accompanying the miscellaneous tariff bill, or in the Congressional Record; and*

(B) *in the case of a miscellaneous tariff bill considered in the Senate, consistent with the Standing Rules of the Senate—*

(i) *such limited tariff benefits have been identified through lists, charts, or other similar means; and*

(ii) *the information identified in clause (i) has been available on a publicly accessible congressional website in a searchable format at least 48 hours before the vote on the motion to proceed to the miscellaneous tariff bill or the vote on the adoption of a report of a committee of conference in connection with the miscellaneous tariff bill, as the case may be.*

(8) *When the process set forth under paragraph (7) is followed, it is consistent with the letter and intent of the Rules of the House of Representatives and the Senate and other related guidance.*

(b) **SENSE OF CONGRESS.**—*It is the sense of Congress that, to remove the competitive disadvantage to United States manufacturers and consumers and to promote the competitiveness of United States manufacturers, Congress should, not later than 90 days after the United States International Trade Commission issues a final report on petitions for duty suspensions and reductions under section 3(b)(3)(E), consider a miscellaneous tariff bill.*

SEC. 3. PROCESS FOR CONSIDERATION OF PETITIONS FOR DUTY SUSPENSIONS AND REDUCTIONS.

(a) **PURPOSE.**—*It is the purpose of this section to establish a process for the submission and consideration of petitions for duty suspensions and reductions.*

(b) **REQUIREMENTS OF COMMISSION.**—

(1) **INITIATION.**—*Not later than October 15, 2016, and October 15, 2019, the Commission shall publish in the Federal Register and on a publicly available Internet website of the Commission a notice requesting members of the public who can demonstrate that they are likely beneficiaries of duty suspensions or reductions to*

submit to the Commission during the 60-day period beginning on the date of such publication—

(A) petitions for duty suspensions and reductions; and

(B) Commission disclosure forms with respect to such duty suspensions and reductions.

(2) **CONTENT OF PETITIONS.**—Each petition for a duty suspension or reduction under paragraph (1)(A) shall include the following information:

(A) The name and address of the petitioner.

(B) A statement as to whether the petition provides for an extension of an existing duty suspension or reduction or provides for a new duty suspension or reduction.

(C) A certification that the petitioner is a likely beneficiary of the proposed duty suspension or reduction.

(D) An article description for the proposed duty suspension or reduction to be included in the amendment to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States.

(E) To the extent available—

(i) a classification of the article for purposes of the amendment to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States;

(ii) a classification ruling of U.S. Customs and Border Protection with respect to the article; and

(iii) a copy of a U.S. Customs and Border Protection entry summary indicating where the article is classified in the Harmonized Tariff Schedule of the United States.

(F) A brief and general description of the article.

(G) A brief description of the industry in the United States that uses the article.

(H) An estimate of the total value, in United States dollars, of imports of the article for each of the 5 calendar years after the calendar year in which the petition is filed, including an estimate of the total value of such imports by the person who submits the petition and by any other importers, if available.

(I) The name of each person that imports the article, if available.

(J) A description of any domestic production of the article, if available.

(K) Such other information as the Commission may require.

(3) **REVIEW.**—

(A) **COMMISSION PUBLICATION AND PUBLIC AVAILABILITY.**—As soon as practicable after the expiration of the 60-day period specified in paragraph (1), but in any case not later than 30 days after the expiration of such 60-day period, the Commission shall publish on a publicly available Internet website of the Commission—

(i) the petitions for duty suspensions and reductions submitted under paragraph (1)(A) that contain the information required under paragraph (2); and

(ii) the Commission disclosure forms with respect to such duty suspensions and reductions submitted under paragraph (1)(B).

(B) **PUBLIC COMMENT.**—

(i) **IN GENERAL.**—The Commission shall publish in the Federal Register and on a publicly available Internet website of the Commission a notice requesting members of the public to submit to the Commission during the 45-day period beginning on the date of publication described in subparagraph (A) comments on—

(I) the petitions for duty suspensions and reductions published by the Commission under subparagraph (A)(i); and

(II) the Commission disclosure forms with respect to such duty suspensions and reductions published by the Commission under subparagraph (A)(ii).

(ii) **PUBLICATION OF COMMENTS.**—The Commission shall publish a notice in the Federal Register directing members of the public to a publicly available Internet website of the Commission to view the comments of the members of the public received under clause (i).

(C) **PRELIMINARY REPORT.**—

(i) **IN GENERAL.**—As soon as practicable after the expiration of the 120-day period beginning on the date of publication described in subparagraph (A), but in any case not later than 30 days after the expiration of such 120-day period, the Commission shall submit to the appropriate congressional committees a preliminary report on the petitions for duty suspensions and reductions submitted under paragraph (1)(A). The preliminary report shall contain the following information with respect to each petition for a duty suspension or reduction:

(I) The heading or subheading of the Harmonized Tariff Schedule of the United States in which each article that is the subject of the petition for the duty suspension or reduction is classified, as identified by documentation supplied to the Commission, and any supporting information obtained by the Commission.

(II) A determination of whether or not domestic production of the article that is the subject of the petition for the duty suspension or reduction exists, taking into account the report of the Secretary of Commerce under subsection (c)(1), and, if such production exists, whether or not a domestic producer of the article objects to the duty suspension or reduction.

(III) Any technical changes to the article description of the article that is the subject of the petition for the duty suspension or reduction that are necessary for purposes of administration when the article is presented for importation, taking into account the report of the Secretary of Commerce under subsection (c)(2).

(IV) An estimate of the amount of loss in revenue to the United States that would no longer be collected if the duty suspension or reduction takes effect.

(V) A determination of whether or not the duty suspension or reduction is available to any person that imports the article that is the subject of the duty suspension or reduction.

(VI) The likely beneficiaries of each duty suspension or reduction, including whether the petitioner is a likely beneficiary.

(ii) **CATEGORIES OF INFORMATION.**—The preliminary report submitted under clause (i) shall also contain the following information:

(I) A list of petitions for duty suspensions and reductions that meet the requirements of this Act without modifications.

(II) A list of petitions for duty suspensions and reductions for which the Commission recommends technical corrections in order to meet the requirements of this Act, with the correction specified.

(III) A list of petitions for duty suspensions and reductions for which the Commission recommends modifications to the amount of the duty suspension or reduction that is the subject of the petition to comply with the requirements of this Act, with the modification specified.

(IV) A list of petitions for duty suspensions and reductions for which the Commission recommends modifications to the scope of the articles that are the subject of such petitions to address objections by domestic producers to such petitions, with the modifications specified.

(V) A list of the following:

(aa) Petitions for duty suspensions and reductions that the Commission has determined do not contain the information required under paragraph (2).

(bb) Petitions for duty suspensions and reductions with respect to which the Commission has determined the petitioner is not a likely beneficiary.

(VI) A list of petitions for duty suspensions and reductions that the Commission does not recommend for inclusion in a miscellaneous tariff bill, other than petitions specified in subclause (V).

(D) **ADDITIONAL INFORMATION.**—The Commission shall consider any information submitted by the appropriate congressional committees to the Commission relating to moving a petition that is contained in the list referred to in sub-

clause (VI) of subparagraph (C)(ii) of the preliminary report submitted under subparagraph (C) to a list referred to in subclause (I), (II), (III), or (IV) of subparagraph (C)(ii).

(E) **FINAL REPORT.**—Not later than 60 days after the date on which the preliminary report is submitted under subparagraph (C), the Commission shall submit to the appropriate congressional committees a final report on each petition for a duty suspension or reduction specified in the preliminary report. The final report shall contain with respect to each such petition—

(i) the information required under clauses (i) and (ii) of subparagraph (C) and updated as appropriate under subparagraph (D); and

(ii) a determination of the Commission whether—

(I) the duty suspension or reduction can likely be administered by U.S. Customs and Border Protection;

(II) the estimated loss in revenue to the United States from the duty suspension or reduction does not exceed \$500,000 in a calendar year during which the duty suspension or reduction would be in effect; and

(III) the duty suspension or reduction is available to any person importing the article that is the subject of the duty suspension or reduction.

(F) **EXCLUSIONS.**—The appropriate congressional committees may exclude from a miscellaneous tariff bill any petition for a duty suspension or reduction that—

(i) is contained in any list referred to in subclause (I), (II), (III), or (IV) of subparagraph (C)(ii), as updated as appropriate under subparagraph (E)(i);

(ii) is the subject of an objection from a Member of Congress; or

(iii) is for an article for which there is domestic production.

(G) **ESTIMATES BY THE CONGRESSIONAL BUDGET OFFICE.**—For purposes of reflecting the estimate of the Congressional Budget Office, the appropriate congressional committees shall adjust the amount of a duty suspension or reduction in a miscellaneous tariff bill only to assure that the estimated loss in revenue to the United States from that duty suspension or reduction, as estimated by the Congressional Budget Office, does not exceed \$500,000 in a calendar year during which the duty suspension or reduction would be in effect.

(H) **PROHIBITIONS.**—Any petitions for duty suspensions or reductions that are contained in any list referred to in subclause (V) or (VI) of subparagraph (C)(ii), as updated as appropriate under subparagraph (E)(i), or have not otherwise undergone the processes required by this Act shall not be included in a miscellaneous tariff bill.

(4) **CONFIDENTIAL BUSINESS INFORMATION.**—The procedures concerning the release of confidential business information set forth in section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)) shall apply with respect to information received by the Commission in posting petitions on a publicly available website of the Commission and in preparing reports under this subsection.

(5) **PROCEDURES.**—The Commission shall prescribe and publish in the Federal Register and on a publicly available Internet website of the Commission procedures to be complied with by members of the public submitting petitions for duty suspensions and reductions under subsection (b)(1)(A).

(c) **DEPARTMENT OF COMMERCE REPORT.**—Not later than the end of the 90-day period beginning on the date of publication of the petitions for duty suspensions and reductions under subsection (b)(3)(A), the Secretary of Commerce, in consultation with U.S. Customs and Border Protection and other relevant Federal agencies, shall submit to the Commission and the appropriate congressional committees a report on each petition for a duty suspension or reduction submitted under subsection (b)(1)(A) that includes the following information:

(1) A determination of whether or not domestic production of the article that is the subject of the petition for the duty suspension or reduction exists and, if such production exists, whether or not a domestic producer of the article objects to the petition for the duty suspension or reduction.

(2) Any technical changes to the article description that are necessary for purposes of administration when articles are presented for importation.

SEC. 4. REPORT ON EFFECTS OF DUTY SUSPENSIONS AND REDUCTIONS ON UNITED STATES ECONOMY.

(a) **IN GENERAL.**—Not later than 12 months after the date of the enactment of a miscellaneous tariff bill, the Commission shall submit to the appropriate congressional committees a report on the effects on the United States economy of duty suspensions and reductions enacted pursuant to this Act, including a broad assessment of the economic effects of such duty suspensions and reductions on producers, purchasers, and consumers in the United States, using case studies describing such effects on selected industries or by type of article as available data permit.

(b) **RECOMMENDATIONS.**—The Commission shall also solicit and append to the report required under subsection (a) recommendations with respect to those domestic industry sectors or specific domestic industries that might benefit from permanent duty suspensions and reductions, either through a unilateral action of the United States or through negotiations for reciprocal tariff agreements, with a particular focus on inequities created by tariff inversions.

(c) **FORM OF REPORT.**—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 5. PUBLICATION OF LIMITED TARIFF BENEFITS IN THE HOUSE OF REPRESENTATIVES AND THE SENATE.

(a) **HOUSE OF REPRESENTATIVES.**—

(1) **IN GENERAL.**—The chair of the Committee on Ways and Means of the House of Representatives shall include a list of limited tariff benefits contained in a miscellaneous tariff bill in the report to accompany such a bill or, in a case where a miscellaneous tariff bill is not reported by the committee, shall cause such a list to be printed in the appropriate section of the Congressional Record.

(2) **LIMITED TARIFF BENEFIT DEFINED.**—For purposes of this subsection and consistent with clause 9 of rule XXI of the Rules of the House of Representatives, as in effect during the One Hundred Fourteenth Congress, the term “limited tariff benefit” means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(b) **SENATE.**—

(1) **IN GENERAL.**—The chairman of the Committee on Finance of the Senate, the Majority Leader of the Senate, or the designee of the Majority Leader of the Senate, shall provide for the publication in the Congressional Record of a certification that—

(A) each limited tariff benefit contained in a miscellaneous tariff bill considered in the Senate has been identified through lists, charts, or other similar means; and

(B) the information identified in subparagraph (A) has been available on a publicly accessible congressional website in a searchable format at least 48 hours before the vote on the motion to proceed to the miscellaneous tariff bill or the vote on the adoption of a report of a committee of conference in connection with the miscellaneous tariff bill, as the case may be.

(2) **SATISFACTION OF SENATE RULES.**—Publication of a certification in the Congressional Record under paragraph (1) satisfies the certification requirements of paragraphs 1(a), 2(a), and 3(a) of rule XLIV of the Standing Rules of the Senate.

(3) **LIMITED TARIFF BENEFIT DEFINED.**—For purposes of this subsection and consistent with

rule XLIV of the Standing Rules of the Senate, as in effect during the One Hundred Fourteenth Congress, the term “limited tariff benefit” means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(c) **ENACTMENT AS EXERCISE OF RULEMAKING POWER OF HOUSE OF REPRESENTATIVES AND SENATE.**—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 6. JUDICIAL REVIEW PRECLUDED.

The exercise of functions under this Act shall not be subject to judicial review.

SEC. 7. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

(2) **COMMISSION.**—The term “Commission” means the United States International Trade Commission.

(3) **COMMISSION DISCLOSURE FORM.**—The term “Commission disclosure form” means, with respect to a petition for a duty suspension or reduction, a document submitted by a petitioner to the Commission that contains the following:

(A) The contact information for any known importers of the article to which the proposed duty suspension or reduction would apply.

(B) A certification by the petitioner that the proposed duty suspension or reduction is available to any person importing the article to which the proposed duty suspension or reduction would apply.

(C) A certification that the petitioner is a likely beneficiary of the proposed duty suspension or reduction.

(4) **DOMESTIC PRODUCER.**—The term “domestic producer” means a person that demonstrates production, or imminent production, in the United States of an article that is identical to, or like or directly competitive with, an article to which a petition for a duty suspension or reduction would apply.

(5) **DOMESTIC PRODUCTION.**—The term “domestic production” means the production of an article that is identical to, or like or directly competitive with, an article to which a petition for a duty suspension or reduction would apply, for which a domestic producer has demonstrated production, or imminent production, in the United States.

(6) **DUTY SUSPENSION OR REDUCTION.**—The term “duty suspension or reduction” refers to an amendment to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States for a period not to exceed 3 years that—

(A) extends an existing temporary duty suspension or reduction on an article under that subchapter; or

(B) provides for a new temporary duty suspension or reduction on an article under that subchapter.

(7) **LIKELY BENEFICIARY.**—The term “likely beneficiary” means an individual or entity likely to utilize, or benefit directly from the utilization of, an article that is the subject of a petition for a duty suspension or reduction.

(8) **MEMBER OF CONGRESS.**—The term “Member of Congress” means a Senator or Representative in, or Delegate or Resident Commissioner to, Congress.

(9) **MISCELLANEOUS TARIFF BILL.**—The term “miscellaneous tariff bill” means a bill of either

House of Congress that contains only duty suspensions and reductions and related technical corrections that—

(A) are included in the final report of the Commission submitted to the appropriate congressional committees under section 3(b)(3)(E), except for—

(i) petitions for duty suspensions or reductions that the Commission has determined do not contain the information required under section 3(b)(2);

(ii) petitions for duty suspensions and reductions with respect to which the Commission has determined the petitioner is not a likely beneficiary; and

(iii) petitions for duty suspensions and reductions that the Commission does not recommend for inclusion in the miscellaneous tariff bill;

(B) are not excluded under section 3(b)(3)(F); and

(C) otherwise meet the applicable requirements of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BRADY) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4923, currently under consideration.

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

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

I am honored to be here today to speak about the American Manufacturing Competitiveness Act of 2016. This bipartisan bill will help our manufacturers of all sizes reduce costs, create jobs, and compete in the global market by creating a transparent process that is entirely consistent with House rules.

This legislation is formally called the Miscellaneous Tariff Bill, or MTB for short, but it makes more sense to think of this as an MTB of another kind: legislation providing manufacturing tax breaks, plain and simple.

Before I begin to speak more specifically about what this bill does, I would like to tell you why it is so essential for the success of our economy.

Since 2012, American manufacturers have had to pay full tariffs—border taxes, in essence—for certain imported products that aren't made in the United States, unnecessarily increasing their costs. These tariffs, or border taxes, have cost them \$748 million a year, and there has been no opportunity for them to get relief from these taxes. These border taxes, in turn, have made it harder for them to sell their products, grow their businesses, create jobs, and invest in their communities.

A coalition of American businesses of all sizes explained it best in their recent letter. They wrote:

“As a result, manufacturers, especially small- and medium-sized manufacturers, in industries ranging from

agriculture and electronics to textiles, chemicals and beyond, have seen their costs go up for inputs not produced in the United States, undermining American competitiveness and the ability of these companies to retain and create manufacturing jobs in the United States.”

The good news is that help is on the way. After working together for months, Trade Subcommittee Chairman DAVE REICHERT, Ranking Members LEVIN and RANGEL, and I led a bipartisan group of Members in both the House and the Senate who recently introduced the American Manufacturing Competitiveness Act of 2016. The bill is designed to solve this problem and deliver much-needed relief to manufacturers across our country. Here is how the new three-step process will work:

First, local businesses of all sizes throughout our districts will petition the independent, nonpartisan International Trade Commission. They will make their case for why they need manufacturing tax breaks. After the ITC receives these petitions, it will solicit comments from the American public and the administration. The ITC will conduct a thorough and transparent analysis.

Secondly, the ITC will then issue a public report to Congress with its analysis and recommendations regarding products that meet the MTB standards. In these reports, the ITC will confirm that no company in America makes these products and explain why it is important to offer these tax breaks to our local manufacturers.

The third and final step in the process is for Congress to consider the ITC’s recommendations. The Ways and Means Committee will examine the ITC’s recommendations and prepare a package of legislation providing tax breaks for American manufacturers. Consistent with our rules, we cannot add provisions that haven’t received a favorable recommendation from the ITC. Then, Congress will consider the entire package.

At the end of this process, American manufacturers of all sizes will be able to enjoy tax breaks that will make it easier for them to compete in the global market and create more jobs in our communities.

While this bill is a victory for manufacturers and consumers, it is really also a victory for openness and transparency. After all, our new MTB process upholds our strong earmark rules and also gives the American people the opportunity to offer their opinion throughout the entire process. By passing this bill today, we are taking a tremendous step to ensure that we finally have a system in place that helps our manufacturers here in America compete in the global market—and win.

I would like to take a quick moment to recognize my colleagues who have worked so hard on this legislation. Specifically, I would like to thank Ranking Member SANDER LEVIN along with Subcommittee Chairman DAVE

REICHERT and Ranking Member CHARLIE RANGEL for their help and leadership.

I am also grateful to committee members PAT TIBERI, TOM REED, JIM RENACCI, EARL BLUMENAUER, BILL PASCRELL, and DANNY DAVIS, who have been actively involved in developing this legislation.

We also got help throughout the conference. I would like to specifically thank Representatives MARK WALKER, TOM MCCLINTOCK, TODD ROKITA, MICK MULVANEY, and ROD BLUM for their considerable leadership throughout this process.

I urge my colleagues to join us in supporting this critical legislation to provide tax breaks for our local manufacturers.

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

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 20, 2016.

Hon. KEVIN BRADY,
Chair, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN BRADY: On April 19, 2016, the Committee on Ways and Means ordered reported H.R. 4923, the American Manufacturing Competitiveness Act of 2016. As you know, the Committee on Rules was granted an additional referral upon the bill’s introduction pursuant to the Committee’s jurisdiction under rule X of the Rules of the House of Representatives over the rules of the House and special orders of business.

Because of your willingness to consult with my committee regarding this matter, I will waive consideration of the bill by the Rules Committee. By agreeing to waive its consideration of the bill, the Rules Committee does not waive its jurisdiction over H.R. 4923. In addition, the Committee on Rules reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Rules for conferees on H.R. 4923 or related legislation.

I request that you include this letter and your response as part of your committee’s report on the bill and the Congressional Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

PETE SESSIONS.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 21, 2016.

Hon. PETE SESSIONS,
Chairman, Committee on Rules,
Washington, DC.

DEAR CHAIRMAN SESSIONS, Thank you for your letter regarding H.R. 4923, the “American Manufacturing Competitiveness Act of 2016.” As you noted, the Committee on Rules was granted an additional referral of the bill.

I am most appreciative of your decision to waive consideration of H.R. 4923 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Committee on Rules is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees on any

House-Senate conference involving this legislation.

I will include a copy of our letters in our Committee’s report on H.R. 4923, as well as the Congressional Record during consideration of this legislation on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

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

Mr. Speaker, I welcome the opportunity to join with the chairman today. We have welcomed the opportunity—indeed, the absolute necessity—to try to work together. So I want to place what we are doing today in some perspective.

It has been nearly 6 years since Congress last passed a miscellaneous tariff bill. We are just now establishing a process to consider a future MTB bill, which would not happen until the end of 2017. This years-long delay has hurt U.S. manufacturers and our manufacturing competitiveness. It is long past time for this House to finally take action and to move forward.

MTB legislation boils down to one thing, basically: supporting and growing manufacturing jobs right here in America. And very importantly, these jobs do not come at the expense of others.

In 2010, the bipartisan, thorough, and transparent process we established to consider MTB bills worked effectively. It included direct input from the public, the administration, and the International Trade Commission.

The committee then posted all of these comments from the public and the administration on a publicly available Web site. And perhaps most importantly, that input was crucial in making sure that domestic production was not competing with imported products in the bill.

At that time, Republican leaders in Congress publicly objected to the MTB bill, conflating it with earmarks. When Democrats brought the bill to the floor in 2010, Republicans bucked their leadership and almost en masse supported the bill because of its importance to U.S. manufacturers and American jobs. It ultimately passed the House 378–43.

Unfortunately, as the Republicans became the majority, action on MTB was frozen. For years, the result was injury to domestic manufacturing and the jobs it supports throughout our country.

This bill shifts the responsibility to formally propose to ITC. I support the bill today before us because it retains all of the uniquely strong provisions on transparency developed in 2010, ensuring that all potential MTBs are thoroughly vetted.

□ 1330

It provides a chance for valuable input from a variety of stakeholders. This input is the key to ensuring that MTB bills do not undermine domestic product or jobs.

The process makes sure that the benefits provided by the bill support and

create American jobs without hurting our domestic manufacturers.

Additionally, this bill allows a Member of Congress to object to and, essentially, remove an individual MTB from the final legislative package.

So it has been a frustrating 6 years, and I say this with some emotion because we have worked hard over these years to try to move, often hitting obstacles. So it has been a frustrating 6 years since this Congress passed an MTB.

It has been even more frustrating for manufacturing across the country, but I believe we have reached a sufficient path forward now that will ultimately be beneficial for American manufacturers and for American workers.

It is more than overdue. It is about time a solution has been found, not one that I initially favored. But it is important to move ahead. So, therefore, I strongly support this bill.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the honorable gentleman from Washington (Mr. REICHERT), chairman of the Subcommittee on Trade, who has played such a key role, again, in advancing free trade and the manufacturing tax breaks.

Mr. REICHERT. Mr. Speaker, I thank Chairman BRADY for yielding and for his leadership and, also, Ranking Member LEVIN for his leadership.

This is truly a bipartisan effort working its way through Congress today. It is finally a pleasure to see this come to fruition.

We talk about MTBs. We throw a lot of acronyms around here in Congress, and sometimes it is hard to keep track of what all those acronyms mean.

But the definition of miscellaneous tariff, really, simply put, is a tax. It is a tax on businesses here in America taxed on imports from other countries on products used in building other products here in the United States.

Those products that are imported, that our companies are being taxed on, are not made here in the United States. So it is an additional cost on our manufacturers, who then have to raise their prices and that, of course, is passed on to our consumers and they pay a higher cost for those goods.

Even sometimes, Mr. Speaker, these miscellaneous tariffs can result in jobs being moved overseas.

So the process is simple. Step one is businesses present their requests to an independent board, nonpartisan, called the ITC, International Trade Commission.

Step two is that it is an open and transparent process. They asked for input from all across the country, from the public, from businesses, from Congress, from the administration, an open, transparent process.

Step three is Congress takes action.

And step four is America wins. They become more competitive.

What are the benefits of MTB? It is clear and simple.

The benefits are: Cuts costs for manufacturers importing products not made in the U.S.; reduces prices for consumers; strengthens transparency; and it grows the economy, creating the opportunity to make more products, make more products, hire more people, obviously, more people back to work creating jobs.

So today I rise in strong support of this solution to the problem that we have been facing here for the last few years, as Mr. LEVIN described.

It fully complies with our House rules, has strong bipartisan support in both the House and the Senate. I urge my colleagues to join me in supporting this legislation.

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

Mr. BRADY of Texas. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Minnesota (Mr. PAULSEN), one of our key, most effective leaders on trade in the Ways and Means Committee in the House.

Mr. PAULSEN. Mr. Speaker, I rise today in support of the American Competitiveness Act to help our domestic manufacturers.

Today there are American companies that must unfairly pay miscellaneous tariffs, or taxes, on the materials they need to make their products here in the United States simply because these materials are not available in the United States. Instead, they have to import these materials.

The bill before us creates a new, transparent process for miscellaneous tariff bills, or MTBs, to be enacted. And just how important are these MTBs?

Since the last MTB package expired in 2012, we have seen \$748 million in additional taxes at the border for American manufacturers every year.

That is a lot of money, Mr. Speaker. It is money that manufacturers could use to hire more employees, to grow their business or, of course, to lower prices for their customers.

And this isn't speculation. The last MTB initiative supported 90,000 manufacturing jobs here in the United States. In Minnesota, it is manufacturers like 3M and Knitcraft and Honeywell that will see the benefits.

I encourage my colleagues to join me today in supporting our manufacturers by voting in support of this legislation.

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

Mr. BRADY of Texas. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from New York (Mr. REED), one of our key members of the Ways and Means Committee with a business background.

Mr. REED. Mr. Speaker, I rise today to offer congratulations not only to our chairman on the Ways and Means Committee, KEVIN BRADY, as well as the chairman of the Trade Subcommittee, DAVID REICHERT, but also the ranking member, Mr. LEVIN.

We have come together on a bipartisan basis, Mr. Speaker, to stand for

this legislation that is going to help our U.S. domestic manufacturers.

This is a reduction of cost that potentially could go in the millions, if not billions, of dollars in the future and that is going to allow our U.S. manufacturers to compete on the world stage in a much better position than they find themselves today.

So I applaud the efforts of colleagues on both sides of the aisle to come together to find a solution that allows us to honor an open and transparent process, to stand with our U.S. manufacturers, to reduce the tax burden, and to reduce the costs on these manufacturers that are the heart and soul of our job creators across the country.

As I know companies in my district in western New York, the benefits that these companies will see impact not only large corporations, but also mom-and-pop domestic manufacturers, companies like Vere Sandals. It is a small mom-and-pop shop in my district that has to rely upon an import that it can only get outside of America.

They are now in a position, after this legislation is passed, to be able to build and manufacture those sandals in a competitive way. That means that that mom-and-pop operation is going to be able to employ not only their present employees, but potentially invest in expansion.

Why is that important, Mr. Speaker? Because those are the jobs that are being created today and tomorrow.

So I want to give, again, a congratulatory tip of the hat to my colleagues on the other side of the aisle as well as to the chairman on a job well done.

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

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Iowa (Mr. BLUM), one of our key new leaders in trade, manufacturing, and agriculture, a new Member of Congress who played a key role, again, in this legislation.

Mr. BLUM. Mr. Speaker, first I want to thank Chairman BRADY, Ranking Member LEVIN, the rest of the House Committee on Ways and Means, and my colleagues on both sides of the aisle who join in cosponsoring this important legislation, H.R. 4923, the American Manufacturing Competitiveness Act of 2016.

I also want to thank my colleague from North Carolina (Mr. WALKER) for his leadership in educating our freshman class about this issue.

Mr. Speaker, this legislation creates an open and transparent process to consider reducing burdensome manufacturing tariffs through miscellaneous tariff bills while at the same time maintaining the commonsense House ban on earmarks.

Without this legislation, American manufacturers will continue to pay high tariffs on essential raw materials that have no domestic source. This undermines manufacturers' competitiveness with foreign manufacturers and damages their ability to create manufacturing jobs here in America.

Mr. Speaker, our economy has been limping along for quite some time now. This is the worst economic recovery following a recession since World War II. GDP growth is just 60 percent of our 70-year average. I will say that again: 60 percent of average. Because of this, wages for working families are stagnant.

American businesses are being stifled by red tape, high taxes, and a Federal Government that crowds out private investment through its addiction to deficit spending.

I am not willing to accept that this economy is the new normal. We can do far better, Mr. Speaker. We need to make America the best place in the world to do business.

I believe that, by instituting progrowth policies, we can get wages for Americans moving up again and encourage businesses to invest in growing here instead of going overseas.

This bipartisan legislation is a concrete, direct example of something Congress can do immediately to make American manufacturing more competitive. Helping our manufacturers create good-paying jobs for American workers instead of moving them overseas should not be a partisan issue.

I look forward to seeing this bill move through Congress and will continue to be a voice for workers and manufacturers in Iowa and across the country so we can reignite our economy, raise wages for working families and once again make America the best place in the world to do business.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time. I will be very brief.

We have welcomed the chance to work together, and I want to thank the staff on both sides for doing that.

There were obstacles, I think unfortunate ones, in terms of the interpretation of the rules of this House. Lots of jobs were lost. Tariffs were placed on goods when we could have avoided that.

I am proud that, in 2010, when we were in the majority and we worked together up to a point, we developed the most transparent procedures. They were given the gold seal.

Everything had to be out in the open. Everything had to be there for the public to see. If any one of us on either side of the aisle, Democratic or Republican, Senate or House, objected to a provision, saying, for example, that it would impact jobs in the United States, that provision was gone.

As a result of that effort in 2010, when it came up for a vote, only one Democrat of all of us voted against it.

So time has been lost. Jobs have been lost. We have lost some ground on manufacturing that never should have happened.

But the important thing today is that we are moving ahead and we are going to pass a bill that sets in motion a procedure that will go into effect the end of next year.

So I hope we learn from this experience that we should not be tied up by

procedures in this Congress. Instead, we should look at what is the real impact of what we do on jobs in this country. These are basically very middle-income jobs, and we have lost too many.

We are now trying to recapture some of that lost ground with this procedure. I think it is something that we now need to adopt.

So I urge all of my colleagues on this side of the aisle and, I hope, the vast majority of you on your side of the aisle, Mr. Chairman, that we will join together at long last to pass what we have come to know as MTB.

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

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Think about the benefits of this bipartisan bill: tax cuts to American manufacturers; more jobs in our community, both retained and, in some cases, grown; lower costs for consumers and our businesses as well; Congress retains its strong constitutional powers over tariffs; and this bill complies fully with the current House earmark ban. That is a win-win for American consumers and our economy. It was achieved through bipartisan work.

I thank Ranking Member LEVIN and those who came together across the aisle and across the rotunda to make this process and this solution a reality.

□ 1345

This is good for America. This is good for our manufacturers, it is good for our local jobs, and I urge support for this bill.

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

Mr. SESSIONS. Mr. Speaker, I rise today to support passage of H.R. 4923, the American Manufacturing Competitiveness Act of 2016. This bipartisan, bicameral legislation creates an open and transparent process for the House to consider manufacturing tax cuts through the Miscellaneous Tariff Bill (MTB). This new process corrects distortions in the U.S. tariff code that place an unnecessary and anti-competitive tax on manufacturers, retailers and other businesses across the country that rely on imported products not available domestically.

As an active promoter of free trade, I want to commend my good friend and fellow Texan, Congressman BRADY for steering this important legislation to the House floor. I thank him for consulting with me on the development of this legislation, and I am pleased to support his efforts to ensure swift passage of this critical bill. Our partnership was memorialized in the exchange of letters contained in the Ways and Means Committee's report on the measure.

Congress has not renewed MTBs since the U.S. Manufacturing Enhancement Act in 2010 expired at the end of 2012. Since then, U.S. businesses faced an annual \$748 million tax increase on manufacturing with an overall economic loss of \$1.875 billion for the U.S. economy.

The new MTB process will help American manufacturers compete in the global market while also ensuring a transparent and public

process for consideration of MTBs. U.S. businesses will be able to petition the independent, non-partisan International Trade Commission (ITC), explaining the need for a specific tariff reduction or suspension. The ITC will then be able to issue a public report to Congress analyzing the request and whether or not it meets MTB standards, including that there is no domestic production. Congress would then be able to consider the bill within existing House Rules.

Small businesses and manufacturers across the country have long voiced their support for this new process. I am proud to have worked with Congressman BRADY to ensure passage of this job creating legislation.

Mr. ROKITA. Mr. Speaker, I rise today in support of H.R. 4923, the American Manufacturing Competitiveness Act.

In today's competitive global economy, too often government hampers American businesses with onerous regulations and red tape. As other nations increase their own global competitiveness, we must provide a level playing field for our businesses in diverse fields that include textiles, pharmaceuticals, and manufacturing.

The American Manufacturing Competitiveness Act only allows for tariff waivers on materials that lack a domestic equivalent. Other countries are already regularly granting similar waivers. The National Association of Manufacturers estimates that these tariffs are costing the American economy \$748 million a year. The Indiana Manufacturers Association has said that "helping eliminate these miscellaneous tariffs will reduce costs and lower incentives to relocate manufacturing operations abroad, keeping good jobs here."

I thank Chairman BRADY, for bringing together our working group to get this vital legislation done. I urge passage of the bill.

The SPEAKER pro tempore (Mr. RICE of South Carolina). The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 4923, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BRADY of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NO FLY FOR FOREIGN FIGHTERS ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4240) to require an independent review of the operation and administration of the Terrorist Screening Database (TSDB) maintained by the Federal Bureau of Investigation and subsets of the TSDB, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4240

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 “No Fly for Foreign Fighters Act”.

SEC. 2. GAO STUDY ON THE TERRORIST SCREENING DATABASE.

(a) *IN GENERAL.*—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit, to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, a report on—

(1) whether past weaknesses in the operation and administration of the Terrorist Screening Database (hereinafter referred to as the “TSDB”) and subsets of the TSDB have been addressed; and

(2) the extent to which existing vulnerabilities to the United States may be addressed or mitigated through additional changes to the TSDB and subsets of the TSDB, thereby enhancing America’s security and defenses.

(b) *REQUIRED INFORMATION.*—The study and report under subsection (a) shall include information on the extent to which—

(1) information is being integrated into the TSDB from all relevant sources across the government in a timely manner;

(2) agencies are able to comply with increased demands for information to improve the TSDB;

(3) the TSDB, and relevant subsets of the TSDB, are accessible to agencies, authorities, and other entities, as appropriate; and

(4) the TSDB is capable of enabling users to identify known or suspected terrorists in the most timely and comprehensive manner possible.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4240, currently under consideration.

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

There was no objection.

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

Mr. Speaker, across the globe, nations are on alert as the threat of ISIS spreads. France, Turkey, Belgium, and the United States have each been tragically affected by ISIS or ISIS-inspired terror plots. It is imperative that America’s first lines of defense against ISIS and other terror groups are working effectively.

H.R. 4240, the No Fly for Foreign Fighters Act, is a commonsense bill that requires the U.S. Government Accountability Office to conduct an independent review of the operation and administration of the Terrorist Screening Database, or TSDB, which is sometimes referred to as the terrorist watch list. The gentlewoman from Texas (Ms. JACKSON LEE) has worked diligently on this important issue, and I am pleased to support this bill.

The terrorist watch list is a critical tool in our fight against terrorism. The

watch list and the screening process support the U.S. Government’s efforts to combat terrorism by consolidating the terrorist watch list and providing screening and law enforcement agencies with information to help them respond appropriately during encounters with known or suspected terrorists, among other things. At the same time, we must ensure that the watch list and the accompanying processes and procedures comport with the Constitution and the values of the American people.

The GAO previously conducted a study of the terrorist watch list following the December 25, 2009, attempted bombing of Northwest Airlines Flight 253, which exposed weaknesses in how the Federal Government nominated individuals to the terrorist watch list and gaps in how agencies use the list to screen individuals to determine if they posed a security threat. Several improvements were made to the watch listing processes and procedures following the December 25, 2009, attempted bombing.

However, concerns have been raised over the effect the watch listing processes and procedures may have on law-abiding persons, including U.S. citizens, based on inaccurate or incomplete information in the database or similar or identical names to watch listed individuals.

The GAO stated in its 2012 watch listing report that routine, government-wide assessments of the outcomes and impacts of agencies’ watch list screening or vetting programs could help ensure that these programs are achieving their intended results or identify if revisions are needed. Such assessments could also help identify broader issues that require attention, determine if impacts on agency resources and the traveling public are acceptable, and communicate to key stakeholders how the Nation’s investment in the watch list screening or vetting processes is enhancing security of the Nation’s borders, commercial aviation, and other security-related activities.

This bill provides for an independent review of the operation and administration of the watch list. It reaffirms our commitment to our Nation’s security while upholding the constitutional values that make America unique in the world.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me start by saying that this is evidence of the important commitment that the Judiciary Committee has to the issues of criminal justice, but as well recognizes the title of this committee that covers crime, terrorism, homeland security, and investigations.

So I want to thank the chairman, Mr. GOODLATTE, for working with me and his staff, along with Mr. CONYERS, the ranking member, and his staff, and, of

course, Mr. RATCLIFFE for his support for my legislation, H.R. 4240, the No Fly for Foreign Fighters Act.

I particularly want to thank the staff because as they well know, my late staff, Tiffany Joslyn, worked very hard with staff members as well on this legislation. So here we are today with an important initiative coming out of the Judiciary Committee working collaboratively, and I believe that is extremely important.

As a senior member of the House Committee on Homeland Security and the ranking member of the House Committee on the Judiciary’s Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, the topic of threats to homeland security has always been of particular concern to me. But over the last couple of months, maybe over the last couple of years, as we have seen ISIL raise its ugly head, we have heard of Americans going for the fight, joining and being a part of the caliphate. We have heard of ISIS members moving around, particularly in Europe, moving from country to country. Some may say that they are crossing in a number of modes of transportation, but we also know they are using aviation modes of transportation. Therefore, they pose a serious threat.

I initially introduced the No Fly for Foreign Fighters Act after the investigation of an attempt to detonate explosives on a Northwest Airlines Flight on Christmas Day, 2009. Yes, Mr. Speaker, that was a long time ago.

An investigation of the incident revealed that counter-terrorism agencies had information that raised flags about this individual referred to as the “underwear bomber,” but the dots were not connected and he was not placed in the Terrorist Screening Database, or the TSDB. This incident shone a light on potential gaps in our watching and screening process, and that resulted in significant improvements.

That said, questions about the system remain. In fact, it is not uncommon to see news of a flight being diverted or an emergency landing because a passenger happened to be on the no-fly list, but there was a delay getting that information. Mr. Speaker, we are here today to really ensure that we get it right because one wrong time again jeopardizes maybe hundreds of thousands of lives.

It is even more common to read articles about the frequency of false positives and individuals being mistakenly identified as being on the list, causing them and their fellow passengers significant delay and frustration. I remember, having been on the Committee on Homeland Security since the heinous and tragic terrorist acts of 9/11, in those early days, Members of Congress, United States Senators, and others were on the no-fly list. While it may, after the fact, be a little bit humorous, it is not. So we must get it right. The issue of false positives is something that I know

many of my colleagues on the committee are particularly interested in, as well as groups such as the ACLU who was kept very busy by so many people being on wrongly.

In light of the events of the last 12 months, however, the issue of homeland security and, in particular, the accuracy of our screening and watch listing process has become even more significant to me. More than 30,000 foreign fighters from at least 100 different countries have traveled to Syria and Iraq to fight with ISIL since 2011. I want to say that number again: 30,000 foreign fighters have traveled. That means they may return and move throughout Europe or attempt to come to the United States.

In the last 18 months, the number of foreign fighters traveling to Syria and Iraq has more than doubled. If those individuals try to go throughout places in Europe or elsewhere or to the United States, the mode of transportation would be aviation.

In the first 6 months of 2015, more than 7,000 foreign fighters have arrived in Syria and Iraq. Of those traveling to Syria and Iraq to fight for the Islamic State terrorist group, it is estimated that at least 250 hold U.S. citizenship.

Mr. Speaker, my colleagues, we only need one. The accuracy of our terrorist screening tools is more critical now than ever before. That is why I worked with the chairman, Mr. RATCLIFFE, and Mr. CONYERS to introduce H.R. 4240, which mandates an independent review of the TSDB's operation and administration.

Although the Inspector General for the Department of Justice conducts annual audits of the TSDB, there has not been an independent review since the GAO study after the 2009 incident.

H.R. 4240 directs the GAO to conduct an independent review of the operation and administration of the TSDB and subsets of the TSDB, to assess whether past weaknesses have been addressed, the extent to which existing vulnerabilities may be resolved or mitigated through additional changes.

This legislation is drafted broadly to allow the GAO to conduct a comprehensive review not just of the TSDB's accuracy, but its entire operation and administration in the name of securing the American people.

Following its study, the GAO will submit a report to the House and Senate Judiciary Committees with its findings and any recommendations for improvements. I am very glad that my colleagues joined me in shortening that timeframe in which a report is to come back so that we can quickly move to urge any changes that need to be made in the list to be accurate and to secure the Nation.

Let me close by thanking the members of this committee who are cosponsors of H.R. 4240 and urge my colleagues to vote to send this critical and timely bipartisan legislation to the House floor, which we are now.

Mr. Speaker, let me begin by extending my appreciation to Chairman GOODLATTE, Ranking

Member CONYERS, and Mr. RATCLIFFE for your support of my legislation, H.R. 4240, the "No Fly for Foreign Fighters Act."

As a senior member of the House Committee on Homeland Security and the Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security & Investigations, the topic of threats to homeland security has always of particular concern to me.

I initially introduced the "No Fly for Foreign Fighters Act" after the investigation of an attempt to detonate explosives on a Northwest Airlines flight on Christmas Day 2009.

Investigation of the incident revealed that counterterrorism agencies had information that raised red flags about this individual, referred to as the "underwear bomber," but the dots were not connected and he was not placed in the Terrorist Screening Database or the TSDB.

This incident shone a spotlight on potential gaps in our watching and screening process and that resulted significant improvements.

That said, questions about the system remain.

In fact, it is not uncommon to see news of a flight being diverted or an emergency landing because a passenger happened to be on the No Fly list but there was a delay getting that information.

It is even more common to read articles about the frequency of false positives and individuals being mistakenly identified as being on the list—causing them and their fellow passenger significant delay and frustration.

The issue of false positives is something that I know many of my colleagues on the Committee are particularly interested in, as well as groups such as the ACLU.

In light of the events of the last 12 months, however, the issue of homeland security and, in particular, the accuracy of our screening and watchlisting process has become even more significant to me.

More than 30,000 foreign fighters from at least 100 different countries have traveled to Syria and Iraq to fight for ISIL since 2011.

In the last 18 months, the number of foreign fighters traveling to Syria and Iraq has more than doubled.

In the first six months of 2015, more than 7,000 foreign fighters have arrived in Syria and Iraq.

Of those traveling to Syria and Iraq to fight for the Islamic State terrorist group, it is estimated at least 250 hold U.S. Citizenship.

The accuracy of our terrorist screening tools is more critical now than ever before.

That is why I worked with the Chairman and Mr. RATCLIFFE, to introduce H.R. 4240, which mandates an independent review of the TSDB's operation and administration.

Although the Inspector General for the Department of Justice conducts annual audits of the TSDB, there has not been an independent review since the GAO study after the 2009 incident.

H.R. 4240 directs the GAO to conduct an independent review of the operation and administration of the TSDB, and subsets of the TSDB, to assess: (1) whether past weaknesses have been address; and (2) the extent to which existing vulnerabilities may be resolved or mitigated through additional changes.

This legislation is drafted broadly, to allow the GAO to conduct a comprehensive review not just of the TSDB's accuracy, but of its entire operation and administration.

Following its study, the GAO will submit a report to the House and Senate Judiciary Committees, with its findings and any recommendations for improvements.

I would like to thank the many Members of this Committee who are co-sponsors of H.R. 4240 and urge my colleagues to vote to send this critical and timely bipartisan legislation to the House floor.

Mr. Speaker, I want to conclude by also thanking the many individuals who work tirelessly to make the Terrorist Screening Center an asset to our homeland security infrastructure.

We want to make certain that those men and women have the tools they need to continue to keep this nation safe.

H.R. 4240 is the next step in ensuring that the screening and watchlisting process works as it is intended.

I urge all of my colleagues to support this commonsense, bipartisan measure.

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

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

Ms. JACKSON LEE. Mr. Speaker, it is my privilege to yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), the distinguished ranking member who now is the dean of this House.

Mr. CONYERS. Mr. Speaker, I thank the author of this bill, the gentlewoman from Texas, who first saw the importance of it. I want to tell you that this measure before us today strengthens the Terrorist Screening Database maintained by the Federal Bureau of Investigation, and in doing so, aids in our efforts to combat terrorism and keep our Nation safe.

The FBI's Terrorist Screening Center helps to identify known and suspected terrorists by integrating information collected by law enforcement and the intelligence community.

Since its inception in 2003, this sophisticated watch list and screening system has undoubtedly saved lives; but despite the work of the dedicated individuals who make the screening database possible, the system is not flawless. Past incidents, such as the 2009 Christmas Day attempted attack on a Northwest Airlines flight bound for my hometown of Detroit, already mentioned by the gentlewoman from Texas, has put a spotlight on potential gaps in the system.

□ 1400

Over the years since, the FBI has made significant improvements to the database. Audits by the Department of Justice's Office of the Inspector General reveal movement in the right direction; but, to date, no independent review has been conducted to evaluate the sufficiency of these changes.

H.R. 4240 addresses this precise issue by directing the Government Accountability Office to conduct a review of the operation and administration of the Terrorist Screening Database. This review will assess whether past weaknesses have been eliminated and the extent to which existing vulnerabilities may be addressed or mitigated

through additional changes. An independent audit will give us the tools we need to make additional changes if necessary.

I want to commend, once again, the distinguished gentlewoman from Texas, SHEILA JACKSON LEE, ranking member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations of the Judiciary Committee, for her leadership on this important issue.

I also want to thank the chairman of the full committee, Chairman GOODLATTE, and former chairman of the Judiciary Committee, Chairman SENSENBRENNER, for their assistance in bringing this important legislation to the floor today.

I join with all of those who are with us in supporting this measure.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in concluding, a lot of thanks go to, as I indicated, the chairman, Chairman GOODLATTE; Ranking Member CONYERS; Mr. RATCLIFFE, who is a member of the committee; and my colleagues on Homeland Security as well, who have a great interest in this legislation.

Our commitment in this legislation is to leave no stone unturned, no page unturned, and no iota of information that will be necessary to make this list a more viable and secure list. That work now will be done by this legislation, the No Fly for Foreign Fighters Act. It will help to make the Terrorist Screening Center a further asset to our Homeland Security infrastructure.

We want to make certain that those men and women have the tools they need to continue to keep the Nation safe. With 30,000 foreign fighters and others going every day, 250 Americans who have gone to the caliphate, have gone to the fight, individuals who may have an interest in returning to this country and doing us harm, doing us damage, I believe H.R. 4240 is the next step in ensuring that the screening and watch-listing process works as it was intended to have worked and works without as many errors as possible—errorless, if you will—because that is what we need to secure this Nation.

I urge all my colleagues to support this commonsense, bipartisan measure.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, this is good legislation. It is common sense to conduct a review of the terrorist watch-listing process.

I urge my colleagues to support the legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 4240, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EMAIL PRIVACY ACT

Mr. GOODLATTE. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 699) to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 699

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 "Email Privacy Act".

SEC. 2. VOLUNTARY DISCLOSURE CORRECTIONS.

(a) *IN GENERAL.*—Section 2702 of title 18, United States Code, is amended—

(1) *in subsection (a)—*

(A) *in paragraph (1)—*

(i) *by striking "divulge" and inserting "disclose";*

(ii) *by striking "while in electronic storage by that service" and inserting "that is in electronic storage with or otherwise stored, held, or maintained by that service";*

(B) *in paragraph (2)—*

(i) *by striking "to the public";*

(ii) *by striking "divulge" and inserting "disclose"; and*

(iii) *by striking "which is carried or maintained on that service" and inserting "that is stored, held, or maintained by that service"; and*

(C) *in paragraph (3)—*

(i) *by striking "divulge" and inserting "disclose"; and*

(ii) *by striking "a provider of" and inserting "a person or entity providing"*

(2) *in subsection (b)—*

(A) *in the matter preceding paragraph (1), by inserting "wire or electronic" before "communication";*

(B) *by amending paragraph (1) to read as follows:*

"(1) to an originator, addressee, or intended recipient of such communication, to the subscriber or customer on whose behalf the provider stores, holds, or maintains such communication, or to an agent of such addressee, intended recipient, subscriber, or customer;"; and

(C) *by amending paragraph (3) to read as follows:*

"(3) with the lawful consent of the originator, addressee, or intended recipient of such communication, or of the subscriber or customer on whose behalf the provider stores, holds, or maintains such communication;";

(3) *in subsection (c) by inserting "wire or electronic" before "communications";*

(4) *in each of subsections (b) and (c), by striking "divulge" and inserting "disclose"; and*

(5) *in subsection (c), by amending paragraph (2) to read as follows:*

"(2) with the lawful consent of the subscriber or customer;";

SEC. 3. AMENDMENTS TO REQUIRED DISCLOSURE SECTION.

Section 2703 of title 18, United States Code, is amended—

(1) *by striking subsections (a) through (c) and inserting the following:*

"(a) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN ELECTRONIC STORAGE.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of electronic communication service of the contents of a wire or electronic communication that is in electronic storage with or otherwise stored, held, or maintained by that service only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

"(1) is issued by a court of competent jurisdiction; and

"(2) may indicate the date by which the provider must make the disclosure to the governmental entity.

In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.

"(b) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN A REMOTE COMPUTING SERVICE.—

"(1) IN GENERAL.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of remote computing service of the contents of a wire or electronic communication that is stored, held, or maintained by that service only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

"(A) is issued by a court of competent jurisdiction; and

"(B) may indicate the date by which the provider must make the disclosure to the governmental entity.

In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.

"(2) APPLICABILITY.—Paragraph (1) is applicable with respect to any wire or electronic communication that is stored, held, or maintained by the provider—

"(A) on behalf of, and received by means of electronic transmission from (or created by means of computer processing of communication received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

"(B) solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

"(c) RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE.—

"(1) IN GENERAL.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of electronic communication service or remote computing service of a record or other information pertaining to a subscriber to or customer of such service (not including the contents of wire or electronic communications), only—

"(A) if a governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

"(i) is issued by a court of competent jurisdiction directing the disclosure; and

"(ii) may indicate the date by which the provider must make the disclosure to the governmental entity;

"(B) if a governmental entity obtains a court order directing the disclosure under subsection (d);

"(C) with the lawful consent of the subscriber or customer; or

“(D) as otherwise authorized in paragraph (2).

“(2) **SUBSCRIBER OR CUSTOMER INFORMATION.**—A provider of electronic communication service or remote computing service shall, in response to an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery subpoena, or any means available under paragraph (1), disclose to a governmental entity the—

“(A) name;

“(B) address;

“(C) local and long distance telephone connection records, or records of session times and durations;

“(D) length of service (including start date) and types of service used;

“(E) telephone or instrument number or other subscriber or customer number or identity, including any temporarily assigned network address; and

“(F) means and source of payment for such service (including any credit card or bank account number); of a subscriber or customer of such service.

“(3) **NOTICE NOT REQUIRED.**—A governmental entity that receives records or information under this subsection is not required to provide notice to a subscriber or customer.”;

(2) in subsection (d)—

(A) by striking “(b) or”;

(B) by striking “the contents of a wire or electronic communication, or”;

(C) by striking “sought,” and inserting “sought”; and

(D) by striking “section” and inserting “subsection”; and

(3) by adding at the end the following:

“(h) **NOTICE.**—Except as provided in section 2705, a provider of electronic communication service or remote computing service may notify a subscriber or customer of a receipt of a warrant, court order, subpoena, or request under subsection (a), (b), (c), or (d) of this section.

“(i) **RULE OF CONSTRUCTION RELATED TO LEGAL PROCESS.**—Nothing in this section or in section 2702 shall limit the authority of a governmental entity to use an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery subpoena, or a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction to—

“(1) require an originator, addressee, or intended recipient of a wire or electronic communication (including the contents of that communication) to the governmental entity;

“(2) require a person or entity that provides an electronic communication service to the officers, directors, employees, or agents of the person or entity (for the purpose of carrying out their duties) to disclose a wire or electronic communication (including the contents of that communication) to or from the person or entity itself or to or from an officer, director, employee, or agent of the entity to a governmental entity, if the wire or electronic communication is stored, held, or maintained on an electronic communications system owned, operated, or controlled by the person or entity; or

“(3) require a person or entity that provides a remote computing service or electronic communication service to disclose a wire or electronic communication (including the contents of that communication) that advertises or promotes a product or service and that has been made readily accessible to the general public.

“(j) **RULE OF CONSTRUCTION RELATED TO CONGRESSIONAL SUBPOENAS.**—Nothing in this section or in section 2702 shall limit the power of inquiry vested in the Congress by Article I of the Constitution of the United States, including the authority to compel the production of a wire or electronic communication (including the contents of a wire or electronic communication)

that is stored, held, or maintained by a person or entity that provides remote computing service or electronic communication service.”.

SEC. 4. DELAYED NOTICE.

Section 2705 of title 18, *United States Code*, is amended to read as follows:

“§2705. Delayed notice

“(a) **IN GENERAL.**—A governmental entity acting under section 2703 may apply to a court for an order directing a provider of electronic communication service or remote computing service to which a warrant, order, subpoena, or other directive under section 2703 is directed not to notify any other person of the existence of the warrant, order, subpoena, or other directive.

“(b) **DETERMINATION.**—A court shall grant a request for an order made under subsection (a) for delayed notification of up to 180 days if the court determines that there is reason to believe that notification of the existence of the warrant, order, subpoena, or other directive will likely result in—

“(1) endangering the life or physical safety of an individual;

“(2) flight from prosecution;

“(3) destruction of or tampering with evidence;

“(4) intimidation of potential witnesses; or

“(5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

“(c) **EXTENSION.**—Upon request by a governmental entity, a court may grant one or more extensions, for periods of up to 180 days each, of an order granted in accordance with subsection (b).”.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act or an amendment made by this Act shall be construed to preclude the acquisition by the United States Government of—

(1) the contents of a wire or electronic communication pursuant to other lawful authorities, including the authorities under chapter 119 of title 18 (commonly known as the “Wiretap Act”), the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), or any other provision of Federal law not specifically amended by this Act; or

(2) records or other information relating to a subscriber or customer of any electronic communication service or remote computing service (not including the content of such communications) pursuant to the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), chapter 119 of title 18 (commonly known as the “Wiretap Act”), or any other provision of Federal law not specifically amended by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 699, currently under consideration.

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

There was no objection.

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

Today is an historic day. Today, the House of Representatives will be the first Chamber in Congress to approve legislation that has been pending before the House and Senate for several years to reform and modernize the

Electronic Communications Privacy Act, or ECPA. Reforming this outdated law has been a priority for me as chairman of the Judiciary Committee. I have worked with Members of Congress, advocacy groups, and law enforcement agencies for years on many complicated nuances involved in updating this law.

Two weeks ago, the House Judiciary Committee unanimously reported a revised version of H.R. 699, the Email Privacy Act. The resulting bill is a carefully negotiated agreement to update the procedures governing government access to stored communications content and records.

Thirty years ago, when personal computing was still in its infancy and few of us had ever heard of something called the World Wide Web, Congress enacted ECPA to establish procedures that strike “a fair balance between the privacy expectations of American citizens and the legitimate needs of law enforcement agencies.”

In 1986, mail was sent through the U.S. Postal Service, a search engine was called a library, tweets were the sounds made by birds in the trees, and clouds were found only in the sky. In 1986, computer storage was finite and expensive. It was unheard of that a commercial product would allow users to send and receive electronic communications around the globe for free and store those communications for years with a third-party provider.

So much has changed in the last three decades. The technology explosion over the last three decades has placed a great deal of information on the Internet, in our emails, and on the cloud. Today, commercial providers, businesses, schools, and governments of all shapes and sizes provide email and cloud computing services to customers, students, and employees.

The Email Privacy Act establishes, for the first time in Federal statute, a uniform warrant requirement for stored communication content in criminal investigations, regardless of the type of service provider, the age of an email, or whether the email has been opened.

The bill preserves the authority for law enforcement agents to serve the warrant on the provider because, as with any other third-party custodian, the information sought is stored with them. However, the bill acknowledges that providers may give notice to their customers when in receipt of a warrant, court order, or subpoena, unless the provider is court-ordered to delay such notification.

The bill continues current practice that delineates which remote computing service providers, or cloud providers, are subject to the warrant requirement for content in a criminal investigation.

ECPA has traditionally imposed heightened legal process and procedures to obtain information for which the customer has a reasonable expectation of privacy, namely, emails, texts,

photos, videos, and documents stored in the cloud. H.R. 699 preserves this treatment by maintaining in the statute limiting language regarding remote computing services.

Contrary to practice 30 years ago, today, vast amounts of private, sensitive information are transmitted and stored electronically. But this information may also contain evidence of a crime, and law enforcement agencies are increasingly dependent on stored communications content and records in their investigations.

To facilitate timely disclosure of evidence to law enforcement, the bill authorizes a court to require a date for return of service of the warrant. In the absence of such a requirement, H.R. 699 requires email and cloud providers to promptly respond to warrants for communications content.

Current law makes no distinction between content disclosed to the public, like an advertisement on a Web site, versus content disclosed only to one or a handful of persons, like an email or a text message. The result is that law enforcement could be required to obtain a warrant even for publicly disclosed content. The bill clarifies that commercial public content can be obtained with process other than a warrant.

Lastly, H.R. 699 clarifies that nothing in the law limits Congress' authority to compel a third-party provider to disclose content in furtherance of its investigative and oversight responsibilities.

Thirty years ago, the extent to which people communicated electronically was much more limited. Today, however, the ubiquity of electronic communications requires Congress to ensure that legitimate expectations of privacy are protected, while respecting the needs of law enforcement.

I am confident that this bill strikes the necessary balance and does so in a way that continues to promote the development and use of new technologies and services that reflect how people communicate with one another today and into the future.

I would like to thank Congressman YODER and Congressman POLIS for introducing the underlying legislation and for working with the committee on improvements to the bill.

With this historic vote today, Congress will approve legislation that embodies the principles of the Fourth Amendment and reaffirms our commitment to protecting the privacy interests of the American people without unduly sacrificing public safety.

I urge my colleagues to support this bipartisan legislation.

I reserve the balance of my time.

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

In 2014, in a unanimous ruling delivered by Chief Justice Roberts, the Supreme Court concluded that the police may not search a cell phone without first demonstrating probable cause. Citing an obvious Fourth Amendment interest in the vast amount of data we

store on our personal devices, the Court wrote: "The fact that technology now allows an individual to carry such information in his hand does not make the information any less worthy of the protection for which the Founders fought. Our answer to the question of what police must do before searching a cell phone seized incident to an arrest is accordingly simple—get a warrant."

With that decision, the Court took a bold step toward reconciling the Fourth Amendment with the advent of modern communications technology. Today, the House takes a similar step to reconcile our interests in privacy and due process with the realities of modern computing.

H.R. 699, the Email Privacy Act, recognizes that the content of our communications, although often stored in digital format, remains worthy of Fourth Amendment protection. And to the investigators and government agents who seek access to our email, our advice is accordingly simple: Get a warrant. It is an idea whose time has long since come. This bill will allow us to move to a clear, uniform standard for law enforcement agencies to access the content of our communications, namely, a warrant based on probable cause.

H.R. 699 also codifies the right of the providers to give notice of this intrusion to their customers, except in certain exigent circumstances that must also be validated by the court.

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We should note the absence of a special carve-out from the warrant requirement for the civil agencies, like the Securities and Exchange Commission and the Internal Revenue Service. In the House Judiciary Committee, we reached quick consensus that a civil carve-out of any kind is unworkable, unconstitutional, or both. I would have preferred to have kept the notice provisions of the original bill, which are absent from the version we reported from committee.

In the digital world, no amount of due diligence necessarily tells us that the government has accessed our electronic communications. The government should have an obligation to provide us with some form of notice when intruding on a record of our most private conversations; but I understand that not everyone shares this view, and I am willing to compromise, for now, in order to advance the important reforms that we will adopt today.

I am proud of the work we have done. This legislation is several years in the making, and it should not be delayed any further. I compliment our colleague Mr. POLIS. Accordingly, I urge my colleagues to support H.R. 699, the Email Privacy Act.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas (Mr. YODER), the chief sponsor of the legislation.

Mr. YODER. I thank the chairman.

Mr. Speaker, today is a great day for the Constitution. It is a great day for

the spirit of bipartisanship in this Chamber. It is a great day for Americans everywhere who use modern technology, such as emails and text messages and cell phones, to communicate with one another.

This day has been a long time in the making, and I want to thank the chairman and his staff, Ranking Member CONYERS, my colleague Mr. POLIS, and everyone who has worked on this legislation. This is the most cosponsored bill in the entire United States House—the most popular bill—because it is a commonsense piece of legislation that affects every American and will clear up a long-time hole in the law that has allowed the government to intrude on Americans' privacy.

You have to go back to 1986 when this law was passed: Halley's Comet was passing by Earth; "Top Gun" was coming out as a new movie; Cabbage Patch dolls were flying off the shelves. It was a good time in America. It was also the time in which Congress last wrote the laws that updated the Electronic Communications Privacy Act. At that point, there were only 10 million Americans who even had email accounts. Today, there is an estimated 232 million Americans who have email accounts. It wasn't until 6 years later that someone sent the first text message in 1992. Yet, now, we expect 1 billion text messages to be sent every single year.

The current law, which is the law that was written in 1986, allows an abuse of our constitutional rights by treating our digital information as if it is not private information—as if it can be searched and seized by the government without a warrant, without probable cause, without due process. The theory in 1986 was, if you left your email on a server, once it was left there, it was considered abandoned. It was like trash that was left out on the street corner, which didn't have an expectation of privacy anymore. We know the ways that Americans communicate today is in a way in which they expect that those transmissions are private, and they expect that the government will honor that and not search those emails or capture them for other purposes. The Fourth Amendment is being violated.

Today, we restore the Fourth Amendment by treating digital information just like paper information, and we stand strong on the notion that Americans do have an expectation of privacy in their email accounts. I would think, if I and my colleagues would each ask our constituents if they expect that their email conversations are private, they would know that they are, and they would expect that they are. As we are debating this bill, Americans are sending emails and text messages back and forth, and they expect that their government is not reviewing those.

What we do in this legislation is require a warrant. We say the government must have probable cause. They must go to a judge whether it is at the

Federal level, the State level, or the local level. To review those pieces of digital information that are stored either in a drop box or on the iCloud—or just a text message that is sent back and forth—you have to have a warrant, and in a civil matter, you have to have a subpoena, and that subpoena is served on the individual.

We have documents on our desks at home. The police can't kick in your door and go read those documents unless they have a warrant backed up on probable cause. We have a digital set of documents that goes around with us wherever we go. There is a file cabinet with us. When we store things, we are doing so not because we are abandoning it. We are storing it because we are wanting to protect it, and we are wanting to ensure that we can keep it. We don't want to lose our Fourth Amendment protections because of that. This legislation would require that a warrant or a civil subpoena exist in order to read that information so that due process occurs.

This is a great unifier. Quite often on the House floor, we are divided—Republicans and Democrats—and we are not able to find resolution on some of the biggest challenges that face us; but the Fourth Amendment in the Constitution has to be preserved. I am heartened by the fact that my colleague Mr. POLIS and groups on the left and groups on the right and groups in the center and that America has come together on this legislation to say we are going to fix this, and we are going to ensure that this Congress modernizes its laws and that it does so in a bipartisan fashion so that we can put this bill on the President's desk and he will sign it into law. As we continue to advance, we must remember to advance the laws that this country utilizes, and as Americans communicate in different ways, we have to modernize the way the laws treat that communication.

I am proud of the work we are doing in the House today. I thank the chairman and his team. I thank Ranking Member CONYERS and my colleagues on both sides of the aisle. This is a great day for America, a great day for the Constitution, and a great day for each and every one of us who uses email to correspond to know that the Fourth Amendment continues to protect us and to know that the Internet is not immune from the protections of the Constitution.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. POLIS), one of the authors of the measure before us.

Mr. POLIS. Mr. Speaker, the passage of the Email Privacy Act is an enormous victory. It is a victory for all Americans who believe in the right to privacy, in the Fourth Amendment, and in due process.

The Email Privacy Act mandates, for the first time, that Americans have the same legal protection for their emails as they do for papers, letters, faxes, and other old communications. The bill

protects those of us—myself included and many Members of this body—who have email accounts in the cloud. Maybe it is Google mail or Yahoo Mail or AOL or other email accounts on their hard drives. It makes sure that the government doesn't have the right, without a warrant, to search emails that are older than 180 days.

This bill is also a victory for bipartisanship. When I introduced the bill, along with my colleague Mr. YODER, in the winter of 2015, we knew it would be popular. Yet, as this bill sits before us today, ready for passage, I am very proud to say it has garnered 314 cosponsors, and it stands as the single most popular bill in this session of the House of Representatives. I am excited that it is scheduled for a floor vote.

When Congress passed the Electronic Communications Privacy Act in 1986, electronic communications were different than they are today. They didn't really exist as such. A few professors were using a predecessor for the Internet. It was not a mass form of communication. Today, with 24/7 accessibility with mobile devices and laptops, over 205 billion emails are sent every day, according to some estimates, including many that contain our private communications for millions of Americans who deserve the same right to privacy as documents in a file cabinet.

With the passage of the Email Privacy Act, Congress will ensure that your emails that are older than 180 days are subject to the same protection under the Fourth Amendment. You often hear Members on both sides of the aisle talk about commonsense bills. When you read our bill and when you look at the immense support, there is nothing more common sense than the Email Privacy Act.

I urge my colleagues to vote "yes" and pass the bill. I urge the Senate to take it up and act. There is the unanimous support from the House Judiciary Committee and, as of today—hopefully soon—overwhelming support on the floor of the House. This bill should be passed. It should be brought to the desk of the President of the United States. We should finally bring our email privacy laws into the 21st century.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE), a member of the Judiciary Committee.

Mr. POE of Texas. I thank the chairman for bringing this bill up and for his work on it in a bipartisan way.

I especially want to thank Congressman YODER for pushing this legislation that has overwhelming support in the House of Representatives.

Mr. Speaker, the Electronic Communications Privacy Act was passed in 1986—30 years ago. It was an eternity. Understand that IBM invented and put on the market its first laptop in 1986. A lot has changed since that day 30 years ago. As the chairman mentioned, the cloud was where rain came from, or sometimes we see it here in Wash-

ington, D.C.—the cloud. No one even knew what that was. The Electronic Communications Privacy Act needs to be fixed because it does not protect the right of privacy of Americans.

If something is stored in the cloud that is over 180 days old, then it is open season for government to seize all of that information. All governments—local or State or Federal—can go in and get those emails, texts, photographs, documents that you are storing. Up to 180 days, it is protected by the Constitution. Interesting—180 days of constitutional rights—but on the 181st day, you have no right of privacy. That is absurd. This bill fixes that former legislation.

I used to be a judge in Texas for 22 years, and I had peace officers all the time come to see me who wanted a warrant. They followed the Fourth Amendment and described the place to be searched. They would go in with that warrant, after stating probable cause, and they were allowed to seize whatever they could seize under the warrant. The Fourth Amendment ought to apply today. It ought to apply in the electronic age. It ought to apply to emails that are stored in the cloud or to anything else that is stored in the cloud. If the police officers have to have a warrant to go into your house and take documents you store in your desk or wherever, then they have to have a warrant if you store documents in the cloud. That is what this legislation does, and it makes sense that we protect the constitutional right.

The government cannot tap our phones without a warrant, it can't read hard mail without a warrant, and it can't enter our homes without a warrant because of the Fourth Amendment. We are unique among all peoples because we have in our Constitution the Fourth Amendment that protects Americans—I think better than any other population anywhere—of their rights.

Speaking of rights, the government doesn't have rights. People have rights, and the Bill of Rights protects the citizens of the United States. Government has authority—it has power—and if you read the Bill of Rights, the 10 Amendments especially, it is to limit government power and authority against us, the citizens. So, of course, the Fourth Amendment should apply to the Federal Government in this area.

Unfortunately, we have seen in our own government abuses of the government in the area, especially of snooping and spying on Americans, with the NSA and its story that we are all familiar with. We have to control government, and it is our obligation, the House of Representatives, to protect the Constitution—the Bill of Rights especially—from government intrusion.

I support this legislation. It is a good piece of legislation. I thank the chairman and the ranking member and Ms. LOFGREN for her support of this legislation that we have been working on for a long time. Let Congress speak out

and support the right of privacy for all Americans and keep the government out of the snooping business.

And that is just the way it is.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a senior member of the House Judiciary Committee.

Mr. NADLER. I thank the chairman.

Mr. Speaker, I rise to support the Email Privacy Act.

It has long been evident that we need to update the laws impacting electronic communications and privacy. I am pleased that, today, the House will take a major step forward by considering and approving the Email Privacy Act. Its passage is long overdue.

In 2009 and 2010, when I was the chair of the House Judiciary Subcommittee on the Constitution, Civil Rights and Civil Liberties, we held multiple hearings on ECPA, or electronic communication and privacy laws, and began to seriously consider reforms to our Nation's electronic communication and privacy laws. During the 112th Congress, Representative CONYERS and I introduced the Electronic Communications Privacy Act Modernization Act of 2012, which would have required law enforcement to obtain a warrant based on probable cause before searching email. That approach, now embodied in the Yoder-Polis Email Privacy Act, is what we are here to consider today.

The Email Privacy Act requires the government to obtain a warrant in order to access people's electronic communications from a third-party provider, protecting Americans' privacy rights while still enabling law enforcement to do its job.

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This is consistent with a stark American practice going back to the Fourth Amendment. Current law is inconsistent and unclear regarding the standards for government access to the content of communications, and a single email is potentially subject to multiple different legal standards.

Clarifying the laws will help industry stakeholders, who currently struggle to apply the existing, outdated categories of information to their products and services, and it will provide a clear standard for law enforcement.

In an era where government access to people's private information held by third-party providers has become far too easy, Congress is finally taking steps to update our laws to reflect our new understanding of what it means for "people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," in the words of the Fourth Amendment.

This bill is not perfect, and clearly there is more to be done. In particular, we must ensure that we keep working to require a probable cause warrant for location information.

I am pleased that Chairman GOODLATTE has announced that he plans to hold hearings on location information,

and I look forward to those hearings and to subsequent legislation.

I am proud to be an original cosponsor of this bill, and I applaud the House for considering this landmark legislation today.

I urge my colleagues to support the passage of this bill to ensure that our laws strike the right balance between the interests and needs of law enforcement and the privacy rights of the American people.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I want to applaud my colleagues from Kansas and from Colorado for their work in crafting this bill. I think it is awfully important.

I think it is what people expect. When they think about government, they want a government that works for them. Part of having a government that works for them means actually updating laws as technology has changed.

So I think that, at the core, this is about keeping current with the rate of change in the world of technology.

It is amazing to me—I pulled the numbers—that there are roughly 205 billion emails sent every day around the world. If you presuppose that America's economy is about 20 percent of that world pie, that means around 40 million or more emails are sent across this country every single day.

In contrast is the U.S. Postal Service. There are about 600 million letters that go across this country every day, which is to say, mathematically, you are saying that about 1.5 percent of the communication flow, either via mail or electronic means, are sent by the Postal Service.

The other, in essence, 99 percent of the communications are sent via email, which is to say we have a real problem with a law that was created in the 1980s that doesn't take into account the way the world has changed.

So I applaud the crafters of this bill for what they have done in recognizing technology change. I applaud them for the way that they stayed true to the Fourth Amendment.

Our Founding Fathers were so deliberate in recognizing the notion that you didn't want to have British soldiers coming into a house and rumbling around until they finally found something to charge you with and then moving forward.

The Fourth Amendment is about protecting individual liberty. Jefferson said: "The natural progress of things is for the government to gain ground and for liberty to yield."

Fundamentally, what this bill is about is pushing back in the way that the government has now encroached on that space of individual liberty.

Finally, I would say simply this: This is about recognizing how true history is on the importance of protecting liberty.

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Speaker, I yield an additional 1 minute to the gentleman from South Carolina.

Mr. SANFORD. Mr. Speaker, Edward Gibbon wrote a book back in 1776 about the fall of the Romans. In it, he harkens back to the fall of Greece and the Athenians.

He said, at the end of the day, in the end, more than they wanted freedom, they wanted security. They wanted a comfortable life, and they lost it all—security, comfort, and freedom—when the Athenians no longer wanted to give to society, but to receive. And he goes on with a long quote from there.

He talks about the fundamental tension that exists in any developed society between freedom and security. We have moved too far in the opposite direction as it relates to email. This bill brings us back toward the center.

I again applaud Mr. YODER and Mr. POLIS for what they have done. I also applaud Chairman GOODLATTE for what he has done on this front.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DELBENE), a very effective member on the Judiciary Committee.

Ms. DELBENE. Mr. Speaker, updating our laws to reflect the way the world works in the 21st century has been one of my top priorities in Congress.

After spending two decades in the technology sector where things change at light speed, it can be hard to understand why we still have laws on the books that don't reflect how society functions in the digital age. Nowhere has this been more obvious than in our email privacy laws that date back to the 1980s.

Under current law, there are more protections for a letter in a filing cabinet than an email on a server. This was never really the intent, but email's evolution has made it clear that our policies are woefully outdated.

I have supported a number of different proposals to reform our electronic privacy laws, and I will continue to push for those. Today's vote on the Email Privacy Act is a great step forward for American civil liberties.

I urge all of my colleagues to vote "yes" on this important legislation, and I urge our friends in the Senate to take up the bill without delay so we can send it to the President and ensure Americans are guaranteed the privacy protections most think that they already have.

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

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

I would like to close today by thanking Chairman GOODLATTE of the Judiciary Committee and his staff for working with us to develop the final draft of this legislation. Once again the chairman has helped us find a way to resolve our differences and advance core civil liberties and constitutional values.

I would also like to thank the gentleman from Kansas (Mr. YODER) and

the gentleman from Colorado (Mr. POLIS) for their leadership on this issue from the very beginning.

The Email Privacy Act comes to the floor today in large part because of your work in gathering more than 300 cosponsors for this bill.

Finally, I want to express appreciation to the coalition of technology companies, civil liberties organizations, and individual experts whose persistence and dedication have made this moment possible.

I urge my colleagues to support H.R. 699, the Email Privacy Act. I believe that they will do so. I also urge our comparable body in the Senate to take up this measure as quickly as possible.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

Mr. SCALISE. Mr. Speaker, I thank Chairman GOODLATTE for moving this bill through his committee. I especially thank Congressman YODER of Kansas for bringing this bill forward and for being bold enough to say let's modernize a law that is so outdated that it goes back to 1986, governing email communication when we didn't even have email and text messages.

Why do we want to do this? We want to do it because Federal agencies are abusing this law to invade the privacy of hardworking, law-abiding citizens all across this country.

Mr. Speaker, this is a document from the Internal Revenue Service titled "Search Warrant Handbook." In this document by the IRS, their protocol says: "In general, the Fourth Amendment does not protect communications held in electronic storage, such as email messages stored on a server, because internet users do not have a reasonable expectation of privacy in such communications."

The IRS has made it clear that they don't believe that American citizens have a Fourth Amendment protection of privacy for their email communications. The IRS has gone further and is actually reading emails of American citizens, and no one across the country knows about it unless the IRS finds something that then they are going to go after you criminally on.

So they are reading the private emails, Mr. Speaker, of American citizens every single day, and they have been doing it for years. It is time for this abuse of power to end.

We need to pass this bill with strong bipartisan support, send it over to the Senate, and get it to the President's desk so that American citizens have real privacy protections that they deserve, that they think they have, but they don't have, Mr. Speaker, because Federal agencies like the IRS today are reading the private emails of American citizens and using them against them.

It is wrong. They ought to go get a warrant, but they should not be reading our private emails when people haven't done anything wrong.

Let's pass this bill.

Mr. GOODLATTE. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Virginia has 1½ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield 45 seconds to the gentleman from Texas (Mr. FARENTHOLD), a member of the Judiciary Committee.

Mr. FARENTHOLD. Mr. Speaker, we are here today talking about modernizing a law, but we are modernizing a law that encompasses a centuries-old principle.

Back in the days when the Founding Fathers wrote our Constitution, they were concerned about the government rifling through our papers. Today we have electronic papers. Stuff is stored in the cloud.

This piece of legislation brings us back in line with the intent of the Founding Fathers that the government can't just rifle through your papers.

I urge my colleagues to support it.

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

I want to take this time to thank the ranking member, the gentleman from Michigan (Mr. CONYERS), and many Members on his side of the aisle, including Mr. POLIS.

I especially want to thank Mr. YODER, who has worked long and hard on this legislation for which he is the chief sponsor.

I most especially want to take note of the fact that we have very disparate points of view from a whole array of people around this country, from law enforcement, to technology companies, to civil liberties organizations. It took a long time to sort through that and find the common ground that is the legislation we have before us today.

That ground would not have been found without the outstanding work of our staff, most especially Caroline Lynch, the chief counsel of the Judiciary Committee's Crime, Terrorism, Homeland Security, and Investigations Subcommittee, and her able team of attorneys, and Aaron Hiller, minority counsel as well.

They deserve a great deal of gratitude for the years of work to bring us to this point where we can pass this important, important legislation by what I believe will be a resounding majority.

I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Speaker, I rise in support of H.R. 699, the Email Privacy Act.

Current law protecting electronic privacy is drastically out of step with modern technology, and H.R. 699 represents a long overdue update. This bill would provide Americans the privacy protections in their electronic communications they expect and deserve.

While it is important that the House advance H.R. 699 today, no bill is perfect. Law enforcement has raised a few concerns about it, such as that it does not provide them the ability to access to critical information quickly enough. As a former prosecutor, I take their views seriously. I hope we can continue the dialogue

with law enforcement and consider ways to improve the bill as it moves along in the legislative process.

I encourage all Members to support H.R. 699.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 699, the Email Privacy Act.

This is an important and long negotiated bill that will update the Electronic Communications Privacy Act, a law that both protects the privacy of our email communications and provides a critical tool for law enforcement to investigate crime.

I want to thank Judiciary Chairman BOB GOODLATTE and Ranking Member JOHN CONYERS for their leadership and for working together on this legislation to accomplish the goals of this bill for the benefit and protection of citizens, law enforcement, and communications providers.

I am an original cosponsor of this bill, which has 314 cosponsors, enjoying overwhelming bipartisan support.

The Electronic Communications Privacy Act, or ECPA, was enacted in 1986.

The statute is outdated and provides unjustifiably inconsistent standards for law enforcement access to stored communications.

The law was designed at a time when few of us used email or could have imagined a world in which we could securely share information and edit electronic documents online with others, or where businesses could input, store, process, and access all data related to their operation.

The outdated, inconsistent, and unclear aspects of this statute undermine both our privacy interests and law enforcement goals.

It is critical that we enact the central reforms provided by this bill.

For instance, a probable cause standard should apply to the government's ability to compel a communications provider to disclose a customer's email message—no matter how old the message is.

Currently, the statute requires the government to obtain a warrant based on probable cause to compel disclosure of an email that is in storage for 180 days or less.

However, the statute only requires a subpoena for the government to obtain email messages that are older than 180 days.

This makes no sense because citizens have the same, reasonable expectation that these stored communications are private.

Therefore, we must change the law so that the higher standard applies regardless of the age of these communications, and H.R. 699 would accomplish this.

In addition, the law does not adequately protect communications stored "in the cloud" by third parties on behalf of consumers, and a probable cause warrant should be required for government access.

ECPA additionally provides a lesser standard for some cloud storage than it does for many communications stored by electronic communications services.

To further complicate matters, many companies provide both communications services and remote storage, making the services to the same customer difficult to separate for purposes of determining which standard applies.

Applying inadequate and unclear standards to government access to cloud communications undermines consumer confidence in cloud privacy and threatens to hamper the development of this important engine of economic growth.

H.R. 699 addresses this issue by providing a clear and consistent probable cause standard for access to the contents of stored communications for which customers have a reasonable expectation of privacy.

H.R. 699 would accomplish these fairly straightforward reforms and that is why it has the support of privacy advocates and electronic communications companies.

I urge all of my colleagues to support this commonsense, bipartisan measure.

Mr. BABIN. Mr. Speaker, as a proud original cosponsor of H.R. 699, the Email Communications Privacy Act (ECPA), I am pleased to rise in full support of this bill on the House floor.

Since being introduced on February 4, 2015, we have been able to secure more than 300 cosponsors of this important bill, which will improve privacy protections for the email communications of ordinary American citizens.

Under current law there is little protection for the content of electronic communications stored or maintained by third party service providers. ECPA corrects this oversight and updates our laws to require a court ordered warrant that is based on probable cause before an email service provider can disclose these private communications.

In the current era where individual privacy is often overlooked or sidelined, this bill takes an important step to protect your privacy.

It is long past due that we update our privacy laws to give emails—a major means of communication today—the same protection as traditional mail and telephone calls. This bill has been endorsed by a broad range of privacy groups, including such conservative organizations as the Heritage Foundation and FreedomWorks.

Our bill modernizes these outdated statutes to ensure that the rights protected by the Fourth Amendment extend to Americans' email correspondence and digital data.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 699, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DEFEND TRADE SECRETS ACT OF 2016

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1890) to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1890

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 "Defend Trade Secrets Act of 2016".

SEC. 2. FEDERAL JURISDICTION FOR THEFT OF TRADE SECRETS.

(a) IN GENERAL.—Section 1836 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) PRIVATE CIVIL ACTIONS.—

“(1) IN GENERAL.—An owner of a trade secret that is misappropriated may bring a civil action under this subsection if the trade secret is related to a product or service used in, or intended for use in, interstate or foreign commerce.

“(2) CIVIL SEIZURE.—

“(A) IN GENERAL.—

“(i) APPLICATION.—Based on an affidavit or verified complaint satisfying the requirements of this paragraph, the court may, upon ex parte application but only in extraordinary circumstances, issue an order providing for the seizure of property necessary to prevent the propagation or dissemination of the trade secret that is the subject of the action.

“(ii) REQUIREMENTS FOR ISSUING ORDER.—The court may not grant an application under clause (i) unless the court finds that it clearly appears from specific facts that—

“(I) an order issued pursuant to Rule 65 of the Federal Rules of Civil Procedure or another form of equitable relief would be inadequate to achieve the purpose of this paragraph because the party to which the order would be issued would evade, avoid, or otherwise not comply with such an order;

“(II) an immediate and irreparable injury will occur if such seizure is not ordered;

“(III) the harm to the applicant of denying the application outweighs the harm to the legitimate interests of the person against whom seizure would be ordered of granting the application and substantially outweighs the harm to any third parties who may be harmed by such seizure;

“(IV) the applicant is likely to succeed in showing that—

“(aa) the information is a trade secret; and

“(bb) the person against whom seizure would be ordered—

“(AA) misappropriated the trade secret of the applicant by improper means; or

“(BB) conspired to use improper means to misappropriate the trade secret of the applicant;

“(V) the person against whom seizure would be ordered has actual possession of—

“(aa) the trade secret; and

“(bb) any property to be seized;

“(VI) the application describes with reasonable particularity the matter to be seized and, to the extent reasonable under the circumstances, identifies the location where the matter is to be seized;

“(VII) the person against whom seizure would be ordered, or persons acting in concert with such person, would destroy, move, hide, or otherwise make such matter inaccessible to the court, if the applicant were to proceed on notice to such person; and

“(VIII) the applicant has not publicized the requested seizure.

“(B) ELEMENTS OF ORDER.—If an order is issued under subparagraph (A), it shall—

“(i) set forth findings of fact and conclusions of law required for the order;

“(ii) provide for the narrowest seizure of property necessary to achieve the purpose of this paragraph and direct that the seizure be conducted in a manner that minimizes any interruption of the business operations of third parties and, to the extent possible, does not interrupt the legitimate business operations of the person accused of misappropriating the trade secret;

“(iii) (I) be accompanied by an order protecting the seized property from disclosure by prohibiting access by the applicant or the person against whom the order is directed, and prohibiting any copies, in whole or in

part, of the seized property, to prevent undue damage to the party against whom the order has issued or others, until such parties have an opportunity to be heard in court; and

“(II) provide that if access is granted by the court to the applicant or the person against whom the order is directed, the access shall be consistent with subparagraph (D);

“(iv) provide guidance to the law enforcement officials executing the seizure that clearly delineates the scope of the authority of the officials, including—

“(I) the hours during which the seizure may be executed; and

“(II) whether force may be used to access locked areas;

“(v) set a date for a hearing described in subparagraph (F) at the earliest possible time, and not later than 7 days after the order has issued, unless the party against whom the order is directed and others harmed by the order consent to another date for the hearing, except that a party against whom the order has issued or any person harmed by the order may move the court at any time to dissolve or modify the order after giving notice to the applicant who obtained the order; and

“(vi) require the person obtaining the order to provide the security determined adequate by the court for the payment of the damages that any person may be entitled to recover as a result of a wrongful or excessive seizure or wrongful or excessive attempted seizure under this paragraph.

“(C) PROTECTION FROM PUBLICITY.—The court shall take appropriate action to protect the person against whom an order under this paragraph is directed from publicity, by or at the behest of the person obtaining the order, about such order and any seizure under such order.

“(D) MATERIALS IN CUSTODY OF COURT.—

“(i) IN GENERAL.—Any materials seized under this paragraph shall be taken into the custody of the court. The court shall secure the seized material from physical and electronic access during the seizure and while in the custody of the court.

“(ii) STORAGE MEDIUM.—If the seized material includes a storage medium, or if the seized material is stored on a storage medium, the court shall prohibit the medium from being connected to a network or the Internet without the consent of both parties, until the hearing required under subparagraph (B)(v) and described in subparagraph (F).

“(iii) PROTECTION OF CONFIDENTIALITY.—The court shall take appropriate measures to protect the confidentiality of seized materials that are unrelated to the trade secret information ordered seized pursuant to this paragraph unless the person against whom the order is entered consents to disclosure of the material.

“(iv) APPOINTMENT OF SPECIAL MASTER.—The court may appoint a special master to locate and isolate all misappropriated trade secret information and to facilitate the return of unrelated property and data to the person from whom the property was seized. The special master appointed by the court shall agree to be bound by a non-disclosure agreement approved by the court.

“(E) SERVICE OF ORDER.—The court shall order that service of a copy of the order under this paragraph, and the submissions of the applicant to obtain the order, shall be made by a Federal law enforcement officer who, upon making service, shall carry out the seizure under the order. The court may allow State or local law enforcement officials to participate, but may not permit the applicant or any agent of the applicant to participate in the seizure. At the request of law enforcement officials, the court may

allow a technical expert who is unaffiliated with the applicant and who is bound by a court-approved non-disclosure agreement to participate in the seizure if the court determines that the participation of the expert will aid the efficient execution of and minimize the burden of the seizure.

“(F) SEIZURE HEARING.—

“(i) DATE.—A court that issues a seizure order shall hold a hearing on the date set by the court under subparagraph (B)(v).

“(ii) BURDEN OF PROOF.—At a hearing held under this subparagraph, the party who obtained the order under subparagraph (A) shall have the burden to prove the facts supporting the findings of fact and conclusions of law necessary to support the order. If the party fails to meet that burden, the seizure order shall be dissolved or modified appropriately.

“(iii) DISSOLUTION OR MODIFICATION OF ORDER.—A party against whom the order has been issued or any person harmed by the order may move the court at any time to dissolve or modify the order after giving notice to the party who obtained the order.

“(iv) DISCOVERY TIME LIMITS.—The court may make such orders modifying the time limits for discovery under the Federal Rules of Civil Procedure as may be necessary to prevent the frustration of the purposes of a hearing under this subparagraph.

“(G) ACTION FOR DAMAGE CAUSED BY WRONGFUL SEIZURE.—A person who suffers damage by reason of a wrongful or excessive seizure under this paragraph has a cause of action against the applicant for the order under which such seizure was made, and shall be entitled to the same relief as is provided under section 34(d)(1) of the Trademark Act of 1946 (15 U.S.C. 1116(d)(1)). The security posted with the court under subparagraph (B)(vi) shall not limit the recovery of third parties for damages.

“(H) MOTION FOR ENCRYPTION.—A party or a person who claims to have an interest in the subject matter seized may make a motion at any time, which may be heard ex parte, to encrypt any material seized or to be seized under this paragraph that is stored on a storage medium. The motion shall include, when possible, the desired encryption method.

“(3) REMEDIES.—In a civil action brought under this subsection with respect to the misappropriation of a trade secret, a court may—

“(A) grant an injunction—

“(i) to prevent any actual or threatened misappropriation described in paragraph (1) on such terms as the court deems reasonable, provided the order does not—

“(I) prevent a person from entering into an employment relationship, and that conditions placed on such employment shall be based on evidence of threatened misappropriation and not merely on the information the person knows; or

“(II) otherwise conflict with an applicable State law prohibiting restraints on the practice of a lawful profession, trade, or business;

“(ii) if determined appropriate by the court, requiring affirmative actions to be taken to protect the trade secret; and

“(iii) in exceptional circumstances that render an injunction inequitable, that conditions future use of the trade secret upon payment of a reasonable royalty for no longer than the period of time for which such use could have been prohibited;

“(B) award—

“(i)(I) damages for actual loss caused by the misappropriation of the trade secret; and

“(II) damages for any unjust enrichment caused by the misappropriation of the trade secret that is not addressed in computing damages for actual loss; or

“(ii) in lieu of damages measured by any other methods, the damages caused by the

misappropriation measured by imposition of liability for a reasonable royalty for the misappropriator's unauthorized disclosure or use of the trade secret;

“(C) if the trade secret is willfully and maliciously misappropriated, award exemplary damages in an amount not more than 2 times the amount of the damages awarded under subparagraph (B); and

“(D) if a claim of the misappropriation is made in bad faith, which may be established by circumstantial evidence, a motion to terminate an injunction is made or opposed in bad faith, or the trade secret was willfully and maliciously misappropriated, award reasonable attorney's fees to the prevailing party.

“(c) JURISDICTION.—The district courts of the United States shall have original jurisdiction of civil actions brought under this section.

“(d) PERIOD OF LIMITATIONS.—A civil action under subsection (b) may not be commenced later than 3 years after the date on which the misappropriation with respect to which the action would relate is discovered or by the exercise of reasonable diligence should have been discovered. For purposes of this subsection, a continuing misappropriation constitutes a single claim of misappropriation.”

(b) DEFINITIONS.—Section 1839 of title 18, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (B), by striking “the public” and inserting “another person who can obtain economic value from the disclosure or use of the information”; and

(B) by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(5) the term ‘misappropriation’ means—

“(A) acquisition of a trade secret of another by a person who knows or has reason to know that the trade secret was acquired by improper means; or

“(B) disclosure or use of a trade secret of another without express or implied consent by a person who—

“(i) used improper means to acquire knowledge of the trade secret;

“(ii) at the time of disclosure or use, knew or had reason to know that the knowledge of the trade secret was—

“(I) derived from or through a person who had used improper means to acquire the trade secret;

“(II) acquired under circumstances giving rise to a duty to maintain the secrecy of the trade secret or limit the use of the trade secret; or

“(III) derived from or through a person who owed a duty to the person seeking relief to maintain the secrecy of the trade secret or limit the use of the trade secret; or

“(iii) before a material change of the position of the person, knew or had reason to know that—

“(I) the trade secret was a trade secret; and

“(II) knowledge of the trade secret had been acquired by accident or mistake;

“(6) the term ‘improper means’—

“(A) includes theft, bribery, misrepresentation, breach or inducement of a breach of a duty to maintain secrecy, or espionage through electronic or other means; and

“(B) does not include reverse engineering, independent derivation, or any other lawful means of acquisition; and

“(7) the term ‘Trademark Act of 1946’ means the Act entitled ‘An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes, approved July 5, 1946 (15 U.S.C. 1051 et seq.) (commonly re-

ferred to as the “Trademark Act of 1946” or the “Lanham Act”).”

(c) EXCEPTIONS TO PROHIBITION.—Section 1833 of title 18, United States Code, is amended, in the matter preceding paragraph (1), by inserting “or create a private right of action for” after “prohibit”.

(d) CONFORMING AMENDMENTS.—

(1) The section heading for section 1836 of title 18, United States Code, is amended to read as follows:

“§ 1836. Civil proceedings”.

(2) The table of sections for chapter 90 of title 18, United States Code, is amended by striking the item relating to section 1836 and inserting the following:

“1836. Civil proceedings.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any misappropriation of a trade secret (as defined in section 1839 of title 18, United States Code, as amended by this section) for which any act occurs on or after the date of the enactment of this Act.

(f) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to modify the rule of construction under section 1838 of title 18, United States Code, or to preempt any other provision of law.

(g) APPLICABILITY TO OTHER LAWS.—This section and the amendments made by this section shall not be construed to be a law pertaining to intellectual property for purposes of any other Act of Congress.

SEC. 3. TRADE SECRET THEFT ENFORCEMENT.

(a) IN GENERAL.—Chapter 90 of title 18, United States Code, is amended—

(1) in section 1832(b), by striking “\$5,000,000” and inserting “the greater of \$5,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided”; and

(2) in section 1835—

(A) by striking “In any prosecution” and inserting the following:

“(a) IN GENERAL.—In any prosecution”; and

(B) by adding at the end the following:

“(b) RIGHTS OF TRADE SECRET OWNERS.—

The court may not authorize or direct the disclosure of any information the owner asserts to be a trade secret unless the court allows the owner the opportunity to file a submission under seal that describes the interest of the owner in keeping the information confidential. No submission under seal made under this subsection may be used in a prosecution under this chapter for any purpose other than those set forth in this section, or otherwise required by law. The provision of information relating to a trade secret to the United States or the court in connection with a prosecution under this chapter shall not constitute a waiver of trade secret protection, and the disclosure of information relating to a trade secret in connection with a prosecution under this chapter shall not constitute a waiver of trade secret protection unless the trade secret owner expressly consents to such waiver.”.

(b) RICO PREDICATE OFFENSES.—Section 1961(1) of title 18, United States Code, is amended by inserting “sections 1831 and 1832 (relating to economic espionage and theft of trade secrets),” before “section 1951”.

SEC. 4. REPORT ON THEFT OF TRADE SECRETS OCCURRING ABROAD.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term “Director” means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

(2) FOREIGN INSTRUMENTALITY, ETC.—The terms “foreign instrumentality”, “foreign

agent”, and “trade secret” have the meanings given those terms in section 1839 of title 18, United States Code.

(3) STATE.—The term “State” includes the District of Columbia and any commonwealth, territory, or possession of the United States.

(4) UNITED STATES COMPANY.—The term “United States company” means an organization organized under the laws of the United States or a State or political subdivision thereof.

(b) REPORTS.—Not later than 1 year after the date of enactment of this Act, and biannually thereafter, the Attorney General, in consultation with the Intellectual Property Enforcement Coordinator, the Director, and the heads of other appropriate agencies, shall submit to the Committees on the Judiciary of the House of Representatives and the Senate, and make publicly available on the Web site of the Department of Justice and disseminate to the public through such other means as the Attorney General may identify, a report on the following:

(1) The scope and breadth of the theft of the trade secrets of United States companies occurring outside of the United States.

(2) The extent to which theft of trade secrets occurring outside of the United States is sponsored by foreign governments, foreign instrumentalities, or foreign agents.

(3) The threat posed by theft of trade secrets occurring outside of the United States.

(4) The ability and limitations of trade secret owners to prevent the misappropriation of trade secrets outside of the United States, to enforce any judgment against foreign entities for theft of trade secrets, and to prevent imports based on theft of trade secrets overseas.

(5) A breakdown of the trade secret protections afforded United States companies by each country that is a trading partner of the United States and enforcement efforts available and undertaken in each such country, including a list identifying specific countries where trade secret theft, laws, or enforcement is a significant problem for United States companies.

(6) Instances of the Federal Government working with foreign countries to investigate, arrest, and prosecute entities and individuals involved in the theft of trade secrets outside of the United States.

(7) Specific progress made under trade agreements and treaties, including any new remedies enacted by foreign countries, to protect against theft of trade secrets of United States companies outside of the United States.

(8) Recommendations of legislative and executive branch actions that may be undertaken to—

(A) reduce the threat of and economic impact caused by the theft of the trade secrets of United States companies occurring outside of the United States;

(B) educate United States companies regarding the threats to their trade secrets when taken outside of the United States;

(C) provide assistance to United States companies to reduce the risk of loss of their trade secrets when taken outside of the United States; and

(D) provide a mechanism for United States companies to confidentially or anonymously report the theft of trade secrets occurring outside of the United States.

SEC. 5. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) trade secret theft occurs in the United States and around the world;

(2) trade secret theft, wherever it occurs, harms the companies that own the trade secrets and the employees of the companies;

(3) chapter 90 of title 18, United States Code (commonly known as the “Economic

Espionage Act of 1996”), applies broadly to protect trade secrets from theft; and

(4) it is important when seizing information to balance the need to prevent or remedy misappropriation with the need to avoid interrupting the—

(A) business of third parties; and

(B) legitimate interests of the party accused of wrongdoing.

SEC. 6. BEST PRACTICES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Federal Judicial Center, using existing resources, shall develop recommended best practices for—

(1) the seizure of information and media storing the information; and

(2) the securing of the information and media once seized.

(b) UPDATES.—The Federal Judicial Center shall update the recommended best practices developed under subsection (a) from time to time.

(c) CONGRESSIONAL SUBMISSIONS.—The Federal Judicial Center shall provide a copy of the recommendations developed under subsection (a), and any updates made under subsection (b), to the—

(1) Committee on the Judiciary of the Senate; and

(2) Committee on the Judiciary of the House of Representatives.

SEC. 7. IMMUNITY FROM LIABILITY FOR CONFIDENTIAL DISCLOSURE OF A TRADE SECRET TO THE GOVERNMENT OR IN A COURT FILING.

(a) AMENDMENT.—Section 1833 of title 18, United States Code, is amended—

(1) by striking “This chapter” and inserting “(a) IN GENERAL.—This chapter”;

(2) in subsection (a)(2), as designated by paragraph (1), by striking “the reporting of a suspected violation of law to any governmental entity of the United States, a State, or a political subdivision of a State, if such entity has lawful authority with respect to that violation” and inserting “the disclosure of a trade secret in accordance with subsection (b)”;

(3) by adding at the end the following:

“(b) IMMUNITY FROM LIABILITY FOR CONFIDENTIAL DISCLOSURE OF A TRADE SECRET TO THE GOVERNMENT OR IN A COURT FILING.—

“(1) IMMUNITY.—An individual shall not be held criminally or civilly liable under any Federal or State trade secret law for the disclosure of a trade secret that—

“(A) is made—

“(i) in confidence to a Federal, State, or local government official, either directly or indirectly, or to an attorney; and

“(ii) solely for the purpose of reporting or investigating a suspected violation of law; or

“(B) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal.

“(2) USE OF TRADE SECRET INFORMATION IN ANTI-RETALIATION LAWSUIT.—An individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding, if the individual—

“(A) files any document containing the trade secret under seal; and

“(B) does not disclose the trade secret, except pursuant to court order.

“(3) NOTICE.—

“(A) IN GENERAL.—An employer shall provide notice of the immunity set forth in this subsection in any contract or agreement with an employee that governs the use of a trade secret or other confidential information.

“(B) POLICY DOCUMENT.—An employer shall be considered to be in compliance with the notice requirement in subparagraph (A) if

the employer provides a cross-reference to a policy document provided to the employee that sets forth the employer’s reporting policy for a suspected violation of law.

“(C) NON-COMPLIANCE.—If an employer does not comply with the notice requirement in subparagraph (A), the employer may not be awarded exemplary damages or attorney fees under subparagraph (C) or (D) of section 1836(b)(3) in an action against an employee to whom notice was not provided.

“(D) APPLICABILITY.—This paragraph shall apply to contracts and agreements that are entered into or updated after the date of enactment of this subsection.

“(4) EMPLOYEE DEFINED.—For purposes of this subsection, the term ‘employee’ includes any individual performing work as a contractor or consultant for an employer.

“(5) RULE OF CONSTRUCTION.—Except as expressly provided for under this subsection, nothing in this subsection shall be construed to authorize, or limit liability for, an act that is otherwise prohibited by law, such as the unlawful access of material by unauthorized means.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 1838 of title 18, United States Code, is amended by striking “This chapter” and inserting “Except as provided in section 1833(b), this chapter”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1445

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 1890, currently under consideration.

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

There was no objection.

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

Today we are here to consider S. 1890, the Defend Trade Secrets Act of 2016. This bill puts forward enhancements to our Federal trade secrets law, creating a Federal civil remedy for trade secrets misappropriation that will help American innovators protect their intellectual property from criminal theft by foreign agents and those engaging in economic espionage. This bill will help U.S. competitiveness, job creation, and our Nation’s future economic security.

Our intellectual property laws cover everything from patents, copyrights and trademarks, and include trade secrets.

But what are trade secrets?

Trade secrets law is used to protect some of the most iconic inventions in America. For example, a trade secret can include recipes like Colonel Sanders’ secret recipe of 11 herbs and spices, and the 125-year-old formula for Coca-Cola housed in a vault at the World of Coca-Cola in Atlanta, Georgia.

However, trade secrets are not simply isolated to the realm of food and

beverages. They can include confidential formulas like the formula for WD-40, manufacturing techniques, customer lists, and algorithms like Google's search engine.

Trade secrets occupy a unique place in the IP portfolios of our most innovative companies, but because they are unregistered and not formally reviewed like patents, there are no limitations on discovering a trade secret by fair, lawful methods, such as reverse engineering or independent development. In innovative industries, that is simply the free market at work.

Though trade secrets are not formally reviewed, they are protected from misappropriation, which includes obtaining the trade secret through improper or unlawful means. Misappropriation can take many forms, whether it is an employee selling blueprints to a competitor or a foreign agent hacking into a server. In addition, one could argue that even a foreign government's policies to require forced technology transfer is a form of misappropriation.

Though most States base their trade secrets laws on the Uniform Trade Secrets Act, the Federal Government protects trade secrets through the Economic Espionage Act. In the 112th Congress, the Committee on the Judiciary helped enact two pieces of legislation to help improve the protection of trade secrets, and in the 113th Congress, we introduced and passed out of committee the first version of this trade secrets bill unanimously.

Today we build on our efforts over these past 2 years and are taking a significant and positive step toward improving our Nation's trade secrets laws and continuing to build on our important work in this area of intellectual property. I urge my colleagues to support this bill.

I reserve the balance of my time.

INFORMATION TECHNOLOGY
INDUSTRY COUNCIL,

Washington, DC, April 26, 2016.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington, DC.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary,
Washington, DC.

Hon. DOUG COLLINS,
House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, House Committee on the Judiciary,
Washington, DC.

Hon. JERROLD NADLER,
House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCARTHY, DEMOCRATIC LEADER PELOSI, CHAIRMAN GOODLATTE, RANKING MEMBER CONYERS, REPRESENTATIVE COLLINS, AND REPRESENTATIVE NADLER: On behalf of the members of the Information Technology Industry Council (ITI), I write to express our support for S. 1890, the Defend Trade Secrets Act of 2016 (DTSA), and commend your efforts to bring it to the House floor for debate and vote. Given the importance of trade secrets protection to the high-tech industry, we will consider scoring votes in support of DTSA in our 114th Congressional Voting Guide.

ITI companies are at the forefront of innovation and have some of the largest trade secret and patent portfolios in the world tied to numerous goods and services offered to governments, commercial enterprises and consumers around the globe. In fact, patent portfolios often grow as a result of the ideas and products originating as trade secrets. Customer lists, manufacturing processes, and source code are just a few examples of important assets considered to be trade secrets by many companies.

Our companies pour billions of dollars into research and development to create products and services that ultimately become the backbone of their businesses. Trade secrets produced through this research and development increasingly have become attractive to competitors in other countries. In addition, advances in technology now make it easy to copy trade secret materials onto a jump drive or lap top computer that once would have taken reams of paper to reproduce. As a result, the threat posed to American trade secrets has increased and theft of these secrets robs our economy of growth and innovation.

It is long overdue for our trade secrets law to be modernized to keep pace with the rapid developments of our companies and the technologies and methods used by the criminals who target them. The patchwork of state trade secrets laws, while effective for local theft, fail to meet the demands of the global nature of today's trade secret misappropriation. In addition, trade secrets do not enjoy the same federal protections as other types of intellectual property. While it is a federal crime to steal a trade secret, unlike patents, copyrights and trademarks, there is no federal civil remedy.

DTSA provides a solution to these problematic gaps by making federal law more comprehensive and providing trade secrets owners with remedies all forms of intellectual property should be afforded. With both a federal criminal and a federal civil cause of action, large and small companies alike will have access to more tools they need to effectively combat trade secret theft and help to ensure future innovation continues to occur in the United States.

While trade secret protection is important domestically, as American companies expand in the global marketplace, this protection is also needed worldwide. As we operate in other countries and work with them to encourage strong intellectual property protection within their own borders, the Defend Trade Secrets Act will serve as a model for effective protection.

We thank the House Judiciary Committee for quickly approving this legislation, and we look forward to seeing the bill pass in the House of Representatives and move to the president's desk to become law.

On behalf of ITI's member companies, I thank you for your leadership on intellectual property protection and urge you and your colleagues to support S. 1890.

Sincerely,

DEAN C. GARFIELD,
President & CEO.

NATIONAL ASSOCIATION OF
MANUFACTURERS,
April 26, 2016.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVES: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states urges you to support S. 1890, the Defend Trade Secrets Act of 2016. S. 1890 passed the Senate by a vote of 87-0, and represents a bipartisan and amended version of H.R. 3326, introduced by Representatives Doug Collins (R-GA) and Jerrold Nadler (D-NY).

The NAM supports further safeguarding of confidential business information and trade secrets through the expansion of federal jurisdiction to enable faster, nationwide enforcement of all intellectual property (IP) rights. IP is one of the most valued business assets for manufacturers of all sizes. The impact of its theft has increased exponentially in today's digitally-driven environment. Mass amounts of this critical business information can now be illegally transferred to a small data storage device and removed easily and quickly from a manufacturers' facility. The value of this business information creates an inseparable link between the need for protection of intellectual property rights and innovation, competitiveness, and sound economic growth.

The NAM supports S. 1890 because it would strengthen the ability of manufacturers to protect their IP by creating a federal civil right of action to help prevent and prosecute trade secret theft, an important tool that does not exist today. Such a tool eliminates the difficult, time-consuming, and costly process imposed on manufacturers as they currently must work with multiple state jurisdictions in order to apprehend perpetrators of trade secret theft. A federal process that cuts across state lines would also increase the likelihood of preventing this valuable data from leaving the country permanently.

Manufacturers deploy the latest technology and controls to protect the critical information guarded by trade secrets. In the unfortunate instances when this data is compromised, manufacturers need to act quickly before it is disclosed and its value is lost forever. S. 1890 would modernize our current system, providing owners of trade secrets the same legal options as owners of other forms of IP, and give them the ability to pursue trade secret theft aggressively and efficiently.

The NAM's Key Vote Advisory Committee has indicated that votes on S. 1890, including procedural motions, may be considered for designation as Key Manufacturing Votes in the 114th Congress. Thank you for your consideration.

Sincerely,

ARIC NEWHOUSE.

CHAMBER OF COMMERCE,
UNITED STATES OF AMERICA,
Washington, DC, April 26, 2016.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports S. 1890, the "Defend Trade Secrets Act of 2016," and urges the House to expeditiously pass this bill.

Intellectual property sector industries generate 35% of all U.S. Gross Domestic Product and are responsible for two-thirds of all exports and over forty million good-paying jobs. The threat of trade secrets theft is of increasing concern to U.S. economic security and domestic jobs, and S. 1890 would provide companies with an effective tool to combat this growing problem. Creating a federal civil cause of action to complement existing criminal remedies and providing a uniform system and legal framework would enable companies to better mitigate the commercial injury and loss of employment that often occur when trade secrets are stolen.

The Chamber appreciates the House's attention to this important issue that impacts

companies that depend on intellectual property to spur innovation, create jobs, and bring new products to market that benefit consumers. By creating a federal civil remedy for trade secrets theft, this bill would help ensure the trade secrets of U.S. companies are given similar protections afforded to other forms of intellectual property including patents, trademarks, and copyrights.

The Chamber urges you to support S. 1890 and may consider votes on, or in relation to, this bill in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

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

I rise in support of S. 1890, the Defend Trade Secrets Act. This measure amends the Economic Espionage Act of 1996 to create a Federal civil cause of action and to facilitate expedited ex parte seizure of property when necessary to preserve evidence or prevent dissemination.

The House counterpart to this bill, H.R. 3326, which was introduced by our committee colleagues, the gentleman from Georgia (Mr. COLLINS) and the distinguished gentleman from New York (Mr. NADLER), now has 164 bipartisan cosponsors, including myself.

Likewise, S. 1890 enjoys broad bipartisan and bicameral support, as evidenced by the fact that the Senate passed this bill by a vote of 87-0 earlier this month. The House Committee on the Judiciary reported this bill favorably by a unanimous voice vote only last week.

There are several reasons that I support the legislation. To begin with, S. 1890 will enhance the protection of trade secrets, which is integral to the success of any business. It is estimated that the value of trade secrets owned by United States companies as of 2009 was approximately \$5 trillion.

Although trade secrets are fundamental to the success of any business, United States companies have struggled to protect these valuable assets, especially in the digital age of smartphones and the Internet. It is estimated that the loss of trade secrets as a result of cyber espionage costs these businesses between \$200 billion and \$300 billion annually.

Thieves take advantage of ever-evolving, innovative technologies to access sensitive trade secrets information and to distribute it immediately.

While Federal law protects other forms of intellectual property by providing access to Federal courts for aggrieved parties to seek redress, there is no Federal civil cause of action for enforcement of trade secrets protection.

S. 1890 addresses this need by establishing a Federal cause of action for trade secrets owners to obtain injunctive and monetary relief, which will be a powerful new tool to protect their intellectual property.

Now, another reason I support the bill is that it would foster uniformity among the States. Although States provide civil remedies for trade secrets theft, these laws often fall short when

trade secrets are taken across State lines. As a result, businesses that have nationwide operations must deal with various differing State laws, which can be too costly for some businesses, particularly smaller ones. This also prevents businesses from taking full advantage of the rights that they might have under the law.

S. 1890 would provide trade secrets owners access to uniform national law and the ability to make their case in Federal court.

Lastly, I support the bill because it reflects constructive feedback from various stakeholders.

We have been working on this legislation for almost 2 years. It reflects the input from a broad spectrum of stakeholders, and the bill is an excellent example of what can be achieved when there is bipartisan collaboration.

I close by urging my colleagues to support this important legislation so that we can send it to the President's desk for signature.

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

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from Georgia (Mr. COLLINS), the chief sponsor of the House version of this bill and a member of the Committee on the Judiciary.

Mr. COLLINS of Georgia. Mr. Speaker, I rise today in support of S. 1890, the Defend Trade Secrets Act. I introduced the House companion, and I am proud to see this bill moving forward. This legislation is sorely needed to protect the United States from the billions of dollars it faces in losses each year due to trade secrets theft.

However, the legislation could not have reached this point without the hard work and dedication of several people. First, I would like to thank Chairman GOODLATTE and his staff for their efforts to move this bill through the Committee on the Judiciary and bring it to the floor. This has been, as the ranking member said, a several-year process. We are glad to see it here.

I also wanted to thank those who introduced the House legislation with me, Mr. NADLER and Mr. JEFFRIES, both from New York, and their staff, for their commitment to the issue and their willingness to work across the aisle to implement meaningful reform.

On the Senate side, Senators HATCH and COONS were instrumental in getting us to this point. Their leadership, along with the leadership of Chairman GRASSLEY and Senator LEAHY, helped ensure the strong Senate vote of 87-0 and ensured this product was able to come to the House.

I would finally like to take just a moment to thank Jennifer Choudhry, my former legislative director, for her hand in introducing and shepherding this bill through the legislative process. Her contributions were invaluable, and she should be proud of her part in getting this legislation to the House floor today. I also thank Sally Rose Larson, who has taken up the mantle

in my office and helped to get us here to the finish line.

The Defend Trade Secrets Act enjoys support from a broad coalition of groups and industries, from Americans for Tax Reform, the American Bar Association Intellectual Property Law Section, the Information Technology Industry Council, the chamber of commerce, the National Association of Manufacturers, and many more. In fact, Mr. Speaker, this bill has more than 160 bipartisan cosponsors.

Mr. Speaker, estimates show that as much as 80 percent of companies' assets are intangible, many in the form of trade secrets. Couple that with the fact that trade secrets theft is costing America billions of dollars each year. In fact, one study indicates that trade secrets theft costs America approximately \$300 billion annually. That price tag will continue to grow as technology and thieves become more sophisticated. Trade secrets theft jeopardizes our economic security and threatens jobs, which is why it is so important that we take steps to address it.

Trade secrets include everything from business information to designs, prototypes, and formulas. Coming from Georgia, one good example is the recipe for Coca-Cola. Trade secrets are commercially valuable information subject to secrecy protection. They are a critical form of intellectual property, yet they do not enjoy the same protections that apply to other forms of intellectual property, such as copyrights, patents, and trademarks.

Additionally, trade secrets derive economic value from not being publicly known, and this confidential business information can be protected for an unlimited time. However, once trade secrets are disclosed, they instantly lose their value, making it even more important to have the mechanisms in place to protect them.

Currently, Federal law is insufficient to address many of the challenges related to trade secrets theft in today's economy. The only Federal mechanism for trade secrets protection under current law is the 1996 Economic Espionage Act, which made trade secrets theft by foreign nationals a criminal offense.

However, this only addresses part of the problem, and criminalizes only a portion of trade secrets theft, whereas a civil remedy for misuse and misappropriation would allow companies to more broadly protect their property.

The Defend Trade Secrets Act will address that, and it will strengthen the ability of companies to protect valuable trade secrets, which, in turn, allows them to protect American jobs and innovation. The bill will empower companies to protect their trade secrets in Federal court by creating a Federal private right of action.

The bill streamlines access to relief, and, in extraordinary circumstances, allows victims of trade secrets theft to obtain a seizure to ensure trade secrets

are not abused while cases are pending. The Defend Trade Secrets Act also provides for an injunction and damages.

Protecting the trade secrets of American businesses is crucial to keeping our country a leader in the world economy. Providing a Federal civil remedy will create certainty for companies throughout the Nation, including my home State of Georgia.

Congress has the responsibility to give industries the tools they need to protect their intellectual property and, in turn, encourage job creation and economic growth. This bill takes a step forward in better protecting American innovation.

Again, I want to thank the tireless work of my House and Senate colleagues in advancing this critical legislation. I am proud to see this bill, which provides critical intellectual property protections and protects American businesses, move forward. I would encourage all my colleagues to join me today in supporting the Defend Trade Secrets Act.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a senior member of the Committee on the Judiciary and author of this bill.

Mr. NADLER. Mr. Speaker, I rise in strong support of S. 1890, the Defend Trade Secrets Act of 2016. This long overdue legislation would protect businesses across the country from the growing threat of trade secrets theft by creating a uniform Federal civil cause of action for misappropriation of trade secrets.

Trade secrets are proprietary business information that derive their value from being and remaining secret. This includes secret recipes, software codes, and manufacturing processes—information that, if disclosed, could prove ruinous to a company. As the United States economy becomes more and more knowledge- and service-based, trade secrets are increasingly becoming the foundation of businesses across the country, with one estimate placing the value of trade secrets in the United States at \$5 trillion.

□ 1500

Unfortunately, with such fortunes resting on trade secrets, theft of this property is inevitable. And in today's digital environment, it has never been easier to transfer stolen property across the globe with the click of a button. By one estimate, the American economy loses annually as much as \$300 billion or more due to misappropriation of trade secrets, leading to loss of up to 2.1 billion jobs each year.

With so much at stake, it is absolutely vital that the law include strong protections against theft of trade secrets. However, our current patchwork of Federal and State laws has proven inadequate to the job. While the Federal Government may bring criminal prosecutions and may move for civil injunctions, this power is rarely exercised and often fails to adequately compensate the victims.

The States provide civil causes of action for victims of theft, with money damages available, but this system has not proven efficient or effective for incidents that cross State and, sometimes, international borders.

Once upon a time, trade secrets might have been kept in a file cabinet somewhere, and would-be thieves would have to spirit away a physical copy, making it likely that they would be caught before crossing State lines. But today, trade secrets can be loaded onto a thumb drive and mailed out of State or even sent electronically anywhere across the globe in an instant.

Pursuing a defendant and the evidence in dispute across State lines present a host of challenges for victims of trade secret theft, particularly when time is of the essence. The need for a Federal solution is, therefore, clear.

The Defend Trade Secrets Act fills this gap by creating a uniform Federal civil cause of action for theft of trade secrets. It also provides for expedited ex parte seizure of property, but only in extraordinary circumstances where necessary to preserve evidence or prevent dissemination.

As the lead Democratic cosponsor of H.R. 3326, the House companion to this legislation, I am very pleased that this bill is on the floor today, and I want to thank everyone who worked hard to bring us to this point. In particular, I want to thank the sponsor of H.R. 3326, the gentleman from Georgia (Mr. COLLINS), as well as Ranking Member CONYERS, Chairman GOODLATTE, and the gentleman from New York (Mr. JEFFRIES). I also appreciate the sponsors of the Senate bill, S. 1890, Senators HATCH and COONS, for all of their work on this legislation.

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

Mr. CONYERS. I yield the gentleman an additional 30 seconds.

Mr. NADLER. The bill we are considering today represents the culmination of over 2 years of negotiations with various stakeholders and has strong bipartisan support, with 164 cosponsors in the House and 65 in the Senate.

This is good legislation that carefully balances the rights of defendants and the needs of American businesses to protect their most valuable assets. The Senate passed the bill 87-0. With passage here today, we can send it straight to the President's desk.

I urge my colleagues to support the bill.

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

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. JEFFRIES), a distinguished member of the Judiciary Committee.

Mr. JEFFRIES. Mr. Speaker, I thank the ranking member for yielding, as well as for his tremendous leadership, and Chairman GOODLATTE, Congressman COLLINS, Congressman NADLER, as well as the Protect Trade Secrets Coalition, for their tremendous work in getting us to this point where we are

on the verge of passing this very important piece of legislation.

Whether it is the original recipe created by Colonel Sanders in connection with Kentucky Fried Chicken or whether it is the special sauce made famous by the iconic Big Mac of McDonald's or whether it is Corning's glass that is so frequently used and found in many of our smartphones all across the country, trade secrets are as American as baseball and apple pie. Unfortunately, we have found ourselves, over the last few years, in a situation where trade secret theft has become a significant problem, by some accounts costing us in excess of \$300 billion per year and more than 2 million jobs annually.

Traditionally, trade secret theft has been dealt with on the civil side as a matter of State law. But because of the increasing nature of the problem and the fact that it is both multistate and multinational in nature, the State law domain has become inadequate, which brings us to this piece of legislation that would create a Federal civil cause of action for trade secret misappropriation, giving our companies and stakeholders access to a uniform body of law that can deal with trade secret theft in a more appropriate fashion.

That is why this piece of legislation is so significant in this climate and why I am so thankful for the leadership of all those who have brought us to this point. I urge everyone to support this bill.

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

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

In closing, Mr. Speaker, I want to thank my fellow Judiciary Committee colleagues and their staffs who have devoted much time and energy and intellect to this project. We have worked together for the common goal of improving our Nation's trade secret laws for the past 2 years.

I want to particularly thank Representatives DOUG COLLINS, JERROLD NADLER, and the over 150 Members of Congress who joined as cosponsors of this legislation in the House. In the Senate, we have worked closely with Senators HATCH, GRASSLEY, LEAHY, COONS, and others, and I want to thank them and their staffs for their contributions to this effort.

Furthermore, I would like to thank the White House and the U.S. Patent and Trademark Office for working collaboratively with us, as well as the Protect Trade Secrets Coalition for its work on this effort. I also want to thank my staff for all their hard work on this important legislation.

This bill is the product of years of bipartisan, bicameral work, and it will have a positive impact on U.S. competitiveness, job creation, and our Nation's future economic security. I urge my colleagues to support S. 1890.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of S. 1890, the "Defend Trade Secrets Act of 2016".

S. 1890, amends the, "Economic Espionage Act of 1996," to create a federal civil remedy for trade secret misappropriation, and expedite ex parte seizure of trade secrets to preserve evidence or prevent dissemination, without preempting state law.

"Trade secrets" are the form of intellectual property that protect confidential information, including: marketing data and strategies, manufacturing processes or techniques, confidential and chemical formulae, product design, customer lists, business leads, pricing schedules, and sales techniques.

Trade secret law offers protection from trade secret "misappropriation," which is the unauthorized acquisition, use, or disclosure of such secrets obtained by some improper means.

Under U.S. law, trade secrets consist of three parts: (1) information that is non-public; (2) the reasonable measures taken to protect that information; and (3) the fact that the information derives independent economic value from not being publicly known.

American companies are at the forefront of innovation and have some of the largest trade secret and patent portfolios in the world tied to numerous goods and services offered to governments, commercial enterprises, and consumers around the globe.

In fact, patent portfolios often grow as a result of the ideas and products that originated as trade secrets.

President Obama's Administration identified the importance of this legislation and, "strongly supports the Defend Trade Secrets Act," because he recognizes that as the United States continues to shift from a manufacturing, to a knowledge- and service-based economy, businesses increasingly depend on trade secrets to protect their confidential know-how.

A 2009 estimate placed the value of trade secrets owned by U.S. companies at five trillion dollars, demonstrating that trade secrets have become an increasingly important part of most companies' overall assets.

But, the global economy creates a competitive environment in which companies struggle to safeguard this information in light of innovative technologies, such as cell phones, which allow nearly anyone to photograph or otherwise record data and send information nearly instantaneously.

A 2013 report, by the Commission on the Theft of American Intellectual Property, estimated that the American economy loses more than \$300 billion annually as a result of theft of intellectual property, largely trade secrets, leading to a loss of up to 2.1 million jobs each year.

The same theft is slowing U.S. economic growth and diminishing the incentive to innovate that we celebrate today.

Our companies pour billions of dollars into research and development, creating products and services that ultimately become the backbone of their businesses.

And rightly so, those trade secrets produced through research and development increasingly have become the attractive envy of competitors in other countries.

In addition, advances in technology now make it easy to copy trade secret materials onto a jump drive or laptop computer that in a world of less advanced technology would have taken reams of paper to reproduce.

Modernization of trade secrets law is long overdue if our legislation is to keep pace with the rapid developments of premier American

companies and the technologies and methodologies used by the criminals who target them.

The patchwork of state trade secrets laws, while effective for local theft, fail to meet the demands of the global nature of today's trade secret misappropriations.

In addition, trade secrets do not enjoy the same federal protections as other types of intellectual property. While it is a federal crime to steal a trade secret, unlike patents, copyrights and trademarks, there is no current federal civil remedy.

This confidential business information can be protected for an unlimited time, unlike patents, and requires no formal registration process.

But unlike patents, once this information is disclosed it instantly loses its value and the property right itself ceases to exist, demonstrating a stark difference in the potential consequences of securing patent protections versus keeping an innovation as a trade secret.

When an inventor seeks patent protection, he or she agrees to disclose to the world their invention and how it works, furthering innovation and research, as well as securing a 20-year exclusive term of protection, and the right to prevent others from making, using, selling, importing, or distributing a patented invention without permission.

However, in contrast by maintaining it as a trade secret, an inventor could theoretically keep their invention secret indefinitely (ex: formula for Coca-Cola; the KFC Colonel's Secret Recipe); but, the downside is there is no protection if the trade secret is uncovered by others through reverse engineering or independent development.

Trade secrets must be valiantly guarded because discovery of a trade secret by fair, lawful methods, such as reverse engineering or independent development, is permitted.

As a result, the threat posed to American trade secrets has increased and theft of these secrets robs our economy of growth and innovation. S. 1890, provides a solution to these problematic gaps by making federal law more comprehensive and providing trade secrets owners with remedies that all forms of intellectual property should be afforded.

With both a federal criminal and a federal civil cause of action, large and small companies alike will have access to more of the tools that they need to effectively combat trade secret theft and help to ensure future innovation continues to occur within the United States.

While trade secret protection is important domestically, as American companies expand in the global marketplace, this protection is also paramount worldwide.

As we operate in other countries and work with them to encourage strong intellectual property protection within their own borders, the "Defend Trade Secrets Act" will serve as a model for effective protection.

S. 1890 will prevent the occurrence of (1) trade secret theft occurring in the United States and around the world; and (2) trade secret theft harming owner companies and their employees; while allowing the "Economic Espionage Act of 1996" to continue to apply broadly to protect trade secrets from theft.

I thank the House Judiciary Committee for quickly approving this legislation, and look forward to seeing this bill pass in the House to move to the President's desk to become law.

Mr. Speaker, I thank our Leadership for its prowess on intellectual property protection and urge you and your colleagues to support S. 1890.

CHAMBER OF COMMERCE,
UNITED STATES OF AMERICA,
Washington, DC, April 26, 2016.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports S. 1890, the "Defend Trade Secrets Act of 2016," and urges the House to expeditiously pass this bill.

Intellectual property sector industries generate 35% of all U.S. Gross Domestic Product and are responsible for two-thirds of all exports and over forty million good-paying jobs. The threat of trade secrets theft is of increasing concern to U.S. economic security and domestic jobs, and S. 1890 would provide companies with an effective tool to combat this growing problem. Creating a federal civil cause of action to complement existing criminal remedies and providing a uniform system and legal framework would enable companies to better mitigate the commercial injury and loss of employment that often occur when trade secrets are stolen.

The Chamber appreciates the House's attention to this important issue that impacts companies that depend on intellectual property to spur innovation, create jobs, and bring new products to market that benefit consumers. By creating a federal civil remedy for trade secrets theft, this bill would help ensure the trade secrets of U.S. companies are given similar protections afforded to other forms of intellectual property including patents, trademarks, and copyrights.

The Chamber urges you to support S. 1890 and may consider votes on, or in relation to, this bill in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, S. 1890.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules on H.R. 4923 and H.R. 699, each by the yeas and nays;

Ordering the previous question on House Resolution 701; and

Adoption of House Resolution 701, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4923) to establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 415, nays 2, not voting 16, as follows:

[Roll No. 166]
YEAS—415

Abraham	Clawson (FL)	Fleischmann
Adams	Clay	Fleming
Aderholt	Cleaver	Flores
Aguilar	Clyburn	Forbes
Allen	Coffman	Fortenberry
Amash	Cohen	Foster
Amodei	Cole	Fox
Ashford	Collins (GA)	Frankel (FL)
Babin	Collins (NY)	Franks (AZ)
Barletta	Comstock	Frelinghuysen
Barr	Conaway	Fudge
Barton	Connolly	Gabbard
Bass	Conyers	Gallego
Beatty	Cook	Garamendi
Becerra	Cooper	Garrett
Benishek	Costa	Gibbs
Bera	Costello (PA)	Gibson
Beyer	Courtney	Goodlatte
Bilirakis	Cramer	Gosar
Bishop (GA)	Crawford	Gowdy
Bishop (MI)	Crenshaw	Graham
Bishop (UT)	Crowley	Granger
Black	Cuellar	Graves (GA)
Blackburn	Culberson	Graves (LA)
Blum	Cummings	Graves (MO)
Blumenauer	Curbelo (FL)	Grayson
Bonamici	Davis (CA)	Green, Al
Bost	Davis, Danny	Green, Gene
Boustany	Davis, Rodney	Grijalva
Boyle, Brendan F.	DeFazio	Grothman
Brady (PA)	DeGette	Guinta
Brady (TX)	Delaney	Guthrie
Brat	DeLauro	Hahn
Bridenstine	DelBene	Hardy
Brooks (AL)	Denham	Harper
Brooks (IN)	Dent	Harris
Brown (FL)	DeSantis	Hartzler
Brownley (CA)	DeSaulnier	Hastings
Buchanan	DesJarlais	Heck (NV)
Buck	Deutch	Heck (WA)
Bucshon	Diaz-Balart	Hensarling
Burgess	Dingell	Herrera Beutler
Bustos	Doggett	Hice, Jody B.
Butterfield	Dold	Higgins
Byrne	Donovan	Hill
Calvert	Doyle, Michael F.	Himes
Capps	Duckworth	Hinojosa
Cárdenas	Duffy	Holding
Carney	Duncan (SC)	Honda
Carson (IN)	Duncan (TN)	Hoyer
Carter (GA)	Edwards	Hudson
Carter (TX)	Ellison	Huelskamp
Cartwright	Ellmers (NC)	Huffman
Castor (FL)	Emmer (MN)	Huizenga (MI)
Castro (TX)	Engel	Hultgren
Chabot	Eshoo	Hunter
Chaffetz	Esty	Hurd (TX)
Chu, Judy	Farenthold	Hurt (VA)
Ciçilline	Farr	Israel
Clark (MA)	Fincher	Jackson Lee
Clarke (NY)	Fitzpatrick	Jeffries
		Jenkins (KS)

Jenkins (WV)	Miller (FL)	Scalise
Johnson (GA)	Miller (MI)	Schakowsky
Johnson (OH)	Moolenaar	Schiff
Johnson, E. B.	Mooney (WV)	Schrader
Johnson, Sam	Moore	Schweikert
Jolly	Moulton	Scott (VA)
Jones	Mullin	Scott, Austin
Jordan	Mulvaney	Scott, David
Joyce	Murphy (FL)	Sensenbrenner
Kaptur	Murphy (PA)	Serrano
Katko	Nadler	Sessions
Keating	Napolitano	Sherman
Kelly (IL)	Neal	Shimkus
Kelly (MS)	Neugebauer	Shuster
Kelly (PA)	Newhouse	Simpson
Kennedy	Noem	Sinema
Kildee	Nolan	Sires
Kilmer	Norcross	Slaughter
Kind	Nugent	Smith (MO)
King (IA)	Nunes	Smith (NE)
King (NY)	O'Rourke	Smith (NJ)
Kinzinger (IL)	Olson	Smith (TX)
Kirkpatrick	Palazzo	Smith (WA)
Kline	Pallone	Speier
Knight	Palmer	Stefanik
Kuster	Pascrell	Stewart
Labrador	Paulsen	Stivers
LaHood	Payne	Stutzman
LaMalfa	Pearce	Swalwell (CA)
Lamborn	Perlmutter	Takai
Lance	Perry	Takano
Langevin	Peters	Thompson (CA)
Larsen (WA)	Peterson	Thompson (MS)
Larson (CT)	Pingree	Thornberry
Latta	Pitts	Tiberi
Lee	Pocan	Tipton
Levin	Poe (TX)	Titus
Lewis	Poliquin	Tonko
Lieu, Ted	Polis	Torres
Lipinski	Pompeo	Trott
LoBiondo	Posey	Tsongas
Loebsock	Price (NC)	Turner
Loftgren	Price, Tom	Upton
Long	Quigley	Valadao
Loudermilk	Rangel	Vargas
Love	Ratcliffe	Veasey
Lowenthal	Reed	Vela
Lowe	Reichert	Velázquez
Lucas	Renacci	Visclosky
Luetkemeyer	Ribble	Wagner
Lujan Grisham	Rice (NY)	Walberg
(NM)	Rice (SC)	Walden
Luján, Ben Ray	Richmond	Walker
(NM)	Rigell	Walorski
Lummis	Roby	Walters, Mimi
Lynch	Roe (TN)	Walz
Maloney	Rogers (AL)	Waters, Maxine
Carolyn	Rogers (KY)	Watson Coleman
Maloney, Sean	Rohrabacher	Weber (TX)
Marchant	Rokita	Webster (FL)
Marino	Rooney (FL)	Welch
Massie	Ros-Lehtinen	Wenstrup
Matsui	Roskam	Westerman
McCarthy	Ross	Whitfield
McClintock	Rothfus	Williams
McCollum	Rouzer	Wilson (FL)
McDermott	Roybal-Allard	Wilson (SC)
McGovern	Royce	Wittman
McHenry	Ruiz	Womack
McMorris	Ruppersberger	Woodall
Rodgers	Rush	Yarmuth
McNerney	Russell	Yoder
McSally	Ryan (OH)	Yoho
Meadows	Salmon	Young (AK)
Meehan	Sánchez, Linda T.	Young (IA)
Meeks	Sanchez, Loretta	Young (IN)
Meng	Sanford	Zeldin
Messer	Sarbanes	Zinke
Mica		

NAYS—2

Thompson (PA)
NOT VOTING—16

□ 1530

Mr. CARNEY, Ms. KAPTUR, and Mr. BISHOP of Georgia changed their vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HANNA. Mr. Speaker, on rollcall No. 166 on H.R. 4923, I am not recorded because I was absent for personal reasons. Had I been present, I would have voted “aye.”

EMAIL PRIVACY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 699) to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 14, as follows:

[Roll No. 167]
YEAS—419

Abraham	Capuano	DelBene
Adams	Cárdenas	Denham
Aderholt	Carney	Dent
Aguilar	Carson (IN)	DeSantis
Allen	Carter (GA)	DeSaulnier
Amash	Carter (TX)	DesJarlais
Amodei	Cartwright	Deutch
Ashford	Castor (FL)	Diaz-Balart
Babin	Castro (TX)	Dingell
Barletta	Chabot	Doggett
Barr	Chaffetz	Dold
Barton	Chu, Judy	Donovan
Bass	Ciçilline	Doyle, Michael F.
Beatty	Clark (MA)	Duckworth
Becerra	Clarke (NY)	Duffy
Benishek	Clawson (FL)	Duncan (SC)
Bera	Clay	Duncan (TN)
Beyer	Cleaver	Edwards
Bilirakis	Clyburn	Ellison
Bishop (GA)	Coffman	Ellmers (NC)
Bishop (MI)	Cohen	Emmer (MN)
Bishop (UT)	Cole	Engel
Black	Collins (GA)	Eshoo
Blackburn	Collins (NY)	Esty
Blum	Comstock	Farenthold
Blumenauer	Conaway	Farr
Bonamici	Connolly	Fincher
Bost	Conyers	Fitzpatrick
Boustany	Cook	Fleischmann
Boyle, Brendan F.	Cooper	Fleming
Brady (PA)	Costa	Flores
Brady (TX)	Costello (PA)	Forbes
Brat	Courtney	Fortenberry
Bridenstine	Cramer	Foster
Brooks (AL)	Crawford	Fox
Brooks (IN)	Crenshaw	Frankel (FL)
Brown (FL)	Crowley	Franks (AZ)
Brownley (CA)	Cuellar	Frelinghuysen
Buchanan	Culberson	Fudge
Buck	Cummings	Gabbard
Bucshon	Curbelo (FL)	Gallego
Burgess	Davis (CA)	Garamendi
Bustos	Davis, Danny	Garrett
Butterfield	Davis, Rodney	Gibbs
Byrne	DeFazio	Gibson
Calvert	DeGette	Goodlatte
Capps	Delaney	Gosar
	DeLauro	

Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larsen (CT)
Latta
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)

Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rouzer
Royce
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schradler
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Gutiérrez
Hanna

NOT VOTING—14

Fattah
Gohmert
Gutiérrez
Hanna
Hastings
Issa

Lawrence
MacArthur
McCauley
Pittenger
Sewell (AL)
Van Hollen
Wasserman
Schultz
Westmoreland
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larsen (CT)
Latta
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
Hill
Holding
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Dovovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Curbelo (FL)
Davis, Rodney

□ 1537

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HANNA. Mr. Speaker, on rollcall No. 167 on H.R. 699, I am not recorded because I was absent for personal reasons. Had I been present, I would have voted "aye."

PROVIDING FOR CONSIDERATION OF H.R. 4498, HELPING ANGELS LEAD OUR STARTUPS ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 701) providing for consideration of the bill (H.R. 4498) to clarify the definition of general solicitation under Federal securities law, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 238, nays 181, not voting 14, as follows:

[Roll No. 168]

YEAS—238

Abraham
Adelhart
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Hastings
Issa
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Dovovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Curbelo (FL)
Davis, Rodney

Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Sanflore
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers

NAYS—181

Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larsen (CT)
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Scott (VA)
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Vislosky
Walz
Waters, Maxine
Wechsler
Wilson (FL)
Yarmuth

NOT VOTING—14

Bishop (UT)	Issa	Sewell (AL)
Fattah	Lawrence	Van Hollen
Gohmert	MacArthur	Wasserman
Gutiérrez	McCaul	Schultz
Hanna	Pittenger	Westmoreland

□ 1544

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 240, noes 177, not voting 16, as follows:

[Roll No. 169]

AYES—240

Abraham	Fleischmann	Lucas
Aderholt	Fleming	Luetkemeyer
Allen	Flores	Lummis
Amash	Forbes	Marchant
Amodei	Fortenberry	Marino
Babin	Fox	Massie
Barletta	Franks (AZ)	McCarthy
Barr	Frelinghuysen	McClintock
Barton	Garrett	McHenry
Benishek	Gibbs	McKinley
Bilirakis	Gibson	McMorris
Bishop (MI)	Goodlatte	Rodgers
Bishop (UT)	Gosar	McSally
Black	Gowdy	Meadows
Blackburn	Granger	Meehan
Blum	Graves (GA)	Messer
Bost	Graves (LA)	Mica
Boustany	Graves (MO)	Miller (FL)
Brat	Griffith	Miller (MI)
Bridenstine	Grothman	Moolenaar
Brooks (AL)	Guinta	Mooney (WV)
Brooks (IN)	Guthrie	Mullin
Buchanan	Hardy	Mulvaney
Buck	Harper	Murphy (PA)
Bucshon	Harris	Neugebauer
Burgess	Hartzler	Newhouse
Byrne	Heck (NV)	Noem
Calvert	Hensarling	Nugent
Carney	Herrera Beutler	Nunes
Carter (GA)	Hice, Jody B.	Olson
Carter (TX)	Hill	Palazzo
Chabot	Holding	Palmer
Chaffetz	Hudson	Paulsen
Clawson (FL)	Huelskamp	Pearce
Coffman	Huizenga (MI)	Perry
Cole	Hultgren	Pitts
Collins (GA)	Hunter	Poe (TX)
Collins (NY)	Hurd (TX)	Poliquin
Comstock	Hurt (VA)	Pompeo
Conaway	Jenkins (KS)	Posey
Cook	Jenkins (WV)	Price, Tom
Cooper	Johnson (OH)	Ratcliffe
Costa	Johnson, Sam	Reed
Costello (PA)	Jolly	Renacci
Cramer	Jones	Ribble
Crawford	Jordan	Rice (SC)
Crenshaw	Joyce	Rigell
Culberson	Katko	Roby
Curbelo (FL)	Kelly (MS)	Roe (TN)
Davis, Rodney	Kelly (PA)	Rogers (AL)
Denham	King (IA)	Rogers (KY)
Dent	King (NY)	Rohrabacher
DeSantis	Kinzinger (IL)	Rokita
DesJarlais	Klaine	Rooney (FL)
Diaz-Balart	Knight	Ros-Lehtinen
Dold	Labrador	Roskam
Donovan	LaHood	Ross
Duffy	LaMalfa	Rothfus
Duncan (SC)	Lamborn	Rouzer
Duncan (TN)	Lance	Royce
Ellmers (NC)	Latta	Russell
Emmer (MN)	LoBiondo	Salmon
Farenthold	Long	Sanford
Fincher	Loudermilk	Scalise
Fitzpatrick	Love	Schweikert

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)

Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup

Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castro (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)

Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meeks
Meng
Moore
Moulton
Murphy (FL)

Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Brady (TX)
Fattah
Gohmert
Gutiérrez
Hanna
Issa

Lawrence
MacArthur
McCaul
McNerney
Pittenger
Reichert

Sewell (AL)
Van Hollen
Wasserman
Schultz
Westmoreland

□ 1551

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HELPING ANGELS LEAD OUR STARTUPS ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 701, I call up the bill (H.R. 4498) to clarify the definition of general solicitation under Federal securities law, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BOST). Pursuant to House Resolution 701, the bill is considered read.

The text of the bill is as follows:

H.R. 4498

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 ‘‘Helping Angels Lead Our Startups Act’’ or the ‘‘HALOS Act’’.

SEC. 2. DEFINITION OF ANGEL INVESTOR GROUP.

As used in this Act, the term ‘‘angel investor group’’ means any group that—

(1) is composed of accredited investors interested in investing personal capital in early-stage companies;

(2) holds regular meetings and has defined processes and procedures for making investment decisions, either individually or among the membership of the group as a whole; and

(3) is neither associated nor affiliated with brokers, dealers, or investment advisers.

SEC. 3. CLARIFICATION OF GENERAL SOLICITATION.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Securities and Exchange Commission shall revise Regulation D of its rules (17 C.F.R. 230.500 et seq.) to require that in carrying out the prohibition against general solicitation or general advertising contained in section 230.502(c) of title 17, Code of Federal Regulations, the prohibition shall not apply to a presentation or other communication made by or on behalf of an issuer which is made at an event—

(1) sponsored by—

(A) the United States or any territory thereof, by the District of Columbia, by any State, by a political subdivision of any State or territory, or by any agency or public instrumentality of any of the foregoing;

(B) a college, university, or other institution of higher education;

(C) a nonprofit organization;

(D) an angel investor group;

(E) a venture forum, venture capital association, or trade association; or

(F) any other group, person or entity as the Securities and Exchange Commission may determine by rule;

(2) where any advertising for the event does not reference any specific offering of securities by the issuer;

(3) the sponsor of which—

(A) does not make investment recommendations or provide investment advice to event attendees;

(B) does not engage in an active role in any investment negotiations between the issuer and investors attending the event;

(C) does not charge event attendees any fees other than administrative fees; and

(D) does not receive any compensation with respect to such event that would require registration of the sponsor as a broker or a dealer under the Securities Exchange Act of 1934, or as an investment advisor under the Investment Advisers Act of 1940; and

(4) where no specific information regarding an offering of securities by the issuer is communicated or distributed by or on behalf of the issuer, other than—

(A) that the issuer is in the process of offering securities or planning to offer securities;

(B) the type and amount of securities being offered;

(C) the amount of securities being offered that have already been subscribed for; and

(D) the intended use of proceeds of the offering.

(b) **RULE OF CONSTRUCTION.**—Subsection (a) may only be construed as requiring the Securities and Exchange Commission to amend the requirements of Regulation D with respect to presentations and communications, and not with respect to purchases or sales.

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

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. **HENSARLING**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support today of H.R. 4498, the Helping Angels Lead Our Startups Act, known as the HALOS Act. This is yet another bipartisan bill that has been passed out of the Financial Services Committee that I know will help create jobs and grow our economy.

We all know from listening to our constituents that jobs and the economy continue to be the number one issue of concern because this economy is still not working for working Americans. After many years, they still see their paychecks have stagnated. They have seen their savings evaporate. They are losing hope. We see entrepreneurship is at a generational low.

The HALOS Act is a step in the right direction. It is one of many solutions that we need to enact in this body.

I commend the bipartisan sponsor of the bill, Mr. **CHABOT**, the chairman of the Small Business Committee; Mr. **HURT** of Virginia and Ms. **SINEMA** of Arizona, the latter two who serve with me on the Financial Services Committee.

I want to thank all of my colleagues on the Financial Services Committee for voting overwhelmingly in favor of this bill. Almost 80 percent of the membership of the committee voted to advance it to the floor.

I am proud that our committee has a strong record of bipartisanship. Since the beginning of the 114th Congress, Mr. Speaker, the House has passed 56 of our measures—30 have been signed into

law—and each one of these measures received bipartisan support. In an era of divided government, that is not a bad record.

I believe that most Americans also believe that our economy works better for all Americans when small businesses can focus on creating jobs rather than navigating meaningless bureaucratic red tape.

The HALOS Act provides an important fix to regulations so it will be easier for our small businesses to attract investments. Again, Mr. Speaker, so critical when entrepreneurship is at a generational low and our economy limps along at even less than 2 percent of economic growth.

The HALOS Act provides a clearer path for startup businesses to connect with angel investors and allows investors to make their own informed decisions. Angel investors play an incredibly active role in helping small businesses open their doors and grow so they can open their doors even wider and hire more workers.

We should remember—and many of our colleagues are now aware—that companies like Amazon, Costco, Google, Facebook, and Starbucks were all first funded by angel investors. Now, today, not only the services they provide in our economy, but approximately 600,000 employees earn their paychecks and provide for their families working for companies that were started with angel investors.

Unfortunately, as so often happens, when Washington regulators get out of control, they step into the picture and we have yet more unintended consequences. Four years ago, Congress passed a bipartisan JOBS Act to make it easier for business startups to gain access to capital, but the Securities and Exchange Commission issued misguided regulations on angel investors that had exactly the opposite effect.

By inappropriately classifying events where entrepreneurs showcased their business models to angel investors as general solicitations, the SEC regulations are causing innovative startups to lose access to capital, which means our economy loses jobs. This is counter to Congress' intent when we passed the JOBS Act, and it is certainly counter to what our economy needs now. Mr. Speaker, what is so ironic is that the practice was legal and proper before the passage of the JOBS Act. It should remain legal and proper after the passage of the JOBS Act.

This is a problem that Congress can easily fix by approving the HALOS Act. It is not a complicated bill, Mr. Speaker. It is four pages long. It simply ensures that funding from angel investors remains available to business startups.

The bipartisan bill makes sure that events where entrepreneurs and angel investors get together are not classified as general solicitations because they are not. Instead of onerous bureaucratic red tape that deters investors from backing new business startups, the four-page HALOS Act will

help new businesses gain investor support when they need it most.

Mr. Speaker, as I mentioned earlier, this bill sailed through the House Financial Services Committee with strong bipartisan support. Out of 57 members voting in committee that day, only 13 opposed the bill. In other words, 80 percent of the committee voted in favor of the HALOS Act.

The bill has strong bipartisan support because it is common sense. It is about jobs; it is about helping small businesses overcome misguided regulation; and it is about making sure that Congress makes the law—not the regulators, who are unelected and who are unaccountable.

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

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

I rise in opposition to H.R. 4498, the Helping Angels Lead Our Startups Act.

This bill will make changes to investor protections under the JOBS Act that I believe are ill-advised and could lead to unintended consequences for our regulatory framework.

□ 1600

It would do so by broadening the scope of when private securities offerings can be solicited or advertised to the public without first verifying that the purchaser is financially sophisticated enough to understand the risk involved, what we call “accredited investors.”

Specifically, the bill would require the SEC to amend its safe harbor rules for private placements under Rule 506 of Regulation D so that the current verification requirements for general solicitation and advertising do not effectively apply to sales events that are sponsored by certain groups, colleges, nonprofits, trade associations, or angel investor groups, for example.

The bill's intent is to expand the role of angel investors in capital formation. It is a laudable goal, but it is one that needs appropriate rules to ensure investors have the protection and legal recourse needed to make sound investments.

So, while the bill would limit the amount and type of information that can be communicated for these events, it would still allow companies to condition the markets for their securities and offer them to any member of the public who walks in the door.

Let me be clear. If a university wants to sponsor a so-called demo day with companies that want to pitch their ideas and products, they already can, and the entire public can attend. The companies, however, just can't talk about offers or sell securities in their companies.

I am concerned that this bill, however, would cause real harm to retail investors. For example, a hedge fund could set up an event that is sponsored by a questionable college, like Corinthian, could pass out flyers on campus

that advertise their shares, and then sell those shares to anyone who had attended the event, including the students who may know nothing about how this whole operation works. They would not have to take reasonable steps to verify that these purchasers are accredited investors.

Furthermore, events sponsored by government entities, nonprofits, and universities are likely to attract the very people we are trying to protect, investors who are not accredited and do not have enough financial sophistication or wherewithal to understand the investments or bear their high risk of loss.

We created the Rule 506 exemption under the JOBS Act to expand the market for private offerings. Private companies can now advertise and solicit offerings to the general public, which helps them to raise the capital they need to grow their businesses.

In exchange for the expanded framework and lower levels of investor protection, we passed a simple amendment that I offered to require companies to just take reasonable steps to verify that the purchaser of the security is an accredited investor.

The intent was simple. If a company is going to advertise riskier private offerings, it must ensure that the buyer has the necessary income and assets to qualify for such a purchase rather than rely on so-called self-certification. The bill would effectively reverse this sensible amendment during these sales events.

At best, the bill is also unnecessary. The SEC has already provided relief to angel investor groups if they curate the people who attend these sales events. They have to either make sure they have a preexisting relationship with the investor or verify their income and assets at the time of purchase, which is consistent with our regulatory framework.

I have offered an amendment, which will be debated later today, that would codify the SEC's relief and prevent harm to everyday investors. It would also limit the exemptions to operating companies so that shell companies and investment vehicles, like hedge funds, can't solicit potentially risky offerings to unknowing investors.

These revisions to the bill would strike an appropriate balance between capital formation and investor protection while still supporting angel investor groups. However, without my amendment, I cannot support this bill.

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

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished Republican leader and a leader in the JOBS Act and in innovation.

Mr. MCCARTHY. I thank the gentleman for yielding. Before I move on, I thank the gentleman for his work on the Committee on Financial Services.

Mr. Speaker, this is another bill that comes to the floor with a large bipar-

tisan vote coming out so as to create jobs, and that is what this floor is all about. Today we are talking about an American economy that is ripe for innovation. This is what is needed to create jobs and opportunity.

To my colleagues, I ask them: How many times have you traveled back to your districts and sat down and seen individuals who crave to be entrepreneurs? It could be that single mom or maybe it is that person who is stuck in a job or is a young kid with a great idea.

But as they roll out their ideas, they find they are not going to get stopped except by, maybe, a government regulation. Think of the jobs they could create and the places in which we can grow.

Because of the technological revolution of our country's experience, the startups we have come to know are now some of the largest companies in our economy. Our goal shouldn't be to stop the next great American company from coming into existence. We should actually enable it.

We should tear down the government-made barriers to their potential and embrace the positive disruption that will keep America as the world leader in innovation. That is the goal of the Innovation Initiative, and that is what we are doing here today.

We will pass today the Helping Angels Lead Our Startups Act, which enables ready investors to invest in startups. Startups are in a world of high risk and high reward.

They can't just go to a bank for a loan. They need angel investors who are willing to take that risk for the next company that will change the world, and Washington should not stand in the way of making that happen.

Several years ago Congress passed and the President did sign the JOBS Act. Our goal was to help increase access to capital. Unfortunately, some of the provisions in our bill were misinterpreted by the SEC against the spirit of entrepreneurship, thus keeping the barriers to capital in place.

Today's bill gives new companies an opportunity to identify and to interact with potential investors, thus opening the door for the next great idea to get the funding it needs to get up and running.

I give a special thanks to Chairman CHABOT for identifying this inefficiency and acting to solve it.

I started my first business when I was 19 years old. There are three lessons you learn: you are the first one to work; you are the last one to leave; and you are the last one to be paid. The last thing you need is for government to stop you from achieving your dream.

It is very simple, when I talk to my colleagues here, in that there are one or two ways to go on this bill. If you sit back and you look at Facebook, Amazon, or Starbucks, they are amazing success stories in America and are where millions of people work.

The idea would be, if you believe America needs to continue the opportunity for our entrepreneurs and for more companies such as those, it starts with angel investing. So you would vote "yes."

If you believe America doesn't need innovation, that America thinks that the new Facebook shouldn't be there, that we should put up new barriers to stop a dream, to stop the growth, you would probably vote "no."

That is why later today, when this bill gets through, it will be a big bipartisan vote: because we believe in America.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. Mr. Speaker, I thank Ranking Member MAXINE WATERS for granting me time.

I thank Mr. CHABOT and Mr. HURT and others for working with me on this bipartisan bill to help entrepreneurs and startup companies create jobs and grow our economy.

Mr. Speaker, American startup businesses are growing both in number and diversity. Entrepreneurs are finding new and better ways to bring together talent, innovation, and investment capital in an increasingly competitive small-business environment.

The HALOS Act clarifies SEC regulations to ensure small businesses may participate in educational demo days without the burden of having to verify that attendees are accredited investors. These events provide invaluable opportunities for entrepreneurs to meet and exchange ideas with students, professors, business professionals, and potential future investors.

The HALOS Act creates a clear path for startups to participate in demo days that are sponsored by a government entity, a nonprofit organization, an angel investor group, a venture association, or other entity that is permitted by the SEC.

Specifically, this act clarifies the definition of "general solicitation" to exempt communications and presentations at these events where advertising does not make specific investment offerings and where no specific securities offering information is communicated at the event.

This permits startups to connect with business experts, potential future investors, and other entrepreneurs while maintaining existing accredited investor verification requirements and exceptions already under Regulation D for the actual purchase or sale of securities. It does not in any way permit the sale of securities to unaccredited investors at demo days.

Companies such as Amazon, Costco, Facebook, Google, and Starbucks were all initially funded by angel investors. As we work to make America more competitive in the new global economy, we need to encourage the growth of innovative startups and job-creating small businesses.

Again I thank my cosponsors and the chairman for working with us on this commonsense, bipartisan bill. I am committed to working with my colleagues on both sides of the aisle to ensure that Arizona startups have the support that they need to grow their businesses and create jobs.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), who is the chief sponsor of the HALOS Act and is the chairman of our Small Business Committee.

Mr. CHABOT. I thank Mr. HENSARLING for his leadership on this. I thank the gentlewoman from Arizona, who just spoke, for her leadership on this as well.

Mr. Speaker, as the chairman of the House Small Business Committee, I have the pleasure of hearing from America's small-business owners each and every day, both in my district and up here in Washington.

The stories of success are always encouraging to hear, but all too often, what I am told is how the government is making it difficult for small businesses to grow and succeed and to, therefore, create jobs.

Perhaps the most common concern is just how difficult it is for entrepreneurs who are starting out to access the needed capital to grow. This bill expands access to capital by ensuring small businesses can continue to connect with so-called angel investors.

One popular way small businesses have connected with angel investors is through demo days. These are events that are sponsored by universities, nonprofits, local governments, accelerators, incubators, and other groups that allow entrepreneurs to showcase their products and to informally meet investors and customers.

However, SEC regulations are threatening to force these events out of business by imposing unwieldy regulations that dictate who is and who is not allowed to simply attend.

These regulations would force everybody who merely walks through the door to go through what is essentially a full financial interrogation in one's handing over of tax documents and bank statements, paybook information, and on and on and on.

Mr. Speaker, this doesn't make any sense. We should be encouraging participation in demo days, not creating obstacles. After all, not only are these events places at which to connect investors with our communities' small businesses and entrepreneurs, but they also provide a great opportunity for students, for example, and our next generation of entrepreneurs to ask questions and learn what it takes to get a business off the ground.

Mr. Speaker, again I thank Chairman HENSARLING for his leadership in getting this bill through the committee, as well as to thank Representative HURT, Representative SINEMA, and Representative TAKAI for working in a cooperative and bipartisan manner to move this bill to the House floor.

It was very bipartisan. All of the Republicans voted for it, and almost half of the Democrats voted for it in committee. It is always wonderful when we are able to work together to support small business, and there is no better time than now.

Next week is National Small Business Week, when we will be celebrating the contributions of small businesses and entrepreneurs in every community all across America. Every one of us has small businesses in our districts. It serves as a reminder to us in this Chamber of how important it is to create policies that promote an environment for small businesses to succeed, and this bill is one more step in that direction.

I urge my colleagues to support H.R. 4498. Again, I really appreciate the bipartisan nature of this bill and its support thus far.

1615

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

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. HURT), a sponsor of the bill.

Mr. HURT of Virginia. Mr. Speaker, I rise in support of the HALOS Act. I first would like to thank the chairman of the Financial Services Committee, Mr. HENSARLING, for his leadership on the JOBS Act and on this issue specifically.

I would also like to commend the efforts of Representatives CHABOT and SINEMA. It has been an honor to be able to work with them on such an important issue, and it is an honor to be able to work with them to craft a sensible bipartisan bill aimed at removing a regulatory hurdle for innovative companies and startups seeking early-stage equity capital investment.

Mr. Speaker, I represent a rural district in Virginia, Virginia's Fifth District, that stretches from the northern Piedmont of Virginia to the North Carolina border. As I travel across my district, a recurring theme that I hear from my constituents is that they are concerned about jobs and the economy.

At a time when our economy is struggling, Congress must do everything possible to help small businesses achieve success. These entities are our Nation's most dynamic job creators, and their success is essential to our economy.

Earlier this year Charlottesville, Virginia, was recognized as one of the Nation's fastest growing markets for venture capital investment. Over the past 5 years, the amount of capital invested in Charlottesville has grown over 150 percent.

This type of investment can have a profound impact on a community, making it more attractive to other startup companies and ultimately producing more job growth. Indeed, Senator CHRIS MURPHY of Connecticut said it best when he introduced the Senate version of the HALOS Act:

I have heard from local entrepreneurs and interested backers alike that the most important thing we can do to help these businesses is make it easier for angel investors to put capital behind them, and that is exactly what our bipartisan HALOS Act will do.

In 2014 alone, angel investors deployed over \$24 billion to over 70,000 startups. Many of these investments go into companies in their own communities and States.

Beyond capital, angel investors often provide advice and guidance to help these companies succeed and create jobs. It is for these reasons that I ask my colleagues to support this bill.

If enacted, the HALOS Act would amend the Securities Act to define an angel investor group and would clarify the definition of general solicitation so that startup enterprises would be able to continue to promote their businesses at certain events called demo days where there is no direct investment offering.

The HALOS Act would alleviate the burden placed on startups with regard to privacy and compliance concerns, which often require entrepreneurs and startups to take on burdens that they do not have the means to handle.

These burdens have a significant impact on an entrepreneur's ability to interface with investors because of the risk of violating Federal securities laws by having their interactions with investors being viewed as a general solicitation.

HALOS would lift this burden and is an important step to continuing the success that this committee has achieved with the bipartisan JOBS Act.

The JOBS Act made it easier for startup enterprises to market their securities to a larger pool of investors. Unfortunately, while implementing the JOBS Act, the SEC has classified events held by angel investors as general solicitations, requiring entrepreneurs and startups to verify accredited investor status.

This jeopardizes the future of events like demo days where startups can interact with these investors and venture capitalists.

The HALOS Act would simply ensure that angel funding remains available to startups by defining the term "angel investor group" and exempting an angel investor event from being considered general solicitation.

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

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

Mr. HURT of Virginia. Mr. Speaker, the HALOS Act is a simple, bipartisan, bicameral solution that will ensure that investors and companies can continue this commonsense interaction.

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

Mr. HENSARLING. Mr. Speaker, may I inquire if the other side has any further speakers before we use all our time?

Ms. MAXINE WATERS of California. Mr. Speaker, we have no further speakers.

Mr. HENSARLING. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. GARRETT), the chairman of our Capital Markets and Government Sponsored Enterprises Subcommittee.

Mr. GARRETT. Mr. Speaker, I want to thank the sponsor of the underlying legislation for the underlying bill.

I rise in support of H.R. 4498, the Helping Angels Lead Our Startups Act. I urge all of my colleagues on both sides of the aisle to support this very important piece of legislation.

Mr. Speaker, it was 2 weeks ago at the Capital Markets and Government Sponsored Enterprises Subcommittee that we held a hearing that examined the positive impact the 2012 JOBS Act is having on our economy. By reducing burdens on startup companies and modernizing our security laws, the consensus was very clear.

The JOBS Act was a big win for entrepreneurs, innovation, and, ultimately, economic growth and opportunity and job creation in this country.

But that doesn't mean that we shouldn't be doing more besides the JOBS Act, and it certainly doesn't mean that the Securities and Exchange Commission, the SEC, has done a perfect job, by any means, when it comes to implementing the important provisions of the JOBS Act.

At times, the SEC has taken liberties, if you will, with their rule-making that run contrary to the wishes and purposes of Congress, which ultimately could limit the impact this great, new revolutionary legislation has for our economy.

One example of this was the way in which the SEC implemented title II of the JOBS Act, which made it easier for companies to use general solicitation in order to attract investors for private offering of stocks.

You see, what happened here was, in their final rule, the SEC classified events such as demo days held by angel investors as being general solicitation. This means that angel groups would have to then comply with all the rules and regulations that are designed for issuers who are actually engaged in the offering of securities, which this is not.

So events such as demo days are an important economic development tool, if you will, used by small startup companies to help educate people, educate a pool of potential investors. They are not security offerings, and they should really, really not be treated as such.

Why is this important? Well, in 2014, angel investors put some \$24 billion to work in over 73,000 startups. So, clearly, this is a preferred source of capital throughout the economy.

Any kind of regulation that would hamper the ability of angel investors to communicate with startup companies would jeopardize the ability of angel investors to fund the next Apple or Google or startup.

So here we are with H.R. 4498. It would simply make a small technical fix to the JOBS Act and would allow such events to continue without that heavy hand of government getting in the way. So I want to thank the sponsors.

I urge bipartisan support of this underlying bill.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), chairman of Monetary Policy and Trade Subcommittee.

Mr. HUIZENGA of Michigan. Mr. Speaker, as a small-business owner and coming from a family of very entrepreneurial people, I know the importance of fostering an environment that promotes economic opportunity and especially allows small businesses to grow and create jobs.

West Michigan, which I represent, is a hub of entrepreneurial activity. Organizations like the Grand Rapids Inventors Network and a very innovative place called Start Garden are the center of that.

Start Garden does two demo days a year with very sophisticated investors. In fact, over the last 3 years of Start Garden's existence, they have helped and launched 200 various companies and have given them that investment.

One of those is Boxed Water is Better. Just this past week, my office received its first shipment from Holland, Michigan, of Boxed Water is Better.

Founded in 2009, the team at Boxed Water combined west Michigan ingenuity with capital from investors through Start Garden, who now employ 60 people and have facilities in both Michigan and Utah. They sell their product in over 8,000 stores nationwide and are now starting to sell around the globe.

Small businesses across the globe and across the country like Boxed Water are looking for real solutions from Congress to help them innovate and thrive.

The JOBS Act, a solution designed to jump-start capital formation for small businesses, entrepreneurs, and startups, was signed into law in 2012. Instead of helping small businesses access capital through the JOBS Act, as Congress had intended, the Securities and Exchange Commission has choked off avenues of that capital formation.

In order to participate in a demo day, the SEC requires startups to register a securities offering and verify the sophistication level of potential funders, something most of them do not have the physical or financial means to do, according to Start Garden.

I thank the gentleman from Ohio for introducing the HALOS Act, an important bill that connects fledgling companies to angel investors who may provide them with the capital that they need to turn their startup into a growing, thriving business.

By exempting demo days featuring many small businesses like Boxed Water and others, these participants are not considered as general solicitors under the Securities Act.

We need more entrepreneurs to expand, hire, and invest, and the HALOS Act is an innovative way of doing that.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Mr. Speaker, I thank Representative CHABOT of Ohio for introducing this bipartisan piece of legislation as well as my colleagues on the Financial Services Committee, Congressman HURT of Virginia and Congresswoman SINEMA of Arizona, for sponsoring the legislation.

H.R. 4498, the Helping Angels Lead Our Startups Act, provides an important fix to our securities regulations that removes friction between entrepreneurs and the potential investors that are looking to support startup companies.

When we think about angel investing or venture capital, we naturally think of the Silicon Valley tech scene or the financial powerhouse of New York City.

However, more and more startups all across the country are using important changes under the JOBS Act in order to raise financing no matter where they are located. In fact, as reported in the St. Louis Business Journal, St. Louis has the Nation's fastest growing startup scene.

As more and more investors are drawn to the St. Louis area, these early-stage investments are critical for helping keep these companies in Missouri and creating more local Missouri jobs.

Yet, while St. Louis' startups have experienced tremendous growth recently, small businesses and startups everywhere are still having difficulty in obtaining financing and investment in today's economy at a crucial stage when they are trying to grow and expand.

The HALOS Act will make a small change that makes it easier for small businesses to find those vital investments. It would exempt demo days from general solicitation requirements that would put a burden on entrepreneurs and that would make it more difficult for investors to provide financing.

For those companies that are not yet ready to go public, it is important that they are given the opportunity to pitch their business ideas to those who are interested in learning more.

I urge passage of this bipartisan piece of legislation.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Speaker, today I am proud to be able to speak in support of the Helping Angels Lead Our Startups, or HALOS, Act.

I would also like to thank Chairman CHABOT, Congressman HURT, and Congresswoman SINEMA for putting forward this important bipartisan legislation.

I am fortunate to hear regularly from innovators across Illinois and through my work on the House Science, Space, and Technology Committee.

Chicago is recognized nationally as a hub for angel investors. The Illinois Venture Capital Association was one of the first associations to represent private equity and venture capital groups.

The State of Illinois also offers an angel investment credit program to attract and encourage investment into early-stage innovative companies throughout my State.

These innovators oftentimes have a simple idea that can be life changing, but financing these ideas so that they can become a reality is harder than you might think.

Angel investors play a key role in the earliest stages of these startups. They provide the initial round of funding to help get these life-changing ideas off the ground. Startups are the job creators that drive our economy, make life-changing medical breakthroughs, and harness technology to accomplish the impossible.

These startup companies frequently participate in demo days, as has been talked about, to increase the visibility of their company, explain their ideas and hope to informally attract investors. These demo days are sponsored by a variety of organizations interested in promoting innovation and job creation.

For example, the University of Illinois Research Park told me that this bill would address some of the unintended consequences of the JOBS Act and crowdfunding, which could make things like Cozad New Venture Competition, Urbana-Champaign Angel Network angel presentations, the Share the Vision Technology Showcase, pitch practice at EnterpriseWorks, and other public forums for startups in Illinois problematic.

They want to encourage showcasing our startups without fear that these programs would be constituting a formal fundraising solicitation that would require reporting to the SEC.

This bill simply clarifies SEC regulations to ensure small businesses may participate in educational demo days without having to verify that attendees are accredited investors. This is a burdensome process meant only for security solicitation, not just informal conversations.

I encourage all my colleagues to support this important bill.

□ 1630

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

Mr. HENSARLING. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 8½ minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Speaker, there is a crisis right now in our country, and the fact of the matter is, we have more business concerns closing, going out of business, than being started. If you are concerned about economic growth, if you are concerned about growing payrolls, people being able to survive financially, you should be fixated on the fact that we have more businesses closing than opening.

Being someone who was here and spent a year of his life working on the JOBS Act, the individual bills, who was almost giddy that we had a bipartisan piece of success that so many of us were incredibly optimistic that was going to create some economic growth, and to be here today 4 years later dealing with something, I am sorry, that is almost absurd in the discussion: that the SEC has made it more restrictive today than it was before the JOBS Act.

Think about this: your university, your community college, your group brings together a number of little businesses that are trying to raise capital, and now under the interpretation that is coming at us, you are going to have to have security at the door to interview people, look at their financials. I mean, this is crazy.

Is the caterer going to have to get certified? How about the security person at the door, are they going to have to get security?

Think about what this means and the absurdity that little businesses that were trying to capitalize can't even tell their story without making sure that the people in the room hearing it have met some sort of definition that the SEC has imposed after we all thought we did a piece of legislation that opened up this type of communication.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 4498, the Helping Angels Lead Our Startups Act.

I cosponsored this bipartisan legislation because it will assist entrepreneurs in accessing angel investors, who provide critical financing for startup businesses and local entrepreneurs.

From construction companies to medical technology producers and manufacturing and perhaps even the next iPhone app, there are Pennsylvanians in my district who are full of forward-thinking ideas who need access to capital.

By revising an unintended bureaucratic regulation that places an encum-

brance on startup businesses, this legislation will further enable entrepreneurs access to the capital they need to create jobs and be successful.

Let me just say that again, Mr. Speaker. Here we have an example of a Washington, D.C., bureaucratic rule-making interpretation getting in the way of enabling entrepreneurs with good ideas from getting access to capital and subsequently creating jobs in local communities. There is a simple solution to fix that.

That is why I am supporting this legislation. I am proud of Pennsylvania's longstanding history as a leader in innovation, and I want to do everything I can to remove barriers and support our local job creators. I encourage all my colleagues to support this bipartisan legislation.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS), a member of the Committee on Rules.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding me the time.

The United States leads the global economy on innovation. There are a lot of pieces of the innovation agenda, some that Republicans and Democrats disagree on, some that they agree on. I am pleased to be here today on a small but important piece that can help move the innovation agenda forward, help America retain and grow its competitive advantage.

Let me set the scene. This could be a ballroom at a university, it could be a theater that is rented out for the night. There might be 5 or 10 teams of entrepreneurs who worked hard on their business plans. Perhaps they were part of some business plan competition to refine what they call their pitch deck. The audience fills out.

Who is in the audience?

It wouldn't be a worthwhile event if there weren't potential investors there. So, of course, the bulk of the audience—it could be half, it could be three-quarters, it could be most of it—will be accredited investors. They are the only people who can invest in these companies.

Who else should be in the room? Who do we want to make sure that we don't seal off the opportunity to learn and gain from that experience?

Well, it could be university faculty, graduate students, professors. They don't happen to be worth \$2 million, but they might have technical expertise. They might be able to be consultants. They might be professionals, lawyers and bankers, who might be able to assist the companies develop, patent their ideas, and raise money. It might be students and future entrepreneurs who want to learn about the pitch process so they, too, can refine their ideas and be on the stage the next time around.

That is what this bill allows, for us to make sure that the great opportunity that this country offers reaches

people from all economic backgrounds. We can't lock everybody except for the millionaires and billionaires out of the room that helps form the seed capital for tomorrow's great company.

HALOS does not change the existing law about who can and can't buy private securities. What it does do is allow folks who are not accredited investors, who are not there as a potential investor to be in the room, to learn from the experience, to perhaps get a job if they are an aspiring programmer, to have to team up with one of the companies that presented as a co-founder to complement some of the competencies that the other founder has, to make sure that they, too, are in that great room of opportunity.

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

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

Mr. POLIS. I thank the gentleman.

Mr. Speaker, I believe our startup communities will be strengthened. Startup ecosystems like the ones that I am proud to say exist in towns like Fort Collins and Boulder in my district can be made more diverse through this law and will inevitably make sure that those in the room can expand opportunity beyond people who are already millionaires and billionaires.

Mr. Speaker, I urge my colleagues to vote "yes."

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

Mr. Speaker and Members, we have heard a lot of conversation from the opposite side of the aisle about what the SEC has done or has not done. As a matter of fact, it was represented that the SEC had misinterpreted the bill. That is not true.

We absolutely need rules of the road. We need to make sure that we are protecting investors. We need to make sure that we are not allowing folks to be put at great risk who don't understand or know what is happening in these rooms. I am concerned about these demo days on campuses where students may be encouraged in these presentations to invest their parents' money or get their parents involved in schemes that they may not be aware of.

Why is this so important to us?

It is important to us because we have arrived at a time in the Congress of the United States where we recognize the need for consumer protection. Prior to the recession that we had that was created in 2008 because of the subprime meltdown and the faulty products that were placed out in the marketplace by banks and financial institutions, consumers were really ignored and not protected.

We have payday loans that target our communities that charge 400 to 500 percent interest and take advantage of some of the most vulnerable people in our society. We have all of these fraudulent mortgages that almost brought

this country down, that created a recession—almost a depression—and we are still finding out about some of the exotic products that they put out on the market that tricked people into signing on the dotted line who eventually lost their homes.

We have the fiduciary duty that we have been debating in Congress.

Do you know why we are debating that?

We are debating that because we have investment advisers who were in conflict with the people they were supposed to be protecting and supposed to be advising, and they literally were advising seniors, who had savings for their retirement, to invest in plans that they would ultimately lose all of their money in.

So in addition to payday loans and fraudulent mortgages and conflict of interest and fiduciary, we have had mandatory arbitration and on and on and on. We have arrived at a time when Democrats are implementing Dodd-Frank. We are making sure that we have the Consumer Financial Protection Bureau that is doing the work that had not been done all of these years.

Yes, we are concerned about this. We supported the JOBS Act. We supported it with an amendment that I put in there that said that you must take reasonable opportunities to ensure that you know who these investors are. We are talking about accredited investors, folks who have resources, folks who know how this game is operated, folks who can protect themselves. They have lawyers, they have consultants, all of that.

What we don't want is—we don't want these students and we don't want people who walk in off the street who may be presented with an opportunity that is not a real opportunity.

For example, what if we had something like Corinthian that is a private, postsecondary school that we had to close down, or DeVry University, or the University of Phoenix, or the Trump University?

Any of these could present themselves as credible businesses to be invested in, only to find out later that the students have been misled, they have not gotten jobs, they don't have anything. They have not made any money. We are saying this is another effort to simply protect those who oftentimes are the targets of the rip-offs and the fraud.

I would ask my colleagues to support the amendment that I am going to put to the bill to make sure that they know who is in the room. I would ask them to support this simple amendment that was made in order in the Committee on Rules to make sure that we are protecting those investors and keeping them from getting ripped off.

Now, some of my friends on the opposite side of the aisle would have you believe that we are not interested in capital formation, that we are not interested in entrepreneurship, that we are

not interested in joint ventures. That is absolutely not true. As a matter of fact, folks on this side of the aisle are fighting to make the financial institutions responsible and the banks to make loans where they should be making loans. We have to have a CRA to make sure that they are doing what they should be doing with the depositors' money and on and on and on. We fight for small businesses every day.

We joined up with our colleagues on the opposite side of the aisle to support the JOBS Act even though we had some concerns, and the SEC tried to make sure that we had the kind of legislation that would protect these investors.

Now they are saying: We don't like what the SEC is doing. They are misinterpreting it. They are messing this all up.

Well, that is not true. Now, we know they don't like the SEC. As a matter of fact, they do everything that they can to limit their funding so that they cannot be effective. But these are our cops on the block. The SEC is our cop on the block to try and make sure that we limit the rip-off and the fraud and the undermining of average citizens in our society. We support the JOBS Act. We believe that we should not have these operations on the campuses without knowing who is in the room and allowing investors to be put at risk.

Mr. Speaker and Members, I would ask for a "no" vote on the bill. I am going to ask for an "aye" vote on the amendment that is going to come up. If my colleagues on the opposite side of the aisle accept this very, very reasonable amendment, then I will vote to support the bill. But if they don't show any concern or compassion for the interests of investors, then I cannot support the bill, and I will ask my caucus not to support the bill. It is as simple as that.

□ 1645

When are we going to stop the fraudulent operations in this country that rip off working people every day, rip off students, and don't care about our investors who are interested in capital formation and investing in real enterprises that can help to grow their business and make some money themselves? When are we going to recognize we can do both?

We don't have to just be on the side of those who would take advantage of people. We must be on the side of both—our investors who are willing to put up money and our businesses who need capital formation—but somehow we always end up letting the most vulnerable people in our society be the target of fraud by those who take advantage of them.

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

Mr. HENSARLING. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 2½ minutes remaining.

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

Mr. Speaker, again, I am very, very happy that yet another bipartisan bill has come out of the Financial Services Committee to try to get this economy working for working people. I took note that there were more Democrats coming to the floor in favor of the bill than against the bill, and that almost 80 percent of the members of the Financial Services Committee reported this bill favorably.

Now, the ranking member spoke passionately about trying to help the most vulnerable. She cares about investor protection. But, Mr. Speaker, the only people who can buy these securities in a private offering are millionaires. So the question is: Who do you care more about, the millionaire investors or the working poor who need better jobs?

You can't have capitalism without capital, and yet the ranking member would put one more burden in front of small businesses and entrepreneurs trying to create businesses so that people can have better jobs and a better future for themselves and their families.

I am glad we have millionaire investors. I wish we had more of them. But they are already protected. You must be an accredited investor in order to partake, to actually buy the security. All we are debating now is whether you are going to have to prescreen, as the gentleman from Arizona said, the caterer or the security guard at the door, to be part of the demo day—something, Mr. Speaker, that was perfectly legal and had gone on for years and years and years prior to this SEC rule.

Yet we have an agency, the Securities and Exchange Commission, creating law out of thin air, making it more difficult for the working poor to find better jobs, to make sure that people have a better career path, to make sure that we can find the next Facebook. They are making it more difficult.

I believe this will have strong bipartisan support on the floor. We all need to support the HALOS Act, H.R. 4498. At the end of the day, who are you going to come down in favor of, the working poor or millionaire investors who are already protected? This side of the aisle will come down in favor of the working poor who need jobs in an economy that has been hurt by Obamanomics.

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

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT NO. 1 OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

Ms. MAXINE WATERS of California. Mr. Speaker, I have an amendment at the desk.

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

The text of the amendment is as follows:

Page 5, line 5, strike "and".

Page 5, after line 5, insert the following:

(D) does not receive any compensation for making introductions between investors attending the event and issuers, or for investment negotiations between such parties; and Page 5, line 6, strike "(D)" and insert "(E)".

Page 5, line 11, strike "and".

Page 5, line 23, strike the period and insert "; and".

Page 5, after line 23, insert the following:

(5) where attendance to the event is limited to members of an angel investor group or to accredited investors.

At the end of the bill, insert the following:

(c) DEFINITION OF ISSUER.—For purposes of this section and the revision of rules required under this section, the term "issuer" means an issuer that is in day-to-day operations as a business, is not in bankruptcy or receivership, is not an investment company, and is not a blank check, blind pool, or shell company.

The SPEAKER pro tempore. Pursuant to House Resolution 701, the gentlewoman from California (Ms. MAXINE WATERS), and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MAXINE WATERS of California. Mr. Speaker, as I mentioned during the general debate on H.R. 4498, I am offering this amendment today in order to clarify and improve the bill. If this amendment is accepted, I am prepared to support this legislation.

Indeed, I support the goal of connecting angel investor groups with companies seeking funding, particularly startups and emerging firms. Angel investor groups tend to be comprised of highly sophisticated individuals with significant experience investing in higher risk offerings. They tend to curate their groups carefully and are good gatekeepers for these demo day events.

As such, my amendment seeks to support the efforts of these angel investor associations without creating a harmful loophole in some of the protections we put in place when we adopted the JOBS Act of 2012. This amendment includes several provisions to advance these goals.

First, my amendment stipulates that no sponsor of a demo day can collect finders' fees for connecting investors to companies. This provision ensures that event sponsors—colleges, nonprofits, trade associations, or otherwise—don't have perverse incentives to drum up securities sales.

Second, my amendment limits the relief offered under the bill to actual operating companies in the "real economy." As such, it excludes certain entities like shell companies and investment vehicles like hedge funds. I think that my amendment is appropriately calibrated to ensure that the benefits provided under the bill go to startups like technology firms or manufacturing companies rather than opaque or speculative firms.

Third, my amendment would codify the relief the SEC has already provided for angel investor groups as it relates to these demo days. This will provide legal certainty to these groups without

opening up any new loopholes. Let me describe how this would work.

If the company wants to hold a demo day and also condition the market for a securities sale, as H.R. 4498 would allow, they would have to curate the group of people that attend the event. To be clear, under the bill as currently drafted, companies aren't limited to holding science fair-style demonstrations. They can discuss actual securities being offered, the types and amounts of those securities, who has already subscribed to their offerings, and how they intend to use the proceeds of the offering.

Under the SEC's relief and codified in this provision in my amendment, companies can hold these presentations, can talk about their securities, and can solicit attendance. They can even avoid the accredited investor verification requirement in the JOBS Act. They just have to call their existing networks of accredited investors and angel investor group members rather than blasting out an invitation to an entire college campus. If companies do want to blast out the invitation to entire campuses, they still can; they just have to abide by the verification provisions in the JOBS Act.

In summary, this amendment I am offering today ensures that no loopholes to the JOBS Act verification requirement are opened up, that all manner of conflicted fees are prohibited, and that the benefits of the bill go to actual operating companies. And that is very important, actual operating companies.

Mr. Speaker, whether it is through my work to clarify and improve the JOBS Act during the 112th Congress or my work with members on the committee this Congress to amend the definition of "accredited investors" or through my amendment today, I have long shown a willingness to work in good faith on issues related to capital formation. I would urge my colleagues to adopt my amendment so that we can all support a strong, bipartisan bill.

Mr. HENSARLING brags about how many Democrats supported this bill. He brags about the fact that, in committee and then on the floor, we all tried to be very cooperative in the JOBS Act. And I bent over backwards to ensure that we could get a JOBS Act to see what could happen with creating jobs, but what they have done now is to go a step further beyond what we agreed upon.

Mr. Speaker, I ask for an "aye" vote on my amendment.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I rise in opposition to the amendment.

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

Mr. HENSARLING. Mr. Speaker, the amendment from the ranking member of the Financial Services Committee effectively repeals the HALOS Act.

We are having the same debate that we just had. It would effectively outlaw

demo days as they are currently practiced. The whole idea of the HALOS Act is to ensure that demo days, which existed prior to this SEC rule, will continue and that startups can continue to have access to capital without the additional burden of having to screen those who actually come in to demo days.

Mr. Speaker, again, a private offering. The security can only be purchased by an accredited investor. Those are the existing rules. So there is almost a mythical group that the ranking member is attempting to protect. At the end of the day, these are millionaire investors who are the angel investors, who are the accredited investors whom we need to help fund these startups.

What the gentlewoman from California's amendment does, again, is guts the bill. It basically just simply codifies this SEC rule, and that absolutely overturns the congressional intent to make sure that we have greater access to capital.

In addition, there is an entire new defined term of "issuer" in her amendment, notwithstanding the fact that this is already defined in section 3(aa) of the Securities and Exchange Act of 1934. So we have undefined, vague terms that are being introduced here.

I would also remind the gentlewoman from California and all that the HALOS Act already prohibits a sponsor from engaging in investment negotiations between the issuer and investors, charging event attendees any fees other than administrative fees, and receiving any compensation that would require the sponsor to register with the SEC as a broker-dealer or investment adviser.

So these are ill-placed concerns that at the end of the day put up yet another hurdle for angel investors funding the next new Facebook, the next new Costco, the next new Starbucks, and putting tens of thousands of Americans back to work.

It is time that we affirm the JOBS bill, not gut the JOBS bill, and I would urge all Members to reject the amendment of the gentlewoman from California.

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

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, and on the amendment by the gentlewoman from California (Ms. MAXINE WATERS).

The question is on the amendment by the gentlewoman from California (Ms. MAXINE WATERS).

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

Ms. MAXINE WATERS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on adoption of the amendment will be followed by 5-minute votes on:

A motion to recommit, if ordered; Passage of the bill, if ordered; and The motion to suspend the rules and pass S. 1890.

The vote was taken by electronic device, and there were—yeas 139, nays 272, not voting 22, as follows:

[Roll No. 170]

YEAS—139

Adams Gallego
Bass Garamendi
Beatty Graham
Becerra Grayson
Bishop (GA) Green, Al
Blumenauer Green, Gene
Bonamici Grijalva
Boyle, Brendan Hahn
F Hastings
Brady (PA) Heck (WA)
Brown (FL) Higgins
Butterfield Hinojosa
Capps Honda
Capuano Hoyer
Carson (IN) Huffman
Cartwright Israel
Castor (FL) Johnson (GA)
Castro (TX) Johnson, E. B.
Chu, Judy Keating
Cicilline Kelly (IL)
Clark (MA) Kennedy
Clarke (NY) Kildee
Clay Kilmer
Clyburn Kind
Cohen Kirkpatrick
Courtney Sarbanes
Crowley Larsen (WA)
Cuellar Larson (CT)
Cummings Lee
Davis (CA) Levin
Davis, Danny Lewis
DeFazio Lieu, Ted
DeGette Loebsack
DeLauro Sires
DeBene Lofgren
DeSaulnier Lowenthal
Deutch Lowey
Dingell Lujan Grisham
Doggett (NM)
Doyle, Michael Luján, Ben Ray
F (NM)
Duckworth Maloney,
Edwards Carolyn
Engel Matsui
Esty McCollum
Farr McDermott
Frankel (FL) McGovern
Fudge Mc Nerney
Gabbard Meeks
Meng

NAYS—272

Abraham Carter (GA)
Aderholt Carter (TX)
Aguilar Chabot
Allen Chaffetz
Amash Clawson (FL)
Ashford Cleaver
Babin Coffman
Barletta Cole
Barr Collins (GA)
Barton Collins (NY)
Benishek Comstock
Bera Conaway
Beyer Connolly
Bilirakis Cook
Bishop (MI) Cooper
Bishop (UT) Costa
Black Costello (PA)
Blackburn Cramer
Blum Crawford
Bost Crenshaw
Boustany Culberson
Brady (TX) Curbelo (FL)
Brat Davis, Rodney
Bridenstine Delaney
Brooks (AL) Denham
Brooks (IN) Dent
Brownley (CA) DeSantis
Buchanan DesJarlais
Buck Diaz-Balart
Bucshon Dold
Burgess Donovan
Bustos Duffy
Byrne Duncan (SC)
Calvert Duncan (TN)
Cárdenas Ellison
Carney Ellmers (NC)

Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer

Moore
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Payne
Pelosi
Perlmutter
Pingree
Pocan
Price (NC)
Quigley
Rangel
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Takano
Thompson (MS)
Tonko
Tsongas
Vargas
Veasey
Velazquez
Visclosky
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

Emmer (MN)
Eshoo
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Cole
Flores
Forbes
Fortenberry
Foster
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Duffy
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.

Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Salmon
Sanford
Scalise

Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—22

□ 1719

Messrs. FARENTHOLD, GROTHMAN, RUSSELL, POE of Texas, Ms. HERRERA BEUTLER, Mr. HULTGREN, Ms. ESHOO, Messrs. CULBERSON, ROKITA, CALVERT, WITTMAN, and SHUSTER changed their vote from "yea" to "nay."

Messrs. CARSON of Indiana, KILMER, and SCHIFF changed their vote from "nay" to "yea."

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for: Mr. ELLISON. Mr. Speaker, during rollcall vote No. 170 on H.R. 4998, I mistakenly recorded my vote as "no" when I should have voted "yes."

The SPEAKER pro tempore (Mr. CARTER of Georgia). 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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 325, nays 89, not voting 19, as follows:

[Roll No. 171]

YEAS—325

Abraham	Dold	Kinzinger (IL)
Aderholt	Donovan	Kirkpatrick
Aguilar	Duckworth	Kline
Allen	Duffy	Knight
Amash	Duncan (SC)	Kuster
Ashford	Duncan (TN)	Labrador
Babin	Edwards	LaHood
Barletta	Ellmers (NC)	LaMalfa
Barr	Emmer (MN)	Lamborn
Barton	Eshoo	Lance
Beatty	Esty	Larsen (WA)
Benishek	Farenthold	Larson (CT)
Bera	Farr	Latta
Beyer	Fincher	Levin
Bilirakis	Fitzpatrick	Lieu, Ted
Bishop (GA)	Fleischmann	Lipinski
Bishop (MI)	Fleming	LoBiondo
Bishop (UT)	Flores	Loebsack
Black	Forbes	Long
Blackburn	Fortenberry	Loudermilk
Blum	Foster	Love
Bost	Fox	Lucas
Boustany	Franks (AZ)	Luetkemeyer
Boyle, Brendan F.	Frelinghuysen	Lujan Grisham
Brady (TX)	Garamendi	(NM)
Brat	Garrett	Lujan, Ben Ray
Bridenstine	Gibbs	(NM)
Brooks (AL)	Gibson	Lummis
Brooks (IN)	Goodlatte	Maloney,
Brownley (CA)	Gosar	Carolyn
Buchanan	Gowdy	Maloney, Sean
Buck	Graham	Marchant
Bucshon	Granger	Marino
Burgess	Graves (GA)	Massie
Bustos	Graves (LA)	Matsui
Byrne	Graves (MO)	McCarthy
Calvert	Griffith	McClintock
Capps	Grothman	McCollum
Cárdenas	Guinta	McHenry
Carney	Guthrie	McKinley
Carter (GA)	Hahn	McMorris
Carter (TX)	Hardy	Rodgers
Castor (FL)	Harper	McSally
Castro (TX)	Harris	Meadows
Chabot	Hartzler	Meehan
Chaffetz	Heck (NV)	Meeks
Clawson (FL)	Hensarling	Meng
Coffman	Herrera Beutler	Messer
Cole	Hice, Jody B.	Mica
Collins (GA)	Hill	Miller (FL)
Collins (NY)	Himes	Miller (MI)
Comstock	Hinojosa	Moolenaar
Conaway	Holding	Mooney (WV)
Connolly	Hoyer	Moulton
Cook	Hudson	Mullin
Cooper	Huelskamp	Mulvaney
Costa	Huizenga (MI)	Murphy (FL)
Costello (PA)	Huntgren	Murphy (PA)
Courtney	Hunter	Neal
Cramer	Hurd (TX)	Neugebauer
Crawford	Hurt (VA)	Newhouse
Crenshaw	Jenkins (KS)	Noem
Crowley	Jenkins (WV)	Nolan
Cuellar	Johnson (OH)	Nugent
Culberson	Johnson, Sam	Nunes
Curbelo (FL)	Jolly	Olson
Davis (CA)	Jones	Palazzo
Davis, Rodney	Jordan	Palmer
DeFazio	Joyce	Paulsen
DeGette	Katko	Pearce
Delaney	Keating	Perlmutter
DelBene	Kelly (IL)	Perry
Denham	Kelly (MS)	Peters
Dent	Kelly (PA)	Peterson
DeSantis	Kennedy	Pingree
DesJarlais	Kilmer	Pitts
Deutch	Kind	Poe (TX)
Diaz-Balart	King (IA)	Poliquin
	King (NY)	Polis

Pompeo	Scalise	Turner
Posey	Schiff	Upton
Price (NC)	Schrader	Valadao
Price, Tom	Schweikert	Vargas
Quigley	Scott, Austin	Veasey
Ratcliffe	Scott, David	Vela
Reed	Sensenbrenner	Wagner
Reichert	Sessions	Walberg
Renacci	Shimkus	Walden
Ribble	Shuster	Walker
Rice (NY)	Simpson	Walorski
Rice (SC)	Sinema	Walters, Mimi
Rigell	Smith (MO)	Walz
Roby	Smith (NE)	Weber (TX)
Roe (TN)	Smith (NJ)	Webster (FL)
Rogers (AL)	Smith (TX)	Wenstrup
Rogers (KY)	Speier	Westerman
Rohrabacher	Stefanik	Whitfield
Rokita	Stewart	Williams
Rooney (FL)	Stivers	Wilson (SC)
Ros-Lehtinen	Stutzman	Wittman
Roskam	Swalwell (CA)	Womack
Ross	Takai	Woodall
Rothfus	Thompson (CA)	Yarmuth
Rouzer	Thompson (PA)	Yoder
Royce	Thornberry	Yoho
Ruiz	Tiberi	Young (AK)
Ruppersberger	Tipton	Young (IA)
Russell	Titus	Young (IN)
Salmon	Trott	Zeldin
Sanford	Lance	Zinke
	Tsongas	

NAYS—89

Adams	Gabbard
Bass	Gallego
Becerra	Grayson
Blumenauer	Green, Al
Bonamici	Green, Gene
Brady (PA)	Grijalva
Brown (FL)	Hastings
Butterfield	Heck (WA)
Capuano	Higgins
Carson (IN)	Honda
Cartwright	Huffman
Chu, Judy	Israel
Ciçilline	Johnson (GA)
Clark (MA)	Johnson, E. B.
Clarke (NY)	Kaptur
Clay	Kildee
Cleaver	Langevin
Clyburn	Lee
Cohen	Lewis
Cummings	Lofgren
Davis, Danny	Lowenthal
DeLauro	Lowe
DeSaulnier	Lynch
Dingell	McDermott
Doggett	McGovern
Doyle, Michael F.	McNerney
Ellison	Moore
Engel	Nadler
Frankel (FL)	Napolitano
Fudge	Norcross
	O'Rourke

NOT VOTING—19

Amodei	Jeffries	Sewell (AL)
Conyers	Lawrence	Torres
Fattah	MacArthur	Van Hollen
Gohmert	McCaul	Wasserman
Gutiérrez	Pittenger	Schultz
Hanna	Richmond	Westmoreland
Issa		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1726

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEFEND TRADE SECRETS ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1890) to amend chapter 90 of title 18, United States Code, to provide

Federal jurisdiction for the theft of trade secrets, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 2, not voting 21, as follows:

[Roll No. 172]

YEAS—410

Abraham	Cramer	Harris
Adams	Crawford	Hartzler
Aderholt	Crenshaw	Hastings
Aguilar	Crowley	Heck (NV)
Allen	Cuellar	Heck (WA)
Ashford	Culberson	Hensarling
Babin	Cummings	Herrera Beutler
Barletta	Curbelo (FL)	Hice, Jody B.
Barr	Davis (CA)	Higgins
Barton	Davis, Danny	Hill
Bass	Davis, Rodney	Himes
Beatty	DeFazio	Hinojosa
Becerra	DeGette	Holding
Benishek	Delaney	Honda
Bera	DeLauro	Hoyer
Beyer	DelBene	Hudson
Bilirakis	Denham	Huelskamp
Bishop (GA)	Dent	Huffman
Bishop (MI)	DeSantis	Huizenga (MI)
Bishop (UT)	DeSaulnier	Hultgren
Black	DesJarlais	Hunter
Blackburn	Deutch	Hurd (TX)
Blum	Blum	Diaz-Balart
Boustany	Blumenauer	Dingell
Boyle, Brendan F.	Bonamici	Doggett
Brady (PA)	Bost	Dold
Brady (TX)	Boustany	Donovan
Brat	Boyle, Brendan F.	Doyle, Michael F.
Bridenstine	Brady (PA)	Duckworth
Brooks (AL)	Brady (TX)	Duffy
Brooks (IN)	Brat	Duncan (SC)
Brown (FL)	Bridenstine	Duncan (TN)
Brownley (CA)	Brooks (AL)	Edwards
Buchanan	Brooks (IN)	Ellison
Buck	Brown (FL)	Ellmers (NC)
Bucshon	Brownley (CA)	Emmer (MN)
Burgess	Buchanan	Engel
Bustos	Buck	Esty
Byrne	Bucshon	Farenthold
Calvert	Burgess	Farr
Capps	Bustos	Fincher
Cárdenas	Butterfield	Fitzpatrick
Carney	Byrne	Fleischmann
Carter (GA)	Calvert	Flores
Carter (TX)	Capps	Forbes
Castor (FL)	Capuano	Fortenberry
Castro (TX)	Cárdenas	Foster
Chabot	Carney	Frankel (FL)
Chaffetz	Carson (IN)	Frankel (FL)
Chu, Judy	Carter (GA)	Franks (AZ)
Ciçilline	Cartwright	Frelinghuysen
Clark (MA)	Castor (FL)	Fudge
Clarke (NY)	Castro (TX)	Gabbard
Clawson (FL)	Chabot	Gallego
Clay	Chaffetz	Garamendi
Cleaver	Chu, Judy	Garrett
Clyburn	Ciçilline	Gibbs
Coffman	Clark (MA)	Gibson
Cohen	Clarke (NY)	Goodlatte
Cole	Clawson (FL)	Gosar
Collins (GA)	Clay	Gowdy
Collins (NY)	Cleaver	Graham
Comstock	Clyburn	Granger
Conaway	Coffman	Graves (GA)
Connolly	Cohen	Graves (LA)
Cook	Cole	Graves (MO)
Cooper	Collins (GA)	Grayson
Costa	Collins (NY)	Green, Al
Costello (PA)	Comstock	Green, Gene
Courtney	Conaway	Griffith
	Connolly	Grijalva
	Cook	Grothman
	Cooper	Guinta
	Costa	Guthrie
	Costello (PA)	Hardy
	Courtney	Harper

Luján, Ben Ray (NM)	Pitts	Smith (MO)
Lummis	Pocan	Smith (NE)
Lynch	Poe (TX)	Smith (NJ)
Maloney, Carolyn	Poliquin	Smith (TX)
Maloney, Sean	Polis	Smith (WA)
Marchant	Pompeo	Speier
Marino	Posey	Stefanik
Matsui	Price (NC)	Stewart
McCarthy	Price, Tom	Stivers
McClintock	Rangel	Stutzman
McCollum	Ratcliffe	Swalwell (CA)
McDermott	Reed	Takai
McGovern	Reichert	Takano
McHenry	Renacci	Thompson (CA)
McKinley	Ribble	Thompson (MS)
McMorris	Rice (NY)	Thompson (PA)
Rodgers	Rice (SC)	Thornberry
McNerney	Richmond	Tiberi
McSally	Rigell	Tipton
Meadows	Roby	Titus
Meehan	Roe (TN)	Tonko
Meeks	Rogers (AL)	Trott
Meng	Rogers (KY)	Tsongas
Messer	Rohrabacher	Turner
Mica	Rokita	Upton
Miller (FL)	Rooney (FL)	Valadao
Miller (MI)	Ros-Lehtinen	Vargas
Moolenaar	Roskam	Veasey
Mooney (WV)	Ross	Vela
Moore	Rothfus	Velázquez
Moulton	Rouzer	Visclosky
Mullin	Roybal-Allard	Wagner
Mulvaney	Royce	Walberg
Murphy (FL)	Ruiz	Walden
Murphy (PA)	Ruppersberger	Walker
Nadler	Rush	Walorski
Napolitano	Russell	Walters, Mimi
Neal	Ryan (OH)	Walz
Neugebauer	Salmon	Waters, Maxine T.
Newhouse	Sánchez, Linda T.	Watson Coleman
Noem	Sanchez, Loretta	Weber (TX)
Nolan	Sanford	Webster (FL)
Norcross	Sarbanes	Welch
Nugent	Sarbanes	Wenstrup
Nunes	Scalise	Westerman
O'Rourke	Schakowsky	Whitfield
Olson	Schiff	Williams
Palazzo	Schrader	Wilson (FL)
Pallone	Schweikert	Wilson (SC)
Palmer	Scott (VA)	Wittman
Pascrell	Scott, Austin	Womack
Paulsen	Scott, David	Woodall
Payne	Sensenbrenner	Yarmuth
Pearce	Serrano	Yoder
Pelosi	Sessions	Yoho
Perlmutter	Sherman	Young (AK)
Perry	Shimkus	Young (IA)
Peters	Shuster	Young (IN)
Peterson	Simpson	Zeldin
Pingree	Sinema	Zinke
	Sires	
	Slaughter	

NAYS—2

Amash

Massie

NOT VOTING—21

Amodei	Issa	Sewell (AL)
Conyers	Jackson Lee	Torres
Eshoo	Jones	Van Hollen
Fattah	Lawrence	Wasserman
Gohmert	MacArthur	Schultz
Gutiérrez	McCaul	Westmoreland
Hahn	Pittenger	
Hanna	Quigley	

□ 1733

So (two-thirds being in the affirmative) the rules were suspended and 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. McCaul. Mr. Speaker, on April 27, 2016, I missed the following votes:

H.R. 4923—American Manufacturing Competitiveness Act of 2016—“Yea.”

H.R. 699—Email Privacy Act—“Yea.”

S. 1890—Defend Trade Secrets Act of 2016—“Yea.”

H.R. 4498—HALOS Act Amendment No. 1—“Nay.”

P.Q.—“Yea.”
Rule—“Yea.”
MTR—“Nay.”
Passage—“Yea.”

Had I been present for these votes, with the exception of H.R. 4498 Amendment No. 1 and MTR where I would have voted “nay”, I would have voted “yea” for each.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4901, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS RE-AUTHORIZATION ACT; PROVIDING FOR CONSIDERATION OF H.J. RES. 88, DISAPPROVING DEPARTMENT OF LABOR RULE RELATED TO DEFINITION OF THE TERM “FIDUCIARY”; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 2, 2016, THROUGH MAY 9, 2016

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 114-533) on the resolution (H. Res. 706) providing for consideration of the bill (H.R. 4901) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 88) disapproving the rule submitted by the Department of Labor relating to the definition of the term “Fiduciary”; and providing for proceedings during the period from May 2, 2016, through May 9, 2016, which was referred to the House Calendar and ordered to be printed.

BONNIE SCOTT—PEACE CORPS VICTIM

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

Mr. POE of Texas. Mr. Speaker, targeted, bullied, and terrorized, these are the words that Bonnie Scott used to describe her dismissal from the Peace Corps.

One month after reported allegations that another U.S. Peace Corps member had harassed and sexually assaulted two local women, Scott was dismissed—interesting. This is not the first time that we have heard of these actions.

In 2015, a report found that one in five Peace Corps volunteers were victims of sexual assault. Half of the victims do not report their attacks. Many state that they were blamed by the Peace Corps for their sexual assaults.

Even though Congress has passed the Kate Puzey Peace Corps Volunteer Protection Act of 2011, the Peace Corps has work to do to protect these amazing ambassadors abroad.

Mr. Speaker, Peace Corps volunteers are the best America has. These volunteers must know that America will protect them overseas. If a crime occurs against them, America will stand by them, not abandon them. And if a crime is committed, they need to know the crime is not their fault; it is the fault of the perpetrator.

And that is just the way it is.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, I was detained with a meeting off campus at the White House. I would like to indicate my vote on the Waters amendment. For the Waters amendment, I would have voted “aye”; for final passage of H.R. 4498, Helping Angels Lead Our Startups Act, I would have voted “no”; and for S. 1890, Defend Trade Secrets Act, I would have voted “aye.”

EL DIA DE LOS NINOS: CELEBRATING YOUNG AMERICANS

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to recognize April 30 as El Dia de Los Ninos: Celebrating Young Americans.

This holiday serves to honor and celebrate the importance of children in our Nation. El Dia de Los Ninos, which when translated means Day of the Children, helps bring Hispanic families and other communities together nationwide to recognize the importance of literacy and education for all children.

Recognizing this day highlights the growing presence of Hispanic youth in the United States and the lasting impact of Hispanic Americans on the social, political, economic, and cultural fabric of this Nation.

This important holiday is celebrated by numerous countries and more than 130 cities across the United States. In order to support the many cities, counties, States, and communities that already celebrate El Dia de Los Ninos, I will introduce a resolution with Senator BOB MENENDEZ to recognize April 30 as El Dia de Los Ninos: Celebrating Young Americans.

Senator BOB MENENDEZ, Senator JACK REED, and Representative RUBÉN HINOJOSA began the movement to recognize El Dia de Los Ninos 17 years ago. I am committed to continuing their work.

I urge my colleagues to support this important holiday and to join me in co-sponsoring my resolution to recognize April 30 as El Dia de Los Ninos: Celebrating Young Americans.

UNAUTHORIZED SPENDING ACCOUNTABILITY ACT

The SPEAKER pro tempore (Mr. TROTT). Under the Speaker’s announced policy of January 6, 2015, the gentleman from Florida (Mr. YOHO) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. YOHO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on tonight’s Special Order.

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

There was no objection.

Mr. YOHO. Mr. Speaker, I want to very quickly thank all of the Members who have volunteered their time to speak tonight. I know they are running on a tight schedule, as we all are.

With that in mind, I yield to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS), a tireless advocate for conservative values, whose bold leadership, tenacity, and kindness make her one of this body's greatest Members. I would like to thank her for introducing H.R. 4730, the Unauthorized Spending Accountability Act, that is a vitally important piece of legislation that will go a long way in helping to eliminate Federal programs that have not been authorized by Congress, yet somehow still come in to receive appropriations. I am a proud cosponsor of this legislation, and encourage all Members of the House to support it.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I thank the gentleman for bringing us together this evening. This is a very important discussion. It really goes to what is foundational about America in Article I and the authority that rests in Congress, as outlined in Article I.

I am looking forward to this Special Order and hope that we will continue this discussion in the weeks ahead. But a big thank you to the gentleman from Florida for his leadership and bringing us all together.

In the fall of 2014—so this was right after the Ice Bucket Challenge—Gail Gleason, who is a mom in my district in eastern Washington, had a meeting with me. She was almost in tears because CMS, the Centers for Medicare & Medicaid Services, was proposing new rules and regulations that would take away the important communication device for those who have lost their ability to speak, largely impacting a lot of ALS patients. Her son, Dave Gleason, is a football player, a football star. She came to me in desperation because CMS rules were going to take away his communication device.

Do you know what? This is just one of many examples where bureaucrats, arrogant and unaccountable so often and disconnected from their mission, are making rules and regulations outside of the Congress, outside of the vote and of the approval of the elected representatives of the people.

I think about the VA, the Veterans Administration. This is an agency that is dedicated to our veterans. So often our veterans feel like they get lost. Instead of having the red-carpet treatment, they feel like they are given the runaround. They have to wait weeks and weeks, even, just to schedule a simple doctor's appointment.

Recently, the FDA came out with new rules, 400-page menu labeling rules, that for a pizza restaurant would require them to somehow disclose on a menu board the 34 million combina-

tions of pizza. Land management, environmental regulations, threatening to regulate every mud puddle in America from Washington, D.C., and the list goes on and on.

Our Founding Fathers envisioned three branches of government—very important. There was the judicial branch, the legislative branch, and the executive branch. Each one has very important roles. No one person was to be making all of the decisions.

□ 1745

Part of the reason that people in this country are so frustrated today is due to 1600 Pennsylvania. The President has been delegitimizing us as an institution and in our role as Representatives on behalf of the people. Too often, Members of Congress feel like we are bystanders in the process as more and more rules and regulations are generated outside of our input and certainly outside of our approval.

It is interesting to note that the Capitol—the Congress—is really the center of Washington, D.C. Our Founding Fathers, I think, envisioned that this would be the center and that all other roads would lead from the Capitol. The White House is actually on a side street down on Pennsylvania.

How did we go so far from being what our Founders envisioned—a body that is closest to the people, most accountable to the people? How do we restore people's trust in this institution, which is the branch of government that is directly elected by them?

At the start is Article I of the Constitution—getting our government off of autopilot and restoring the decision-making that belongs in the House and in the Senate with the elected Representatives of the people.

There are many ideas out there as to how to restore the balance of powers, but I want to focus on one in particular—a way that we can be positive disruptors, can challenge the status quo, take back the power of the purse, and get the Federal Government off of autopilot. That is by tackling what we refer to as “unauthorized spending.”

There are hundreds of programs and departments that have stayed on the books despite the fact that their deadlines have come and gone. I like to refer to them as “zombie” government programs, potentially living beyond their intended lifespans because they have not been authorized in years and sometimes in decades. For example, the VA hasn't been authorized since 1996; the BLM hasn't been authorized since 1998, as well as other agencies, such as the Federal Election Commission. There is a long list. It is estimated that over \$300 billion in spending is in these unauthorized programs.

If we, the elected Representatives, committed to doing our jobs—reviewing, rethinking, possibly eliminating these programs if they have exceeded their lives—the people would be well served.

I recently introduced the USA Act, the Unauthorized Spending Account-

ability Act, to require these expired “zombie” programs to be renewed, to hold the bureaucrats accountable who have become disconnected from their missions. Programs and agencies should not receive taxpayer funding unless the people's Representatives—their voices in government—have authorized them to do so.

The demands on families, on businesses, and on institutions have changed. In some ways, the only place that hasn't changed is Congress. We need to rethink government from the top-down and restore the power of the purse. Article I is just as relevant today as it was at the founding of our country. Our Founders recognized that every individual is made in the image of God. We celebrate the potential of every individual, and our laws must reflect the will of the people. This is the genius of America.

Mr. YOHO. I thank the gentlewoman from Washington for her great words in preserving our Constitution and for the work that she is doing to bring Article I powers back to the House.

We get blamed a lot for the dysfunction in this country about what this body is not doing, and the gentlewoman is so right in bringing this power here; so I thank her for her leadership on that.

Mr. Speaker, I yield to a stalwart from the great State of Utah, Mrs. MIA LOVE, who is leading a charge and is making quite a name for herself.

Mrs. LOVE. I thank the gentleman.

Mr. Speaker, I am so excited to talk about Article I. Right now I am working on a project called the Article I Project in order to restore Article I back to the United States Congress.

Today I rise on behalf of all of the Utahans in my home State who have expressed frustration with our regulatory state. For decades, Congress has essentially delegated many responsibilities to executive agencies. As a result, unelected and unaccountable agencies have impacted American lives more than the decisions have of their elected officials. In this Congress, for example, 146 bills have been signed into law after going through the House and the Senate. Meanwhile 3,378 rules and regulations were finalized last year alone, joining thousands of others that ultimately cost the American economy \$4 trillion a year.

Our Constitution is designed to preserve individual liberty, but this government instead seeks to increase bureaucratic influence. The American people deserve better. They deserve Representatives of their choosing who are empowered to make decisions. They also deserve to know that if those Representatives fail, they can hold them accountable and bring about change. At the end of the day, that is what restoring constitutional powers is about—giving the American people a voice. It is for that cause, especially, I am proud to fight.

Mr. YOHO. I thank the gentlewoman from Utah, and I appreciate the work she is doing.

Keep it up. We only have a Nation to save.

Mr. Speaker, the United States Constitution is the supreme law of the United States of America. Ours is the shortest Constitution in existence and is the longest-serving—227 years since its ratification in 1789. Our Founders can have many things said of them, but one thing we can all agree on is, through divine guidance, they got this as near to perfection as a document can be.

Our Constitution has created the freest, the largest middle class, the most successful country on the planet. For the first time in recorded history, it has allowed people to become self-determining, it has allowed for personal freedoms never before seen in human history. It grants us unalienable rights, those being life, liberty, and the pursuit of happiness. It allows for personal property rights.

These are the things that allow a Republic, as ours, to flourish and for ideas to be created and expanded upon because they allow for the possibility of that unlimited potential inside each and every human on the planet. It is our Constitution that allows for the way of life we have for which others will risk everything, including life, so as to have a chance at freedom.

So it is a document worth protecting, preserving. It is a document that should be revered by all so we can pass it on to our future generations, as well as the prosperity and the good fortune that was inherited by us, this generation. The price that has been paid came from the blood, sweat, and tears of our Founders, from the people who came before us, and from every military person, including their spouses and families; and each and every Member of Congress takes an oath and a pledge to uphold our Constitution.

Article I, section 1 reads: “All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

Article I, section 8 lists clearly that Congress has the power to lay and collect taxes, to provide for the common defense, to regulate commerce, to declare war, to establish a uniform rule of naturalization. It ends in 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.”

The President’s responsibility, as delineated in Article II, section 3, reads that the President is to see that the Laws are faithfully executed. I want to repeat that. The President is to see that the Laws are faithfully executed. This is called the Take Care Clause.

I have only spent 3 years here, but in that time we have watched this body work multiple times to rein in not just the executive branch, but the administrative agencies. We have sued the

President and have won two times in the Supreme Court. We have had fights over the power of the purse. We have had Supreme Court fights whether it has been dealing with immigration laws and rules or not enforcing the laws on the books. We have fought the President just on enforcing the laws that are already on the books. We don’t need any more laws. We just need to follow the ones we have.

This is not just this administration—this is previous administrations—but I fear where we are going in this next election. If we don’t get our House in order, if we don’t bring back Article I powers to this House, at that point, when we overstep the boundaries of our Constitution by an executive branch or by administrative agencies, it is too late to try to reel them in. Now it is urgent to do that. To put it off any longer would be buying fire insurance for your house after your house catches on fire. It is too late.

In addition, as I talked about, we have fought overstepping, out-of-control Federal agencies that are wreaking havoc on American businesses and are costing every American, according to the CBO estimates, approximately \$14,500.

If I look at the administration’s rules and regulations that have come out since 1999 to 2008, there have been approximately 750 rules that have come out. From 2009 to 2015, there have been over 530 rules coming out just from the Obama administration. If I look at the final rules and regulations that were issued just under George Bush, the amount for his 8 years was 2,430. When I look at President Obama’s rules and regulations—and we are only 4 months into his last year and term—to date, the Obama administration has had over 28,000 rules and regulations coming out, which are strangling and suffocating American businesses, paid for by the American taxpayers.

I recently introduced H. Res. 693, which asks for a permanent select committee to investigate not just this executive branch, but all future ones so that we can have in place a vehicle to rein in an overstepping administration.

Mr. Speaker, I yield to a colleague and a classmate of mine from the State of Texas, Mr. RANDY WEBER, who has cosponsored H. Res. 693. I appreciate the gentleman’s work on this important topic.

Mr. WEBER of Texas. I thank my friend from Florida (Mr. YOHO) for yielding the floor and for leading this Special Order and introducing H. Res. 693.

Mr. Speaker, as of yesterday, the Obama Presidency was 90 percent over. So let’s do a quick recap of just what has happened over these past 7½ years.

First, the President violated the Constitution by unilaterally changing sections of the Affordable Care Act at least 23 times without having congressional approval. That is Public Law 111-148. Even though he said, probably, on some 20 occasions that he didn’t

have constitutional authority to do things, he still did them.

Two, the President and the Department of Justice were in direct violation of their constitutional responsibility to the Defense of Marriage Act, which is Public Law 104-199.

The President and his department of injustice continue to choose not to enforce Federal drug laws, which are Public Law 91-513, the Controlled Substances Act, and Public Law 100-690, the Anti-Drug Abuse Act of 1986.

The President violated the Constitution by making Presidential appointments to the National Labor Relations Board and to the Consumer Financial Protection Bureau while Congress was not in session, so declared by him.

I have read the Constitution, Mr. Speaker. Only the Senate majority leader can decide when the Senate is in session, not the President. I might add that the President was slapped down by the Supreme Court 9-zip.

Further, the President and the department of injustice abused executive privilege in the Operation Fast and Furious scandal by refusing to comply with a subpoena that was issued by the Committee on Oversight and Government Reform of the United States House of Representatives, thereby violating section 192 of title II, United States Code.

The President violated the law, which is Public Law 89-236, by unilaterally changing our Nation’s immigration laws with regard to deferred action, giving illegal aliens access to government programs and tax credits that are funded by our constituents, which is in contravention of our Constitution.

The President and the Department of Health and Human Services failed to enforce Federal law, which is Public Law 111-5, by illegally waiving the work requirement for welfare recipients.

Under this President, the IRS violated the First Amendment to the United States Constitution by targeting nonprofit organizations because of their religious or political beliefs.

The President and the Department of Defense knowingly violated the National Defense Authorization Act, the NDAA of 2014, which is Public Law 113-66, by not providing a 30-day notice to Congress prior to transporting five Guantanamo detainees to Qatar in a prisoner swap.

□ 1800

Some would say in military terms that the terrorists got five nuclear weapons and we got one conventional weapon, which turned out to be a dud.

The President and his administration continue to move forward with his plan to close the Guantanamo detention facility and move the detainees.

By the way, did you know that one out of three prisoners released rejoin their terrorist organizations and wind up at the front lines, seeking to kill yet more Americans?

Folks, it is the duty of the legislative branch to write and pass laws, the judicial branch to interpret those laws, and

the executive branch's duty to enforce those same laws.

The very success of our form of government comes from this simple balance of powers. This critically important founding principle is currently being trampled on by this President while most of our citizens may not even be aware of its damaging implications.

Our Nation's laws are not mere suggestions to be dismissed on a whim. Our laws are binding. If we in Congress allow this or any President to ignore the rule of law, then we allow the foundation of our Nation to be shattered.

I thank my colleague, Mr. YOHO, for introducing this resolution of which I am a proud cosponsor.

Mr. Speaker, there you have it. You know I am right.

Mr. YOHO. Mr. Speaker, I thank the gentleman from Texas (Mr. WEBER). I appreciate him standing up for the rule of law because, if we are not a Nation of law, everything falls apart, civil society falls apart.

Just last week in my district there was a fight over transgender bathrooms. It is a fight people want to have.

We came up here at the beginning of last week and spoke in front of the Supreme Court. They heard the argument on the President's Executive order on November 20, 2014, to waive our immigration laws and grant 4 to 5 million people here illegally resident status.

That case was heard last week, and there was a large group of proponents wanting the Supreme Court to side with the President. Our President has said over 22 times that he cannot change that law. He has admitted to that.

I thought it was ironic that the people in my district were arguing over transgender bathrooms and the group up here—and I know a lot of them were here illegally—were arguing in the United States of America in front of the Supreme Court, the freest country in the world. The only reason that they can come up and have a voice of dissent is because we have a Constitution.

Our Constitution, when it was formed, wasn't a Republican idea and wasn't a Democratic idea. It was something that came together after 1,000 years from the Magna Carta on up that formed a Constitution that formed the Republic that we have.

When I look at the people arguing—and, you know, it is the Republicans against the Democrats or the Conservatives against the Liberals or whatever group you want to put in there—the only reason we have those arguments is because we have a document that is an American document. It is American ideology that all parties should come together to preserve. That is why this argument is so important.

Mr. Speaker, I yield to the gentleman, a freshman from the State of Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I commend Representative YOHO for

holding this Special Order on executive overreach.

As a lifelong healthcare professional and former businessowner, I believe the healthcare industry is flooded with examples of President Obama's administration overreaching its authority and either ignoring congressional intent or refusing to enforce laws enacted by Congress.

As recent as last Monday, April 18, the FDA issued new guidance related to the Drug Quality and Security Act and compounding pharmacists.

On November 27, 2013, President Obama signed the Drug Quality and Security Act, DQSA, into law. Within the DQSA, several important provisions were related to the oversight of compounding human medications.

In fact, DQSA created two types of compounding pharmacies, 503A pharmacies and 503B pharmacies. 503A compounding pharmacies are small, community pharmacies that only compound small quantities of medication to a very limited number of doctors and patients with very specific needs.

A perfect example of this is a servicemember who has lost a limb in war. Some servicemen and -women who have lost their limbs experience significant amounts of pain that regular medication does not adequately address. Compounded medication helps with this specialized need.

503B compounding facilities are those outsourcing facilities that manufacture compounded medications and ship them all over the country.

When Congress debated DQSA, many statements were made by both House and Senate congressional Members stating that there was no intent for this bill to restrict State pharmacy licensing boards and their local control of small, community pharmacies.

In fact, the FDA was directed by Congress that, in regards to inspection standards, 503B facilities would be the only ones subjected to good manufacturing inspection standards. You would think that that would make sense, that only manufacturing facilities would be subjected to good manufacturing practice standards.

In addition, congressional intent was clear that 503A community pharmacies could continue to provide office-use compounded medication as they had always done. Did FDA adhere to the obvious congressional intent of DQSA related to compounding? No.

FDA's recent guidance states that all medication that is compounded by small, community pharmacists needs to have a specific patient prescription.

Your local dermatologist, who keeps a local anesthetic in the office to remove skin to test for cancer, is going to have to write a prescription, have the patient go to the pharmacist, get their prescription filled, and then schedule another appointment before checking to see if they have skin cancer.

This goes against all congressional intent, to allow State pharmacy boards

to continue local control of their small pharmacies. Now, all State pharmacy boards that allow office use have had their powers taken away from them.

The FDA guidance also pointed out that, except under certain circumstances, good manufacturing inspection standards will always be used to inspect all compounding pharmacies.

So pharmacists who provide specialized compounded medication to one patient with a specific need will be subjected to large corporation inspection standards that will cost significant financial investments.

In essence, the FDA has ignored congressional intent related to the DQSA and has ultimately eliminated an entire sector of the healthcare industry that was providing specialized care to patients with special needs.

In fact, the HHS informed my office that, if we continue to pursue this matter and try to rein in the FDA's overreach, we, Congress, would be responsible for the next 100 deaths from compounded medication. This example is just one of many that I have experienced with this administration.

Recently, HHS instituted a rule that would require pharmacy benefit managers to update their maximum allowable cost list every 7 days. These MAC lists control what pharmacists are reimbursed. If they are not updated regularly, pharmacists lose business because they are not reimbursed by Medicare at the present market price.

A recent call with the inspector general of HHS informed my office that pharmacy benefit managers are not complying with this new rule because HHS has not designated anyone to ensure that pricing lists are updated every 7 days.

Mr. Speaker, let me rephrase that. HHS is not enforcing their rules on MAC price updating because no one is assigned to enforce this law. You would think that, if a rule was created, the agency would work to enforce that rule, but apparently not.

Over the last 7½ years, President Obama's administration has shown a complete disregard for Article I of our Constitution and the powers that our Founding Fathers wanted this institution to have.

They interpret enacted legislation against the intent of Congress, they refuse to enforce laws that were meant to bring transparency to the American people, and they choose when congressional direction is applicable law and when it is not.

This body should take a long, hard look at the actions of these agencies. They are not following the law and intent that was created by this body, and action should be taken to remove these bureaucrats so the American people can have the government they deserve.

Again I want to thank the gentleman, Representative YOHO, for bringing this to light. This is a very serious subject that needs to be addressed.

Mr. YOHO. Mr. Speaker, I thank the gentleman from Georgia for his comments, for his work, and for bringing this to light because, again, these issues that we are discussing are not Republican or Democrat.

This is about the rule of law and maintaining the uniqueness of this institution, and that is something all Americans benefit from. If we lose it, all Americans are going to be hurt by that.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. BENISHEK), a friend and colleague.

Mr. BENISHEK. Mr. Speaker, I thank Mr. YOHO for organizing this Special Order hour.

You know, this is one of the reasons I ran for Congress. The abuse of power and executive overreach coming from the White House right now is completely unacceptable.

Like many of my colleagues here tonight, I am a firm believer in the Constitution. I believe it is the duty of the President to faithfully execute the law, not to willfully ignore it for political gain.

A President cannot implement legislation through Executive orders or agency rulemaking. Yet, we have witnessed this administration launch attacks against the Second Amendment, impose burdensome regulations through the EPA and other agencies, and enact many policies without the support of Congress or the American people.

I have spoken to a wide array of my constituents throughout the northern half of Michigan in the time I have been here in Congress. They are constantly telling me about some new regulation that some Federal agency is coming up with that doesn't seem to do anything as far as promoting welfare or improving the environment, but it is simply making it more difficult for businesses to remain open. It is really affecting their ability to hire people.

In my district, one of the big complaints we have had is the EPA attempting to limit the ability to have a wood stove. Well, it gets pretty cold in northern Michigan in the winter, and people save money by cutting their own wood and burning it in their homes. Then the EPA comes out saying that we can't have wood stoves that don't meet this criterion, and it doesn't make any sense for people in my district.

Furthermore, the EPA's waters of the U.S. proposal to regulate ditches to manmade ponds doesn't do one thing to truly protect our water resources. Instead, it overloads small farmers, loggers, and other businesses with needless red tape and compliance costs.

There is a reason that our Founding Fathers created separate, but equal, branches of government. The executive branch and agencies like the EPA are charged with carrying out the intent of Congress. We have made incredible strides in cleaning up our Nation's air and water.

However, what happens when these giant bureaucracies start to feel themselves becoming relevant? Unelected bureaucrats began writing onerous legislation to justify their own existence, and they do this with absolutely no regard for the practical effect that these regulations have on local families and businesses.

Mr. YOHO. Mr. Speaker, I reclaim my time.

I got a notice from the EPA when I first got up here. It was January 2014, and it was a pamphlet with their new regulations.

In that, what they were talking about is that their new rules and regulations would have minimal effect on air quality and human health, but they are going ahead anyway.

In the example you brought up about the wood-burning fireplaces, we have done a tremendous job of cleaning up the air quality in this country, as other countries need to do, but we shouldn't go after things that aren't going to really have a difference.

I yield to the gentleman from Michigan.

Mr. BENISHEK. Mr. Speaker, I agree with the gentleman from Florida.

In my district, although it has been several years, the EPA shut down the construction of a brand-new coal plant. Okay? This coal plant would have been the purest coal-fired power plant in the country.

It ran with new technology, and there is no reason for it being shut down. This plant would not even produce any CO₂. That CO₂ was being captured by the coal plant and used by industry to create other products.

So this administration has taken on a proposal and used the EPA not to make our environment better, but to have a war on coal. I mean, the EPA and the President doesn't talk about making our atmosphere and our environment cleaner. It talks about a war on coal.

□ 1815

That is just the wrong attitude to have, and it really needs to be directed by Congress. It is unbelievable what we have gone through. It can cause economic damage to this country. Right now we are competing with the Chinese who don't have any significant pollution controls on their power plants, and we have invested billions as Americans, each one of us, by paying for more expensive power to really clean up our atmosphere.

How are the Chinese doing that?

Now that we have basically cleaned up our atmosphere, they want to impose even higher and higher standards that actually are causing our business to go down and steel production is going over there where they are polluting even worse.

Mr. YOHO. Reclaiming my time, I think you and I were in a meeting the other day in one of the committees. We had a fellow, he was an attorney who worked under the Reagan White House,

and he worked with the EPA. He was saying the EPA went from regulations to clean stuff up. Now it is regulations that you can't. You can't have coal-fired power plants, you can't do this, and it was an agency of can't. I think you were in that meeting. It shows, again, the overstepping of agencies, and it shows how administrations or executive branches rewrite laws or they legislate from the executive branch through the administrative agencies, and we have seen an increase in this.

Again, it is not just this administration, but I think President Obama, this administration has done us a favor by bringing this to light with the 24,000 regulations that are coming out that are crippling the American economy and businesses. If it is doing that, it is crushing the middle class and all Americans.

Mr. BENISHEK. Will the gentleman yield?

Mr. YOHO. I yield to the gentleman from Michigan.

Mr. BENISHEK. Mr. Speaker, the things we are talking about here today really are examples of the Federal Government getting involved in things that they don't have the right to do. I think a lot of it comes from these bureaucrats that are just writing regulations that really you can't comply with, and that is basically the reason that these coal-fired power plants are going out of existence.

Most of these problems have been eliminated by the work that we have done on improving our environment, and I applaud that America has made the investment before any other country in making that happen, but to regulate us to the point that businesses are going overseas and polluting the planet worse because of our policies, because if we did the stuff here, we would do it cleaner.

The University of Michigan has had an environmental research station in northern Michigan in my district for the last 60, 70 years. The scientists at the University of Michigan tell me that most of the mercury that falls from the sky in Michigan comes from China and India, that we have essentially eliminated mercury as a problem in the environment from our industry here. But because we are not dealing with that problem of the Indians and the Chinese doing that, we are ignoring that and actually giving them the ability—by not having to comply with a lot of these rules, the ability to pollute the planet worse than we would if we were doing those things here.

Mr. YOHO. May I add to that?

Mr. BENISHEK. Sure.

Mr. YOHO. We went to a coal-fired power plant in our district, and they were saying in the old days a typical coal-fired power plant would put out approximately 50 pounds of mercury a year. Today it is less than 2 pounds. That is a significant difference from 50 to 2. That is a 48-pound reduction in mercury going into the atmosphere.

What is the significance and the benefit going from 2 pounds to 0, and at what cost do you go forward?

Being a veterinarian for 30 years, I have never treated an animal with mercury toxicity. I think you need to have common sense in regulations, and, of course, the worst place to go for that is government.

I will let you continue.

Mr. BENISHEK. Mr. Speaker, I want to thank Mr. YOHO for putting on this Special Order hour. I am very happy to be able to participate in it. I think that we really need to be sure the American people are aware of what is going on and that they make their decisions when they go to the polls based on this information. So thank you very much.

Mr. YOHO. I appreciate the gentleman's participation and his leadership.

Mr. Speaker, this is not a Republican or Democratic argument. That should not even weigh into this. It is not conservatives versus liberals. These are American ideologies that we all have to come together to preserve, and I can't think of one person more suited to talk about this than somebody I have a lot of admiration for who sits on the House Committee on Agriculture with me. He is from the State my wife is from, the State of Iowa.

I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Florida for pulling this Special Order together and for his generous introduction, and especially for Mr. YOHO's leadership on the restoration of article I authority and addressing the executive overreach that has become part and parcel of the Obama administration. It didn't begin there, but it needs to end with the next President of the United States and be slowed down in the last months of the Obama administration.

Mr. Speaker, I was just exercising a thought here as I was reviewing some of the executive overreach that we have seen from this President, and it occurred to me to take a look at the Declaration of Independence and review some of what I will call the lamentations of our Founding Fathers. It is to this effect, Mr. Speaker. When we get to the laments, these are the things, the wrongs that have been committed by the King of England.

It says in the Declaration: "The history of the present King of Great Britain is a history of repeated injuries and usurpations"—that sounds like the history of our current President of the United States—"all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world."

This is from our Declaration, Mr. Speaker. I will just quickly hit some of these.

"He has refused his Assent to Laws . . ."

"He has forbidden his Governors to pass Laws . . ."

"He has refused to pass other Laws for the Accommodation . . . of people . . ."

"He has called together Legislative Bodies at Places unusual . . ."

"He has dissolved Representative Houses repeatedly . . ."

"He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby"—summarizing that, hindering legislative activity elsewhere.

"He has endeavored to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither . . ."

"He has obstructed the Administration of Justice . . ."

"He has made Judges dependent on his Will . . ."

"He has erected a Multitude of new Offices"—that would be his czars.

"He has kept among us, in Times of Peace, Standing Armies . . ."

Well, not quite, but rumors of them do exist.

We could go on and on and on, the grief that King George dished out on our original colonists here at the time of the Revolution, at the time of this Declaration of Independence on July 4, 1776, but I look at the present times, and it rings to be pretty close—along the way there are echoes of 1776—in the overreach of the President of the United States.

I mentioned them. This is a list from some testimony before the Executive Overreach Task Force, which I have the privilege to chair, and among this list are some of these:

He has appointed policy czars to high-level positions to avoid constitutionally required confirmation hearings—that could be lifted almost right out of the Declaration of Independence.

By modifying, delaying, and ignoring various provisions of ObamaCare, in violation of the law itself—that is a long list of things on ObamaCare that the President has altered outside of the law.

By attacking private citizens for engaging in constitutionally protected speech—utilizing the IRS to diminish that as well.

By issuing draconian regulations regarding sexual assault on campus.

By ignoring 100 years of legal rulings and the plain text of the Constitution and trying to get a vote in Congress for the D.C. Delegate—I had forgotten that one, actually.

By trying to enact massive immigration reform via an executive order, demanding that the Department of Homeland Security both refuse to enforce existing immigration law and provide work permits to millions of people residing in the U.S. illegally.

Now, these all ring like the laments, the charges that were laid against King George in 1776. It is the same tone. It is a similar message. It is going outside the law and outside the Constitution.

By imposing Common Core standards on the States via administrative fiat.

By ignoring bankruptcy law and arranging Chrysler's bankruptcy to ben-

efit labor unions at the expense of bondholders.

And I could continue.

Well, here is one that is of significant interest to my State and I think to Florida and many other States, and that is his imposition of a regulation called the Waters of the United States. That dropped on us on May 27, 2015.

The Waters of the United States said we are going to regulate all the navigable waters of the United States. Oh, and this ambiguous term that is called—let's see. It used to be "and waters hydrologically connected to them." That got litigated into being too ambiguous even for the courts to tolerate. They are the masters of ambiguity. But instead they put the language in that said "these waters of the United States shall be the navigable waters of the United States and waters that have a significant nexus to the waters of the United States."

Now, a significant nexus is going to be determined by the administration, another term of ambiguity.

I see some eagerness over here on the part of the gentleman from Florida. Does he have something to add?

Mr. YOHO. The interpretation we got: "and seasonably wet areas." I come from Florida. It is seasonably wet all year long. I mean, we get 57 to 60 inches of rain a year, so everything is seasonably wet in our great State, and they fall into that. The little puddle in my yard, when it rains, it might stand 3 or 4 inches. We are on a sandy soil. When it stops raining, it goes away in 5 minutes, but that could be interpreted as navigable waters, and I am probably 10 miles from a body of water. It is just amazing.

Mr. KING of Iowa. Well, to the gentleman from Florida, we may have a legitimate competition going on here. The Waters of the United States regulation would put 96.7 percent of my State under the EPA's regulatory jurisdiction. Florida would be a competitor to that number, I would think.

Mr. YOHO. Yes, it would be all of Florida.

Mr. KING of Iowa. All of Florida. I have said that once you regulate waters hydrologically connected to or once you get to define significant nexus, that goes all the way up to the kitchen sink. We know that soil itself, whether it is under water, it can be saturated with water, and just old black Iowa dirt can be 25 percent water, so they have got it all, this overreach of the Federal Government.

Our Founding Fathers envisioned that there would be a competition between the branches of government to sustain their constitutional authority in each branch. They wanted to draw as bright a line as possible between the three branches of government, with the courts being the weakest of the three. They expected that we would jealously guard the constitutional authority. Congress writes all the laws. The President is supposed to enforce all the laws. That should be pretty clear. But

the President has reached across that over and over and over again, as evidenced by this list of laments that I offer, Mr. Speaker.

Does the gentleman from Florida have something to add?

Mr. YOHO. As I traveled as a veterinarian, and I was talking to somebody, we got in a discussion about the Constitution, and they wanted to know why I was so hung up on it. I explained to them that the very people that are fighting to preserve our founding principles that our rights come from a Creator, not from government, that government is instituted by men and women to preserve those God-given rights, and that our core values of life, liberty, and the pursuit of happiness, the unalienable rights of those things, that all men are created equal, and they are protected by the Constitution.

I said it is that very document that people are fighting to preserve that give people on the left a voice of dissension or people on the right a voice of dissension. I said: If we lose those very things that made America great, if we lose those, people will lose their voice of dissension. If you don't believe that, go to a country like Cuba, go to China, go to Iran and proselytize. It is not possible.

The amazing thing is that person called me about 30 minutes later and said: You know, we got thinking about that, and that really is what this is about. It is not Republican or Democrat. It is not conservative or liberal. Those are American ideologies that made this country great.

I would hope our friends on the other side of the aisle would come and say: You guys are right, we want to preserve the constitutional principles.

Does the gentleman from Iowa have anything else to add?

Mr. KING of Iowa. I thank the gentleman from Florida for those timeless thoughts. Something that our Founding Fathers discovered was a concept that was relatively new to society at the time, and that is the concept of God-given liberty and God-given rights, natural rights, natural rights that did emerge with Locke, for example, in the United Kingdom, but they hadn't been implanted into culture and civilization until they were implanted in America.

Here we are in this country, everyone that serves in this Chamber takes an oath to support and defend the Constitution of the United States, as do all the Senators on the other end of this Capitol Building, as does everyone who puts on a uniform to defend our country, and many of them who serve within our executive branch as well. The President is a bit of an exception because he is required to deliver an oath to preserve, protect, and defend the Constitution of the United States, and he is required to take care that the laws be faithfully executed.

□ 1830

And what he has done, instead, is turn himself into an independent legis-

lative body. He has said 22 times: I don't have the constitutional authority—and I am going to summarize here—to grant amnesty to millions of people in America. That is up to the legislature.

He taught the Constitution at the University of Chicago for 10 years as an adjunct professor teaching Con law. And that was the message, I am sure, that he taught in those classrooms; and it was a message he taught in a classroom out here at one of the high schools in D.C. shortly before he decided to reverse his position and impose this edict of amnesty on the United States, which went down through a long path of litigation for more than 2 years and a week ago last Monday was heard before the United States Supreme Court, at least in the DAPA case—the deferred action for parents of anchor babies is actually what that acronym stands for, in my view.

So I take this oath that I have to support and defend the Constitution seriously. I have the privilege of serving on the Constitution and Civil Justice Subcommittee of the House Judiciary Committee and of chairing this task force. I congratulate the gentleman from Florida for stepping up to the lead on this issue.

Mr. YOHO. If I may add to one of your comments, because you brought up the philosophers Locke and Howe, philosophers of old, when we look at the American period of time—227 years, roughly, the U.S. Constitution and a constitutional Republic as a country have been in existence, the longest time a republic has been in existence—when you go back to the beginning of human recorded history to today and you look at the American period where we are at today, it is but a dot on that timeline.

Yet that dot represents the largest middle class that has ever been allowed to happen. It is the first time there have been property rights that you can have and the right to pursue life, liberty, and the pursuit of happiness. It is only possible because we had a Constitution that preserved those rights. So I would think we could all come together and protect those rights for the next generation, for the posterity of this Nation.

I would like to see if you had any thoughts on that, and then I will close.

Mr. KING of Iowa. I am looking at our job and our destiny here, and I think that our constitutional obligation is to restore the pillars of American exceptionalism. You can identify many of them in the Constitution itself. In the Bill of Rights it is pretty well summarized: freedom of speech, religion, the press, the freedom to peaceably assemble and petition the government for redress of grievances.

The Second Amendment rights, which are the property rights that the gentleman mentioned, I would point out that, in the Kelo decision, which happened about 10 years, the Supreme

Court ruled that they could amend the Constitution itself. Well, they didn't say they did, but that was the effect of their decision. "Nor shall private property be taken for public use without just compensation" is part of the Fifth Amendment. The Supreme Court ruled that private property could be taken for private use as long as there was just compensation. So they struck the three words "for public use" as a conditional clause out of the Fifth Amendment. We had a Supreme Court that amended the Constitution, effectively.

We have a Supreme Court last June that amended ObamaCare by writing words into it; "or Federal Government" would be the three words inserted there. And then, the next day, they decided they would create a new command in the Constitution, a command that all States shall conduct same-sex weddings and honor them from other States, as if somehow that were the will of the people or something done under the Constitution.

This is an appalling reach on the part of the Supreme Court. It is even more appalling on the part of the President of the United States, and it is our task to identify what needs to be done and start down that mission of restoring the constitutional authority and this balance between the branches of government.

I am happy to have a chance to say a few words.

Mr. YOHO. Today, in one of our committees, we were hearing about the Attorney General and how she stated that those who speak out against the administration's climate change policy possibly being a crime.

Think about that. They are examining if you speak out against something that is unfavorable to an administration. It is going against freedom of speech, our First Amendment, the very things that we fought for and that everybody who has come before us has fought for. I think this would be something that would scare everybody, if we are that close to losing the very document.

I hold in my hand—and you have seen me do this before—the Declaration of Independence, in total, and the U.S. Constitution, in total. I think we can all agree this is not an epic in volume. I can read this in a day. This is not an epic in volume, but yet it is an epic in ideology of what free men and women can do in a country that honors and reveres this document. It just so important that we come together.

As I stated earlier, I think Mr. Obama has done us a favor in showing us how weak we have become as an institution and how weak our rule of law is. And for us to succeed and continue as a constitutional Republic, we must—we have to—bring those Article I powers back to this body.

I yield to the gentleman.

Mr. KING of Iowa. I thank the gentleman from Florida for that statement. I absolutely believe that, deeply.

I think one of the important things is that we educate the young people on

what the Constitution says and what it means. We have a President of the United States who was a professional Constitution teacher, who we know knows the history and the text of the Constitution and takes his oath to preserve, protect, and defend it and take care that the laws be faithfully executed and explains it in stop after stop succinctly, in ways that I agree with this President, and then he turns around and, by his own definition—and by his definition is all I am referring to here, Mr. Speaker—breaks his own oath. So we are here now trying to restore the knowledge base of America.

Members of Congress arrive here as freshmen, and they take an oath to the Constitution. They don't know what it means anymore. The Supreme Court thinks they can amend the Constitution; they can manufacture new commands in the Constitution; they can violate Article I authority. And the President can do so at will.

But I would point out that, 13 times, the President of the United States' position has been unanimously reversed by the United States Supreme Court—President Obama, 13 times, unanimously reversed. Another 11 times, he has lost on a 5-4 decision.

So he has stretched this Constitution beyond that. Even his own appointees in the Supreme Court can't stomach it; that is how bad this is. But I want to see the right appointments to the Supreme Court so the whole Constitution is revered, respected, and we see cases go before the Court and, once again, we can predict the Court will rule on the Constitution rather than their political whims.

Mr. YOHO. I appreciate you bringing that up, because you bring up how many times it has been overstepped as of recent, but other administrations have done it in the past. But it sets a precedent from this point forward. If we don't rein it in now, when do you rein it in? Do you wait for the next candidate to come in? And we have had talks about that. If we don't do it now, it be would like buying fire insurance after your house catches on fire. It doesn't work.

So it is so important that we come together as a body. Again, the Constitution is not a product of Republicans or Democrats or conservatives or liberals. The Constitution is not a function of government. Government is a function of the Constitution.

When government steps over the boundaries of the Constitution, it is us—we, the people—the Representatives that were sent up here to hold and rein in the branches that are out of balance. This is all about bringing the three branches of government into balance.

Let me just wind up with this. Mr. Speaker, once again, I would like to thank all the Members who have joined me this evening. Restoring Article I powers is so vital to the survival of our constitutional Republic.

At this very moment, there are individuals seeking the highest office in

the land who have stated, if Congress disagrees with them, they have no qualms about taking action on their own, circumventing Congress and disregarding the founding principles enshrined in our Constitution. That should give concern to everybody.

The time has arrived for us to take action to restore this institution to the one the Founders envisioned. Granted, you can say what you want about our Founding Fathers, but they got this right—again, as you and have I have talked about, with divine intervention—and they put in place a way to amend it to make it better, not to get rid of it. It is time for us to stand up for this body, the people's House.

I will leave you with this reminder. All it takes for evil or tyranny to prevail or for our constitutional Republic to fail is for those good men and women to do nothing.

I, Mr. Speaker, and the people that have joined us tonight, our colleagues that participated, will not sit idly by when the very document that has allowed so many people to be free, to achieve beyond their beliefs to a level never before ever achieved in human history, is being marginalized by inaction.

I know my good friend from Iowa feels the same. And if you have any last remarks, you have got about 1 minute, if you want to wrap it up.

Mr. KING of Iowa. I thank, again, the gentleman from Florida. I appreciate you coming to the floor with this leadership that is here. If no one stepped forward in leadership and we just went along as if somehow the Constitution were going to be restored, it would never be restored. And I would remind people, Mr. Speaker, that it is one thing to give lip service to the Constitution; it is another to exercise it.

Freedom of speech is being exercised here right now. Freedom of assembly is being exercised across this country right now. The right to keep and bear arms, if it were never exercised, the liberals would define it away from us.

Any one of these rights that we have that come from God, defined by our Founding Fathers, is also something we have got to exercise and utilize; if not, over time, the enemies of freedom will find a way to say: Well, it is just an artifact of history.

If we stop exercising our right to keep and bear arms, in a matter of a generation, someone will say it is just an artifact of history. We are going to confiscate your guns. And after a while, they will zip your lip if you don't watch it. We can't let that happen.

So I appreciate this Special Order here tonight with the gentleman from Florida's leadership, and I appreciate my Constitution and the rights that come, especially from God.

Mr. YOHO. I thank my colleague from Iowa, and I want to thank everybody that participated.

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

The SPEAKER pro tempore. Members are advised to refrain from engaging in personalities toward the President.

CHILD NUTRITION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Virginia (Mr. SCOTT) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revised and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, more than 60 years ago, Congress responded to the Defense Department's concern that so many children were malnourished, they would be unfit for military service, that they passed the National School Lunch Act as a measure of national security to safeguard the health and well-being of our Nation's children.

Through the enactment of the first Federal child nutrition program, Congress recognized that feeding hungry children is not just a moral imperative, it is vital to the health and security of our Nation.

Mr. Speaker, I serve as the ranking member of the House Committee on Education and the Workforce. Our committee is tasked with making sure that all children have an equal shot at success, so it is only fitting that child nutrition programs fall within our committee's jurisdiction.

Just as there is a Federal role in ensuring that all children have access to quality education, regardless of where they live, what they look like, or their family's income, there is also a Federal role in ensuring that every child has access to healthy and nutritious food.

Research has repeatedly shown us that a lack of adequate consumption of specific foods, especially fruits and vegetables, is associated with lower grades among students; and child obesity affects all aspects of a child's life, from their physical well-being to their academic success and self-confidence.

So we have a choice to make. We can put money into these programs now and support healthy eating in schools, or we can cut corners and spend more money down the road on chronic diseases and other social services, putting the well-being of our children and our Nation's future at risk.

Either way, we will spend the money. In fact, researchers estimate that \$19,000 was the incremental lifetime medical costs of an obese child relative to a normal weight child who maintains that normal weight throughout adulthood. So it is important to keep

this tradeoff in mind as we talk about reauthorization of child nutrition programs.

The hallmark of a good reauthorization is that it makes progress; it moves us forward; it builds on what works and improves on what needs to be improved. So with this in mind, Democrats are ready to make improvements to the child nutrition programs and to protect the progress that has been made.

For example, we have made progress in creating a healthier school environment for students. The nutrition standards enacted after the 2010 bipartisan reauthorization are working. Around 99 percent of all schools are meeting the standards. Kids are eating better foods. Studies show that kids are eating up to 16 percent more vegetables and 23 percent more fruit at lunch.

□ 1845

Now, unfortunately, many are now advocating that we roll back the standards, and the Republican draft bill released last week makes numerous steps backwards by making less nutritious foods available in schools.

Another example of progress is the community eligibility provision. Enacted in the 2010 reauthorization, the community eligibility provision, or CEP, allows schools to provide free nutritious meals to all students without using the paper applications when a large portion of the students are deemed eligible because they are already receiving certain social benefits.

Schools love this, teachers love this, families love it, and kids love it. So why go backwards?

Again, unfortunately, the Republican bill does just that by making it harder for schools to use CEP, kicking thousands of schools out of CEP and back into the individualized paper application process.

So we are talking about a hugely popular option for schools that improves the health of children, makes everyone's job easier. If it ain't broke, don't fix it. And if it ain't broke, you shouldn't make a special effort to try to break it.

Our work on reauthorization of our school nutrition programs represents a great opportunity to continue to change the way children eat, to expand their access to nutritious meals, and to end the child hunger crisis in our Nation.

So we should ask ourselves if these are goals that we are willing to compromise or whether we will continue on that path that has resulted in healthier schools and communities.

The success of these programs are too many to mention, but it is my hope that we will continue to build on our success and invest in the future of our country.

Mr. Speaker, I yield to my friend from Ohio (Ms. FUDGE), the ranking member on the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Ms. FUDGE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, more than 21 percent of American children live in poverty. More than 15 million children live in food-insecure households. In fact, households with children are more likely to be food insecure than those without.

In my home State of Ohio, 16.9 percent of households experience food insecurity, and Ohio's rate is higher than the national average of 14.3.

Programs that affect child nutrition, such as the National School Lunch Program, the National School Breakfast Program, and the Summer Food Service Program, are essential tools in the fight to end child hunger.

Access to healthy foods during the school day and throughout summer feeding programs is essential to helping children thrive both academically and developmentally.

The Improving Child Nutrition and Education Act would increase the burden on schools with new verification requirements and increased community eligibility thresholds, or CEP.

I represent one of the Nation's most impoverished districts, with nearly 200,000 people living in poverty. Out of 435 districts and the District of Columbia, my district ranks 420th. Only 16 other districts in the United States fare worse than mine.

If passed, the changes to CEP alone could result in children across the country losing access to free and reduced-price meals at school, and that is unacceptable, Mr. Speaker.

The bill fails to make critical investments in the summer meal program. Meals served through the summer feeding program may be the only ones some children have in a day.

If the sponsors of the bill truly wanted to improve child nutrition, they would invest in summer meals to ensure eligible children do not go hungry during the summer months.

As we move towards reauthorization, we must strengthen and expand child nutrition programs. Our children's health and education are not budget-saving gimmicks.

I firmly believe that any attempt to reauthorize child nutrition programs must improve access to healthy foods year-round. This bill does not even come close to meeting the minimum requirement.

We must engage in bipartisan conversations about how to best meet the needs of all children.

I thank the gentleman for yielding.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentlewoman for her comments.

Mr. Speaker, I yield to the gentleman from California (Mr. DESAULNIER), a hardworking member of the Committee on Education and the Workforce.

Mr. DESAULNIER. Mr. Speaker, it is a pleasure to rise in support of my colleagues in urging the reauthorization of this act based on nutritional value and investment in this country's future and our young people.

Specifically, I want to take a minute to talk about the simultaneous issues of extreme hunger and obesity in this country and in my home State of California, which are nothing short of staggering.

Fourteen percent of people in California are food insecure. Twenty-three percent of California's children are food insecure. In my district, 14 percent of the total population is food insecure.

In the United States, three out of four public school teachers tell us that students regularly come to class hungry. Eighty-one percent say it happens at least once a week. Over 15 million American kids struggle with hunger.

On the other hand, American kids who eat school breakfast miss less school, get better grades, and are more likely to graduate from high school.

At the same time, there is a childhood obesity epidemic in this country. Childhood obesity has more than doubled in children and quadrupled in adolescents in the past 30 years, according to the Centers for Disease Control.

In 2012, more than one-third of children and adolescents were overweight or obese. One in three children in California are currently overweight or obese, according to the Pew Endowment Foundation.

Research shows that children living in States with strong school nutrition standards are more likely to maintain healthier weights.

The estimated annual health costs of obesity-related illness in the U.S. is a staggering \$190.2 billion, or nearly 21 percent of annual medical spending in the United States.

Childhood obesity alone is responsible for \$14 billion in direct medical costs. Ironically, the Federal Government spends \$15 billion every year on school food.

The work that we began with the Healthy, Hunger-Free Kids Act in 2010 is having an important and positive effect on both of these problems at once.

School meal participants are less likely to have nutrient inadequacies and are more likely to consume fruit, vegetables, and milk at breakfast and lunch.

Low-income students who eat both school breakfast and lunch have significantly better overall diet quality than low-income students who do not eat school meals.

The school meal nutrition standards are having a positive impact on student food selection and consumption, especially for fruits and vegetables.

Few packed lunches and snacks brought from home meet National School Lunch Program standards and Child and Adult Care Food Program standards.

Children in after-school programs consume more calories, more salty foods, and sugary foods on days that they bring their own snacks than on days they only eat the afterschool snack provided by the National School Lunch Program.

In California, I am pleased to say that we have figured it out for the kids, for their parents, for the purveyors who provide all of this healthy product, and for the students, the school administrators, and rank-and-file staff who distribute these foods.

Over 93 percent of school districts nationwide have met the improved lunch and breakfast standards, certifying them to receive Federally authorized school lunch reimbursement rate increases.

In California, we exceed the national compliance rates with 100 percent of our schools currently in compliance.

These standards are going a long way toward decreasing the health costs associated with malnutrition for both hungry and obese children. We must double down on these efforts, not turn away from them. Our children deserve at least this much from us.

I look forward to working with my colleagues on this effort.

Mr. SCOTT of Virginia. Mr. Speaker, I yield to the gentlewoman from Wisconsin (Ms. MOORE), a strong child advocate.

Ms. MOORE. Mr. Speaker, I thank the gentleman for recognizing me. I am really pleased to join the Ranking Member, BOBBY SCOTT, a mentor of mine and a good friend, MARCIA FUDGE, and others about the reauthorization of school meals and the WIC program. They are truly champions for ending hunger among children in this country.

And I believe no conversation could occur about hunger without having the indomitable Mr. MCGOVERN with us this evening.

Mr. Speaker, the Child Nutrition Reauthorization is really a critical opportunity for us to talk about the importance of improving access to healthy meals in schools and for maintaining strong nutrition standards.

For too many kids, Mr. Speaker, the only sure meals that they can count on on any given day are provided in school.

Yet, Mr. Speaker, unfortunately, the majority on the other side of the aisle are talking about how to make it harder for children, especially low-income children who are eligible for free and reduced-price meals, breakfast and lunch, to access these programs.

We should be using this reauthorization to address known gaps and to help children connect to these healthy meals. Nearly 10,000 more schools offer school lunch than offer school breakfast programs, and we should be trying to expand school breakfast rather than restricting them.

The Healthy, Hunger-Free Act in the nationwide implementation of the community eligibility program was so insightful. But, yet, we need to do more. Over 162,000 kids in my State qualify for free or reduced meals for lunch, and we need to reach them.

Now, what does the reauthorization that Republicans are bringing before us entail? What does it talk about? It talks about scaling back the successful

and proven community eligibility provision which we just implemented nationwide last year and really haven't scaled up to what it could be.

This innovative program actually works. We have proven it. We have metrics that prove that the program increases access and participation for low-income students, and it helps to reduce administrative burdens and costs for school staff.

Now, Mr. Speaker, you have heard my colleagues here talk about obesity. Now, obesity is not just a cosmetic problem. It is a major health problem.

We also last year put new nutrition standards in to ward off obesity. Ninety-seven percent—97 percent—of the schools have successfully met these new standards, and USDA has shown great eagerness to work with those who have not.

Of course, these new requirements require more servings of fruits, vegetables, whole grains, fat-free and low-fat fluid milk in schools while cutting sodium-saturated fats and trans fats.

Mr. Speaker, I can tell you that, when you introduce these foods to children at a young age, they will start to prefer them and we can really transform their lives.

I want to skip over many of my comments and just add them to the RECORD because I just want to focus on one little disease that is associated with poor nutrition, and that is diabetes.

The burden to individuals and families is gargantuan. You hear of people losing their limbs because of diabetes. But, Mr. Speaker, I want to talk about the burden to the economy and to the budget by allowing diabetes to run amok.

Diabetes is a budget-busting disease. It is an epidemic that is affecting an increasing number of Americans, including more and more of our youth.

Right now—right now—in 2014, 29 million people in the United States, 9.3 percent of our population, have had diabetes. That is about 1 in 11 people. According to the CDC, by 2050, that number could be as high as 100 million, or 1 in 3 persons.

□ 1900

The time to stop this is now while we are reauthorizing the child nutrition bill. We can help our children develop healthy eating habits. I have seen kids love avocados, love grapes, and love these things that are introduced to them while they are young. Our investment in school lunch and school breakfast pales in comparison to the cost of treating diabetes.

In 2012, diabetes and its related complications accounted for \$245 billion in total costs. Now, that is \$176 billion in direct medical costs—think Medicaid and Medicare—and lost wages and work. The CDC estimates that the growth in these—if their predictions hold, if we don't do something, just think, this will go from 1 in 11 people having diabetes to 1 in 3. So we are looking at 2050—2050, I don't think I am

going to be around in 2050—this is clearly a clarion call to feed our children properly now.

In the school year 2016, we spent \$12.5 billion on the school lunch program and \$4.3 billion on the school breakfast program. Compare that with the \$245 billion that we have spent on diabetes for just 1 year.

With that, I will add the rest of my comments to the RECORD. I would just say, Mr. SCOTT and Mr. Speaker, that school breakfast, school lunch, and WIC, it is a doggone good deal when you think about it.

Mr. Speaker, child nutrition reauthorization is a critical time for us to talk about the importance of improving access to healthy foods in schools, and for maintaining strong nutrition standards. For too many kids, the only sure meals they can count on on a given day are the ones provided in school.

Yet, my colleagues on the other side of the aisle are talking about how to make it harder for children, especially low-income children who are eligible for free and reduced price meals, to access these programs.

The draft Republican Child Nutrition Reauthorization bill is an assault on the programs that help to ensure that our children and get the nutrition they need to be active and engaged learners. A growling stomach does not advance educational achievement. They want to roll back programs that have been proven to help eligible children get access to school breakfast and school lunch programs.

It is reportedly titled the "Improving Child Nutrition and Education Act of 2016" but it really should be the "Increasing Child Hunger and Hobbling Education Act."

We should be using child nutrition reauthorization to address known gaps and help connect more children to healthy meals. Nearly 10,000 more schools offer school lunch than offer a school breakfast program. Participation in school breakfast programs, though improving since the enactment of the Healthy Hunger Free Act and the nationwide implementation of CEP, still lags drastically behind participation in the school lunch program. Only about half of students who eat school lunch nationwide eat a school breakfast. My state of Wisconsin is at the bottom when it comes to the number of schools that participate in school breakfast nationwide. Over 162,000 kids that qualify for Free or Reduced meals are eating lunch, but miss breakfast and Wisconsin loses \$22 million federal breakfast reimbursement dollars annually. We need to be discussing how to help the states and schools do better.

Mr. Speaker, we just passed the Every Student Succeeds Act last year reauthorizing federal elementary and secondary education policy. Let me tell you, no child can succeed when they're hungry. Any teacher can tell you that. So can a range of experts who have conducted studies on this issue and found overwhelmingly that hunger does not promote academic achievement.

So what are Republicans talking about doing in this reauthorization:

Scaling back the successful and proven Community Eligibility Provision (CEP) which just went into effect nationwide last year. This is an innovative program authorized in 2010 that makes it easier for high need schools and school districts to serve free meals to all students by eliminating traditional free/reduced priced applications.

With all the rhetoric about wasteful government spending and duplicative programs, what happens when we have successful and proven federal programs and policies that work like CEP, like SNAP? Republicans want to cut them and roll them back.

This program has been proven—I emphasize that word again—to increase access and participation in the school meals programs for the low-income students while helping to reduce administrative burdens and costs for school staff. School meal programs benefit from the economics of scale. The more kids who participate, the cheaper it is to serve each child. Thousands of schools have adopted CEP and are seeing benefits including the 156 schools in the Milwaukee Public School system. In its first year, MPS reported serving 22% more school breakfasts. School lunches also saw a gain. CEP means fewer kids are going hungry in Milwaukee and nationwide.

Enacting the GOP bill would mean that 7,000 schools that now currently participate would be dropped. That is a gigantic step backwards for the health and nutrition of tens of thousands, even hundreds of thousands, of school children who are at key stages of development, physically and academically.

Not to mention the students in thousands of schools currently eligible to participate in CEP but would be kicked off under the Republican bill.

We have put in place new nutrition standards for school meals—97% of schools have successfully met these new standards and the USDA has shown great eagerness to work with those that have not to do so. These new requirements require more servings of fruits, vegetables, whole grains, and fat-free and low-fat fluid milk in school meals while cutting sodium, saturated fat and trans fats.

Now, some are trying to block the new rules and the savings to our nation both short term and long term for helping kids develop lifelong healthy eating habits.

Let me just talk about the burden to individuals and taxpayers of just one disease: diabetes—a budget busting disease. This is an epidemic affecting an increasing number of Americans, including more and more of our youth.

The number of Americans with diabetes is estimated to drastically increase in the next three decades. In 2014, 29 million people in the U.S. (9.3 percent) had diabetes (about 1 in 11). According to the CDC, by 2050 that number could be as high as 100 Million Americans (or 1 in 3).

The time to stop this trend is right now when we can help our children develop healthy eating habits that will stay with them for the rest of their lives and a taste for healthy and nutritious foods through the school nutrition programs.

I want to compare our investments in school lunch and breakfast programs and helping to provide nutritious meals that will support lifelong eating habits to young people with what it will cost us to treat diabetes.

Diabetes is an extremely expensive condition for our healthcare system given that it is associated with a number of complicated health effects. In 2012, diabetes and its related complications accounted for \$245 billion in total costs, including \$176 billion in direct medical costs (think Medicaid and Medicare) and lost work and wages. If the CDC estimates about the growth in cases holds, the

cost of just this one disease will grow dramatically over the next three decades. These costs will be picked up by all of us, including through Medicare and Medicaid.

In contrast, in FY 2016, we will spend \$12.5 billion on the school lunch program and \$4.3 billion on the school breakfast program. Maintaining healthy and nutrition meals and standards and ensuring that all who are eligible can participate in these programs seems like a very wise investment to me.

The GOP proposal would bar schools from including the eligibility requirements for school meals on the school meal applications. Absolutely absurd. What public policy purpose is served by such a requirement other than to make sure people don't know about a benefit to which they are entitled.

I also want to emphasize the need to further strengthen WIC during this reauthorization. WIC works. That's what the research tells us. The program helps improve health and nutrition outcomes for at risk women, infants, and children. WIC breastfeeding rates are rising. We all know the benefits of breastfeeding for both mother and child.

We can make WIC better by increasing the certification period for infants and women, taking steps to ensure that children a better transition by WIC eligible children from the program to the school meals programs. Under current law, children that age out of WIC may not be enrolled in school (and participating in the school meals programs), risking gains to their health and well-being from having participated in WIC.

How about making WIC work better for our men and women in uniform? Yes, there are members of our military who receive WIC. In fact, I know of efforts in the last year to close a WIC clinic located on a military base in Washington State serving over 700 people including Navy families.

There is room for bipartisanship. The Senate Agriculture Committee reported a bipartisan bill—which while not perfect and I don't support every element—reflects an honest effort to reach across the aisle that is simply nonexistent in this chamber at this point.

And that is a shame. For the children who rely on the school meal programs to meet their nutritional needs. For the schools and school administrators who fight hard every day to put the students under their charge in a position to succeed. For the American taxpayer, who expect us to govern.

I know the will is there on this side of the aisle to work together on things like increasing the breakfast (and lunch for that matter) reimbursement rates. To support grant programs to help increase access to school breakfast which remains woefully undersubscribed compared to the school lunch program. We can provide grants to support innovative and proven models such as Breakfast after the bell and in the Classroom as well as school equipment grants to help offset some of the costs.

Mr. SCOTT of Virginia. I thank the gentlewoman. The gentlewoman is absolutely right.

Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. MCGOVERN), who is one of our strongest advocates for ending hunger in America.

Mr. MCGOVERN. I want to thank my colleague from Virginia (Mr. SCOTT) for organizing this today and for his leadership on child nutrition programs. I

want to thank all my colleagues for being here. This is an important issue. There is no question about that.

We are here because we are outraged. We are outraged at Republican attempts to undermine our child nutrition programs. We are outraged at their lousy child reauthorization bill. It is a terrible, terrible, terrible bill. My friends should be ashamed of this bill.

Mr. Speaker, a nutritious school meal is just as important to a child's success in school as a textbook. Hungry children can't concentrate. They can't focus on their studies. In short, hungry children cannot learn. That is a fact. Everybody knows that. Yet we have a bill that my Republican friends have drafted that will increase hunger and that will actually take food out of the mouths of children. It is outrageous.

Together, our child nutrition programs, WIC, school breakfast and lunch, the Summer Food Service Program, and the Child and Adult Care Food Program provide nutritional support for children year round in places where they live, learn, and play.

Unfortunately, H.R. 5003, which is the Republican reauthorization bill, includes a number of harmful provisions that would roll back years of progress and hamper the ability of children to access healthy meals. As I said, to be very blunt, it makes hunger worse in this country.

Specifically, the bill would undermine the successful Community Eligibility Provision, which some of my colleagues have talked about first, included in the last reauthorization bill that has allowed high-poverty school districts to offer universal school meals to all students. In its first 2 years, CEP helped more than 8.5 million low-income students access free meals.

Instead of building on the success of this program, my Republican friends would severely restrict schools' eligibility for the community eligibility option. The Center on Budget and Policy Priorities estimates that 7,022 schools currently using community eligibility would lose it under this Republican bill, and another 11,647 schools that qualify for community eligibility but who have not yet adopted it would be prevented from doing so in the future.

As we approach the summer months, it is also important to remember that child hunger gets worse in the summer. Consider this: for every six children who get a lunch in school each day, only one receives a meal in the summertime. Instead of being a carefree time for children who depend on getting healthy, reliable meals during the school year, the summer months can be a time of stress, anxiety, and hunger. But it doesn't have to be this way.

Unfortunately, this Republican bill cuts the successful summer EBT pilot program which provides a temporary boost in food assistance benefits during the summer months for families whose

children receive free school meals during the school year, and it fails to make necessary investments to expand the reach of summer food service programs so that more kids have access to healthy summer meals in their neighborhoods.

In addition, Mr. Speaker, this bill rolls back, as my colleagues have mentioned, evidence-based standards that make school meals healthier. USDA estimates that more than 90 percent of schools have successfully—have successfully—implemented these standards.

My grandmother used to say to me when I was growing up that an apple a day keeps the doctor away. I wish she was still alive so I could tell her she was right. Food is medicine. When we eat good food, we eat nutritious food, we tend to have healthy lives. If you eat bad food, if you eat junk food, then you end up getting health issues like diabetes, like high blood pressure, and like obesity. I could go on and on and on.

Why in the world would anybody want to lower the nutrition standards in our school meals to give our kids junkier, less nutritious food? What sense does that make?

If my colleagues who are advocating these reversals of smart policy are doing so only because they want to save a few dollars, then let me tell you something: you are saving nothing.

If we don't get this right, if we don't insist that our kids have access to nutritious, healthier food, the medical costs associated with the health challenges that they will experience are astronomical, as my colleague from Wisconsin mentioned earlier, hundreds of billions of dollars in avoidable healthcare costs as a result of children not having access to good food.

Mr. Speaker, 15 million children face hunger in this country. Instead of undoing the success we have already achieved, Congress should be focused on ways we can strengthen these vital child nutrition programs.

Mr. Speaker, let me say, finally, it is hard for me to understand why we have to be here today, why everything is a fight when it comes to dealing with issues of hunger and when it comes to dealing with issues and making sure our kids get access to good nutrition. It is always a fight. It is always a fight to protect so many vital food and nutrition programs that help our kids. There is either a shocking ignorance about the reality of the poverty that millions of our children face in this country or there is simply indifference. Those are the only two ways I can explain what is going on in this Chamber. Whichever one it is, it is a sad excuse for what my Republican friends are trying to do.

Let's come together. This should be a bipartisan issue. There was a time when fighting hunger and when making sure that our kids had access to nutritious food was a bipartisan issue. George McGovern and Bob Dole worked

together in the 1970s to strengthen our food and nutrition programs. But now in this Chamber these issues have become controversial.

It is sad because there are a lot of people in this country who are depending on us to find ways to end hunger in America. They are depending on us to make sure that their kids, when they go to school, have access to nutritious food, and that they have access to nutritious food during the summer months as well.

Why are my friends making it so difficult?

Enough. Enough of this. Stop beating up on the most vulnerable people in this country. Let's come together. Let's reject this awful draft of the Child Nutrition Reauthorization bill. Let's come together and do this right. It is the least we can do.

Mr. SCOTT of Virginia. I thank the gentleman for all of his advocacy on ending hunger.

Mr. Speaker, I now yield to the gentleman from California (Mr. TAKANO), an effective member of the Committee on Education and the Workforce.

Mr. TAKANO. I thank the ranking member. I appreciate the time allotted.

Mr. Speaker, in my 24 years as a public schoolteacher, I learned a lot about helping students reach their potential. I learned about project-based learning and STEM education, and I learned about the importance of arts and music in keeping students engaged and excited. But I also learned that there is no lesson plan or study guide that can improve a student's performance if they are hungry. Good nutrition is the foundation to a good education.

With that experience in mind, I rise to express my frustration and sadness with the Republicans' proposal to reauthorize the so-called Improving Child Nutrition and Education Act. The draft bill published last week includes several provisions that would restrict students' access to nutritious food, particularly children in America's poorest neighborhoods.

The proposal undermines nutritional standards for schools despite those standards receiving overwhelming support from pediatricians and public health officials. It weakens a popular program designed to give poor students access to fresh fruits and vegetables in communities where they are scarce, and it increases the burden on poor families to prove that their children are eligible for lunch programs.

But the impact of these provisions is mild compared to what Republicans are proposing to do with CEP, or the Community Eligibility Provision. CEP streamlines National School Breakfast and Lunch Programs by automatically enrolling students who live in areas with high rates of poverty. It was passed with bipartisan support just 6 years ago and it is responsible for feeding more than 3 million students every year.

Now Republicans are seeking to change the CEP formula to kick many

poor communities out of the program. Their goal is to save money by allowing fewer students to enroll in breakfast and lunch programs. Not only is this bad policy that will hurt student performance in low-income schools, it is cruel. In my district alone, this would affect more than 6,000 students. Nationwide it will severely damage a program that is critical to both fighting child poverty and closing the achievement gap in education.

There is a troubling asymmetry to conservatives' approach to spending. When it comes to tax cuts for large businesses that cost this country billions of dollars, conservatives are generous with taxpayer money. But when it comes to hungry students in America's poorest communities, that is when it is time to cut back. That is when it is time to be stingy. That is when they turn their backs on people in need.

Earlier this week, Speaker RYAN said that conservatism is just a happy way of life. This brand of conservatism is not a happy way of life for thousands of hungry children who will lose access to food at school. It is not a happy life for the parents of those children who are struggling every day to provide for them, and it is not a happy life for the generation of students who do not have the foundation to reach their potential.

Who could be happy when so many Americans are suffering?

Mr. SCOTT of Virginia. I thank the gentleman, Mr. TAKANO. I thank the gentleman for his leadership on the committee.

Mr. Speaker, I yield to the gentleman from California (Ms. LEE), the leader of the Democratic Whip's Task Force on Poverty, Income Inequality, and Opportunity.

Ms. LEE. Mr. Speaker, I thank the ranking member for yielding and also for his long-term and longstanding commitment to child nutrition programs and to our Nation's children.

I have to say to Mr. TAKANO that I am not happy at all, and I don't think many of us are happy at what is taking place with regard to this Improving Child Nutrition Education Act and what is happening to our children who many go to bed hungry at night. So I thank the gentleman very much for his leadership.

Let me just say to Mr. SCOTT, who is our ranking member, it is very important that we recognize the gentleman's leadership and know that he is on this committee fighting each and every day to make sure that this reauthorization bill, which would take food out of mouths of American schoolchildren, does not do that. So I thank the gentleman for his fight on the committee.

Let me say just a couple of things with regard to H.R. 5003. It would turn the clock back on years of progress and prevent children from eating healthy meals every day. This Republican child nutrition bill would roll back critical, evidence-based nutrition standards made in the 2010 reauthorization bill,

which we were very actively involved with.

Sadly, but unsurprisingly, it would also deny eligible children access to the Free or Reduced Price School Meals Program, and it would slash funding for some electronics benefits transfer.

□ 1915

I just have to say that as a young, single mother on public assistance and food stamps, I don't know what I would have done had my children not had school lunches. This was a bridge over troubled waters for me, and my children and I have to thank my government for that helping hand. But today, in 2016, this bill will roll back these programs, which means more hungry kids in our schools and in our neighborhoods.

That is why several of us are sending a letter to the Education and the Workforce Committee outlining our deep concerns with the changes to our child nutrition programs. I hope that everyone on our side of the aisle signs this important letter, and I hope that the majority will read it carefully. It lays out some of the basic problems in this bill. We want to make sure that everyone on the committee and this entire body understands the impact of what this will cause.

When we take away access to these meals, we jeopardize children's health, their educational attainment, and, really, their future. We know that children who have access to healthy meals are more likely to do well in school, have decreased behavioral problems, and come to class ready to learn. That is what we should want for all of our children.

For the children growing up in high-poverty neighborhoods and who lack equal access to healthy meals, these school meals really are a lifeline. We are not just talking about a few students. The numbers are clear. More than 15.3 million children are living in food-insecure households. Let me say that again. More than 15 million kids are at risk of going to bed hungry every night in America, the richest and most powerful country in the world.

We also know that childhood hunger is far from colorblind. Children of color are disproportionately affected by hunger every day. For example, in 2014, one in three African American children and one in four Latino children were food insecure. For children who live in rural communities, food insecurity is coupled with other barriers, like lack of access to transportation to get to summer feeding sites. More than 17 percent of rural households—that is 3.3 million households—are food insecure.

Child hunger and the lack of nutritious food is a problem that affects every child in every ZIP Code. It is endemic in our country, in rural, urban, and suburban schools. Every Member of Congress has constituents who are hungry. This should be a priority for all of us.

I have seen the impact of food insecurity in my own community in Oakland, California, where one in four children at the Oakland Unified School District do not have access to affordable, nutritious food. These families are forced to make impossible choices to feed their children, especially during the summer months when schools are closed. These families are making decisions every day between food and medicine, food and rent, or food and paying the electric bill.

Mr. Speaker, we need real solutions to these very real problems. Let me just mention my legislation, the Half in Ten Act, H.R. 258, that would develop a national strategy to cut poverty in half over the next decade. That is more than 23 million Americans lifted out of poverty and into the middle class in just the next 10 years.

This bill that we are talking about tonight goes just the opposite way. Surely, we can all recognize that ensuring healthy meals for American children is the first step in this ongoing War on Poverty. It should not be a partisan issue. Feeding hungry kids is a moral imperative.

So let's put our children first, and let's strengthen our child nutrition programs rather than cut them. Our children deserve the security of knowing where their next meal is coming from. That is just basic. It is a basic American value.

Mr. Speaker, I thank Congressman SCOTT for his leadership and thank him for yielding.

Mr. SCOTT of Virginia. Mr. Speaker, I thank Ms. LEE for all of her hard work on the task force.

Mr. Speaker, I yield to the gentleman from California (Mr. CÁRDENAS), a Member who has been fighting for children as a member of the State legislature, a member of the Los Angeles City Council, and now is a Member of Congress.

Mr. CÁRDENAS. Mr. Speaker, I thank Congressman SCOTT for working so hard and tirelessly to fight for those young little voices and those families that need food in their children's stomachs every single day. It is a tireless battle; and once again, today, we are trying to make people aware of the disingenuous, misguided efforts that are in this bill. I rise today to express concern over harmful provisions included in the so-called Improving Child Nutrition and Education Act of 2016.

In 2014, more than 17 million American households were at risk of going without having food, including 3.7 million households with American children. We should make every effort possible to help American children access the proper nutrition that is vital to their growth, development, and success in school and beyond.

The provisions outlined in this bill are doing just the opposite by tampering with programs that have been working well, such as the Community Eligibility Provision, the process that ensures that meals can be served to

American children in schools. The provisions in this bill will cause too many American children, especially low-income children, to lose access to these vital programs and to have healthier meals.

The Community Eligibility Provision allows high-poverty school districts to offer universal school meals to all students. This bill raises bureaucratic red tape. It will only lead to fewer schools qualifying for the program and more low-income American children going hungry every single day.

Why add burdensome paperwork on school districts and each and every family in them? Instead, Congress should focus on improving and expanding direct certification, an approach that has been shown to improve program integrity.

What this bill should be doing is addressing the barriers faced by eligible families who are currently not even accessing the benefits of the results of these programs because of the lack of awareness. This bill will freeze the progress that we have made on reducing the intake of salts for American children in their food diets. It would allow junk food to be an acceptable snack, which would undermine our children's health and their entire future.

We must do more to improve school nutrition, attack undernourishment, and combat hunger for millions of American children because, otherwise, we are robbing them of the opportunity to reach their full potential both physically and academically.

Once again, I want to thank my colleague from the great State of Virginia for all the wonderful work that he has been doing and for being so tireless in his effort to make sure that the voices of these families and these children are heard not only in the Education and the Workforce Committee, but beyond.

Thank you for bringing the attention of this to the floor. I am glad to be a partner in this effort.

Mr. SCOTT of Virginia. Mr. Speaker, I thank Mr. CÁRDENAS very much for his hard work, too.

Mr. Speaker, reauthorization is an opportunity to improve legislation. Unfortunately, the pending Republican bill reduces nutrition standards and kicks kids off the school meal programs. Instead, we should be improving the program and expanding the child nutrition and the school lunch programs.

I thank my colleagues for saying why this is so important.

I yield back the balance of my time.

IDEOLOGICAL EXTREMISM IS SPREADING ACROSS THE GLOBE

The SPEAKER pro tempore (Mr. ROUZER). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 30 minutes.

Mr. FORTENBERRY. Mr. Speaker, upon visiting some of our wounded

troops at Walter Reed Hospital, I entered a rehab area that was full of men and women who had wounds of varying severity. The place was really a place of tough love—men and women struggling with pain and debility, trying to walk again, recover, and learn new skills.

What struck me the most, perhaps, amidst all of this suffering, was the desire, the will, to keep working, to get well, and to maintain an attitude of strength in the face of great adversity.

Mr. Speaker, I had the privilege of speaking with one officer. He had lost an arm and an eye, and he was throwing a ball, a simple little ball, back and forth with his attendant. Now, normally, for us, this is a simple task, but this activity was necessary to retrain his brain for a new type of coordination. He had lost the dominant eye and the dominant arm.

In spite of the many scars that he wore on his face and a really tough road to recovery, he had a great attitude—no bitterness, no anger, no resentments. He believed in his mission, and he believed in his duty. He was impressive and uplifting, and just to be near him was a great privilege, as well as the other men and women who have fought so vigorously and so hard to overcome their wounds at this particular place and throughout the country.

Mr. Speaker, keeping you safe depends upon the men and women who are willing to put themselves on the front line for our security. We do remain the strongest country in the world militarily and economically. Unfortunately, though, I cannot report that the world is growing any calmer or more stable or more secure. Ideological extremism is spreading across the globe and, most alarmingly, is manifested in ISIS' twisted Islamic ideology.

In the face of the barbaric onslaught in the Middle East, compounded by the Syrian dictator's war of attrition, Europe is now contending with its worst refugee crisis since World War II, and the Continent's leadership seems ill-equipped to understand their own plight.

Not long ago, Mr. Speaker, the great cities of Europe were secure places of cultural strength. Today, they are targets for ISIS and other terrorist organizations.

And, of course, we stand in solidarity with the citizens of Belgium as we all continue to deal with the shock of the indiscriminate slaughter of civilians in Brussels. Jihadists there orchestrated coordinating bombings at the Brussels airport and the city's metro station—suicide assaults that murdered 31 people in a grim replay of the horrifying attacks in Paris.

This maelstrom of violence is a consequence of reckless open border policies and naive assumptions about the potential for multicultural conversion to Western economic and political freedoms. Although these bombings, these

particular ones, in Brussels were probably in retaliation for the capture of the mastermind of the suicide strikes earlier in Paris, Brussels has long contended with a seedbed of warped Islamic aggression, particularly in its Molenbeek neighborhood.

The Middle East conflict and the resulting humanitarian catastrophe prompted some European leaders to embrace very well-intentioned but misguided immigration postures. Now, nations from Greece to Sweden are confronting capacity issues and deadly security risks. No immigration system can remain just and orderly without necessary and robust border protection measures.

It is not fair. It is not fair to the people who are there, who have set up the political systems that are welcoming others, and it is not fair to people who do need to flee the violence and reestablish themselves in other nations. It is simply not fair.

Contributing also to this problem is the decline of a European myth: a romanticized vision of cultural and political tradition. What is taking its place is a new narrative that says that particular countries, individual countries, decreasingly should matter. Supranational entities, like the European Union, are forging a new settlement of administrative conformity to deal with the pressures of globalization.

Originally, the European Union arose from fears of past nationalist movements, such as fascism, that ravaged and sacrificed the Continent on the altar of ruthless ideology. The European Union, importantly and purposefully, serves to check this dark past, while also appropriately facilitating commonalities in commerce, travel, and enhanced understanding. However, the limits of this type of bureaucratic arrangement are reached when identity and self-preservation are at stake.

Unfortunately, the very idea of Europe may be disintegrating.

□ 1930

So what to do?

To turn this around, the Continent should regain a healthy instinct of its respective nations that places an emphasis on the interests of peoples with shared culture, history, and political traditions. The Continent's vibrancy depends on sustaining the dynamism of longstanding local difference while maintaining proper pride in the ideals that bind and animate wider Western civilization.

Nothing exists in a vacuum. The lack of a bonding identity in Europe, complicated by clashing cultural values, has created the Molenbeek neighborhood in other major European cities as well. Self-isolating Muslim communities can help perpetuate an environment of mutual misunderstanding and distrust, breeding alienation, resentment, and hostility. Genuine multiculturalism is an important goal and should be upheld by us all, but it is difficult without enculturation among immigrant populations.

Thousands of Europeans have left the Continent for the battlegrounds of Syria and Iraq. These radicalized fighters, passport holders—hardened by war and dedicated to jihadist militancy—pose a security risk to their countries of origin in the West. Even some so-called Americans have joined the ranks of terrorist organizations that are metastasizing across the Middle East and North Africa. San Bernardino demonstrated to all of us that the United States is far from immune to the cancer of ISIS' expansion.

Now, Mr. Speaker, our Nation, for decades, has shouldered a great burden in confronting havoc throughout the world. We will continue to lead the fight against extremism, but we will not do so alone. A general assumption that we will maintain the majority of heavy lifting in combating regional terror, coupled with the lack of will amongst some of our allies, has created a status quo that is no longer sustainable.

As we recover from the shock of the bombings in Brussels, we must reclaim a central principal. Europe must fight. Complacency is no longer possible. The combined effects of a drifting European identity and a lack of appropriate enculturation among certain migrant populations, further compounded by this new migrant crisis, must be confronted with reason and resolve in order to keep Europe and the world safe. Only through this approach will Europe stabilize, regain a sense of vision, and remain a great and important source of a welcoming and cultural strength.

Mr. Speaker, as the world has focused on the death cult created by ISIS, our focus has drifted away from an equally grave threat: the proliferation of nuclear weapons. Although the Iran agreement has, understandably, dominated headlines on this issue of late, North Korea's dynastic and despotic leadership continues its provocations. The country's young, insecure, ego-driven ruler seeks to consolidate his power and standing through destabilizing bravado, and he is backing it up with nuclear weapons development. In a region already roiled by increased Chinese military posturing, particularly in the South China Sea, North Korea's ongoing threats linger as one of the most complicated international dilemmas.

The possibility of nuclear weapon devastation is one of the most serious threats to civilization, itself. Unfortunately, the gravity of this challenge has not received ongoing critical attention in this body as a first order of priority. New intellectual rigor, strategic projection, and next generation ownership are necessary for nuclear security in the 21st century.

Mr. Speaker, I recall an incident when I was in graduate school. A prominent philosophy professor was visiting the campus, and he was known for a particular expertise.

I asked him: Would you give me a concise summary of the philosophical argument for immortality?

He was very excited by my request, and he actually invited me to his lectures on the topic. I did consider this a great privilege as, again, he was a very renowned professor. He was very kind to eagerly invite me to his class, but I could not really manage the 4 hours necessary to sit through his lectures, so I politely declined.

He then looked at me, and said: Ah, you have asked me a question about immortality, but you do not have the time.

We cannot afford to make the same mistake here on nuclear security—*not* having the time. We are distracted by all types of considerations, but if we are to bring the probability of a nuclear catastrophe to as near zero as possible, we must make the time. Understanding how nuclear threats have evolved and how to resolve them most effectively is an urgent national priority.

Imagine, just for a moment, one of several scenarios. A terrorist organization collects enough radiological material to set off what is called a dirty bomb in the stadium, perhaps, of a major city. This would trigger widespread harm and panic. A smuggled package on a container ship, with no need for a sophisticated weapons delivery system, explodes in a major U.S. harbor, causing widespread destruction and a loss of life. Worse yet, a reckless nation-state actor, such as North Korea's autocratic strongman, launches a missile attack against Seoul or even Los Angeles. Each future scenario is alarmingly feasible. No one enjoys thinking about this, nor do I, but ignoring this problem only amplifies the ongoing threat.

Americans deserve the assurance that our best and brightest minds are fervently engaged in their defense. They should be able to trust that policymakers on both sides of the aisle are working together for innovative and sustainable solutions to nuclear security concerns. In this age of anxiety and sound bite foreign policy, constituents should know, should believe, should have trust that Congress is leading where it matters most.

The leaders who courageously helmed our formidable nuclear enterprise through World War II and the cold war have now passed the baton to a new generation of policymakers and scientists. Now, as our world grows more complex, the challenges of nuclear proliferation have multiplied. The binary concept of mutually assured destruction is no longer relevant in an increasingly unstable geopolitical environment. Nonstate actors play havoc with global treaties and normative rules, seeking to do horrifying harm. Rational responses to deterrence are no longer a guarantee.

Despite all of these challenges and the important issues that come before Congress, nuclear security, ironically,

seldom surfaces in our national conversation outside highly specialized forums. The problem is real. The United States and our allies face a stark deficiency: nuclear security as a multidimensional issue with no longstanding constituency supportive of initiatives in Congress. That constituency must be built. This is of grave concern to us all. The constituency must be built.

In light of this problem, the Nuclear Security Working Group in Congress was founded to advance this discussion and help prevent the unthinkable. While the analytical and tactical expertise rightly should remain embedded in the Department of Defense, in the Department of Energy, in the Department of State, and in other executive branch entities, Congress must create an agile policy environment in this age of globalization and swiftly advancing technologies. We also need to awaken citizen concern in order to give momentum and consideration of the time necessary in this body with so many other distractions. Unfortunately, there is very little. The need for broader involvement, I believe, particularly extends to the millennial generation, the coming stewards of our nuclear security.

The community of responsible nations has much work ahead to achieve an ideal nuclear security settlement. Advances in reprocessing technology, nuclear power, and weapons infrastructure, once the exclusive domain of the nation-state, now pose serious proliferation concerns. Although many countries, thankfully, have altogether renounced the pursuit of nuclear weapons, turbulent situations in the Middle East and elsewhere are worsening an already hazardous global nuclear dynamic. A new architecture for nuclear security demands an ongoing effort by the responsible nations of the world.

Now, Mr. Speaker, this fourth and final Nuclear Security Summit, hosted by President Obama recently in Washington, represented another important step in securing loose nuclear materials and in heightening collaboration. We need to sustain this in more international gatherings and multinational efforts to achieve an effective 21st century nuclear security strategy, one that prioritizes common ground on important strategic and nonproliferation priorities in a cooperative campaign to make our world safer.

Looking ahead, Mr. Speaker, in this regard, I anticipate an augmented role for the International Atomic Energy Agency, known as the IAEA, as a primary implementing agency of future verification initiatives. A revitalized spirit of unity, common purpose, and renewed dedication is essential to nuclear security in the 21st century, and we need robust platforms to do so, multilateral ones. Our challenge is that we cannot react to a nuclear crisis. We must act to prevent one—if we have the time.

Given the collapse of the nation-state order in the Middle East, as well as the

technological advances and the potential for highly destructive weaponry to evolve in short order, what will our national security challenges look like in the next 20 to 30 years? It is quite serious. The answer lies in as much a values proposition as a military one. On a fundamental level, the question is whether the world can embrace, enculturate, and institutionalize the belief in human dignity and, from there, build out the governing and economic systems consistent with protecting innocent persons. That is the key.

Again, Mr. Speaker, we owe so much to the young men and women who are willing to risk everything in military service to take this integrated approach to international security. Put simply, I believe in the three Ds: strong defense, smart diplomacy, and sustainable development. All are necessary components for international stability and, thereby, our own national security. Closer to home, in order to have a stable society here, we also depend upon economic security.

We need to reexamine some fundamental questions as to what is causing such anxiety in our American culture. Our security problems are compounded by globalization trends that have left millions of Americans in dire need and dire straits of financial vulnerability. I recently saw a presentation by a CEO of a major company. I thought we were getting ready for a PowerPoint with charts and graphs of financials. Instead, this CEO put a picture up of a father with his daughter, a bride on his arm, as they were walking down the aisle on her wedding day. He said this to us: Everyone is someone's daughter. Every person is someone's son.

The point was powerfully made. The understanding of work and the workplace are essential to human dignity and happiness.

I learned a little more about this company. During the financial crisis of 2008, the business lost about a third of its contracts. Reeling from the economic pressure, this CEO pulled all of his employees together and asked: Team, what are we going to do?

□ 1945

He had earned their trust. Because there was an interdependency in that workplace, because there were demands—they had to be profitable, they had to make efficiency gains in order to be competitive—because he created a culture of trust and interdependency, the entire company decided to take a 30-day furlough with no pay. No job was lost. By sharing in that sacrifice, no job was lost. No one person was laid off. Not one job either was moved overseas.

Contrast that, Mr. Speaker, with an Indianapolis-based company that recently announced they are relocating 1,400 jobs to Mexico.

The fallout from this move was captured on a video camera as worker outrage built during the condescending

speech of a company executive, who channeled corporate elitism in his explanation. Basically, he said: It is nothing personal. It is just business.

Seen here and elsewhere across our country, a dehumanizing, abstract, economic construct that elevates balance sheets and projected earnings over the needs of persons is not a sustainable economic model for well-being, happiness, and commitment.

The economy and our society are inextricably intertwined. When this works, it works well. When it doesn't, there are problems. Social fracture leads to economic decline. Economic decline leads to social fracture. Interdependency can fray into downward mobility and decreased earning power.

A market that fails to deliver for the many, improperly prioritizing only measurable efficiency gains, breaks down communities. Creative destruction should not eviscerate the social environments in which people work. More than the loss of one company, economic disruption creates aftershocks that further result in the decline of community.

While the theory that globalization, including so-called free trade agreements, reduces the cost of consumer goods does have truth, people are not only consumers.

A disordered economy that operates solely from the principle of profit maximization can devalue the rich texture of ecosystems that are built and shared by working families, local businesses, local institutions, and community heritage. Trust and commitment are immeasurables that do not show up on the balance sheet.

Government policy here also has to bear some blame. Our convoluted and burdensome Tax Code incentivizes companies to move overseas or retain their earnings there. Escalated healthcare costs don't help either. Beyond government policy, the harsh reality is that the philosophy and the purpose of the corporation has changed, prioritizing short-term earnings, quarterly profit statements, and the stock price over the long-term viability of the business itself and the people within it who grew the business in the first place.

Mix in a new class of aloof CEOs accountable for only spreadsheets and no wonder people in Indianapolis started shouting at the corporate spokesperson when he announced the jobs were moving to Mexico. It is just business.

Mr. Speaker, there is a better way forward. Take the example that I gave of the CEO who called his team together and said: Team, we have got a problem. We have got a big problem. What can we do about it?

The team shared in the sacrifice in order to keep the business viable, in order to maintain profitability, in order to protect the ecosystem built upon trust, shared commitment, and interdependency.

The better way forward is not a compromise. It is a commonsense con-

sensus that a proper balance between globalized business interests and the daily life of most Americans should cultivate a culture of work to benefit the business itself, employees, and customers. Injecting the value proposition that work should have meaning, that companies should strive to protect the persons under their employ, and that product development should be seen as a shared experience provides the very foundation for profitability and long-term survivability of the business itself with innovation and efficiency properly ordered. What is good for persons is good for business.

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

SOLUTION TO FLOODING IN HOUSTON, TEXAS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 30 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, the date was April 14, 1970. The mission was Apollo 13. The message was: Houston, we have a problem.

Mr. Speaker, that was a clarion call from a mission that was in trouble. Tonight I ring and sound this clarion call from the people of Houston, Texas, because we have some troubles. We have trouble that is related to floodwaters in Houston, Texas, that inundated our city and caused great harm and great damages.

Mr. Speaker, I am on a mission of mercy tonight, a mission of mercy on behalf of my constituents in Houston, but also on behalf of all of those in Houston and the immediate area.

I am on this mission of mercy, but I am not without a solution. We have a solution to the flooding problem in Houston, Texas, and that solution is H.R. 5025. It is a bill that will help to mitigate the flood damages. It will not eliminate the flood damages in Houston, Texas.

I am not sure that we can construct a system that will totally eliminate all flood damages in Houston, Texas, but I am sure that we can mitigate, that we can eliminate many, that we can do something about the magnitude of the problem.

I am absolutely confident, Mr. Speaker, that my mother was correct when she informed me that there will be times in life when you cannot do enough. No matter what you do, you won't be able to do enough. But she also went on to explain to me, Mr. Speaker, when you cannot do enough and more needs to be done, you have a duty to do all that you can.

I am here tonight to let this Congress know that we can do more to help in Houston, Texas. We can do more to mitigate the flood damages that we have in Houston, Texas.

Mr. Speaker, this bill, H.R. 5025, would accord \$311 million. This money would be for projects that have already

been approved that are related to flood control in Houston, projects that have not been completed.

This bill would authorize this funding up to 2026. This bill is needed in Houston, Texas, for many, many reasons. I shall share but a few, then I will yield to a colleague, and then I will say more.

This bill is needed because it would not only mitigate the flood damages, but it would also help us with jobs. For those who are interested in jobs, this bill would create 6,220 jobs. The people who acquire these jobs will pay taxes. These taxpayers will help us, in turn, by helping with some of our fire, our police, and schools.

There are many ways that these tax dollars will be used, including a good deal of them sent to Washington, D.C., to help others across the length and breadth of our great country.

This bill will save lives. I will say more about that, and my colleague may say something about this as well. But I think it is important for us to note now that this bill will have a meaningful, powerful, significant impact on Houston, Texas.

I am proud to tell you that this Congress has been helpful. We have already accorded for one project \$212 million, but we need \$34 million to complete the project. This is the Brays project in Houston, Texas. We need \$34 million more to complete it.

This project is in an area where we do get flooding, in the Meyerland area. This project would help prevent homes from being flooded and cars from being damaged. This is a great project.

We just need to finish the project. The project was authorized in 1990, and it is projected to be finished in 2021, Mr. Speaker. While I do want to make sure we complete it, I do think it is taking us a bit too long to complete the Brays project.

Mr. Speaker, the Golden Gate Bridge with all of its majesty only took 4 years, approximately, to complete. The Hoover Dam, a great monument to what we can do to channel water and turn that water into electrical power, only took 5 years to complete. For the Erie Canal, we didn't have the advances in technology that we have today; yet, the Erie Canal took 8 years to complete.

Mr. Speaker, I spoke of Apollo 13 just a moment ago. Well, it only took us 8 years, Mr. Speaker, to place a person on the Moon. Surely, Mr. Speaker, if we can place a person on the Moon in 8 years, we can complete these projects in less than 30 years.

Mr. Speaker, I am honored at this time to yield to my colleague, who is a cosponsor of this piece of legislation, who serves us well in the Congress of the United States on the Energy and Commerce Committee, a real stalwart when it comes to serving his constituents and standing up for the people of our city, our county, our State and indeed our country, the honorable GENE GREEN.

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleague for yielding to me, and I also thank him for last Friday, when I was able to be in your district there along Brays Bayou in the Westbury area and the Meyerland area and see it.

That happened in your district in southwest Houston, but it also happened in north Houston and east Houston. It was not as much as some of the tragedies in other parts of the county, but we have hundreds of homes that have been flooded.

On April 18, the city of Houston in Harris County, Texas, was subjected to paralyzing flooding that claimed the lives of our citizens and required the rescue of 1,200 more. Approximately 2,000 housing units were flooded, and we are currently working to figure out where to house these folks who cannot return to their homes.

This is the second major flooding disaster Houston has experienced in the last 6 months, and the city is expecting additional rain and thunderstorms this week. Residents of our congressional districts, as well my colleagues' member districts, have been severely affected, and we must stop the needless loss of life.

The President has recognized the significance of the catastrophe and fulfilled a request for disaster declaration. Now it is the job of Congress to help our constituents.

I have worked closely with my neighbor and friend, Representative AL GREEN, to introduce the Tax Day Flood Supplemental Funding Act. The legislation would provide \$311 million to the U.S. Army Corps of Engineers for construction and, in many cases, completion of our bayous and flood control projects.

Flooding is not new in Houston, but we have learned how to control it. Our bayou system has saved countless lives and millions of dollars in damages since being created.

Unfortunately, due to the consistent budget pressure, the Army Corps of Engineers cannot adequately fund these projects that need to be finished. This bill would ensure that our Federal, State, and local authorities have the resources necessary to expedite the flood control projects we know protect people and property.

Additionally, I want to make sure folks on the ground have the information they need to get back into their homes.

If residents are subject to flood damage, please report flood damage by calling 311. Download the Houston 311 app and visit Houston311.org to submit flood damage reports.

Residents must file an insurance claim with their home or their auto insurance company for damages they have incurred.

Failure to file an insurance claim may affect your eligibility for the Federal assistance because, by law, FEMA cannot provide money for losses that are covered by insurance.

Also, it is important to know that, if Spanish-speaking households have children that are U.S. citizens or legal permanent residents, FEMA will assist you.

Before submitting your application, folks should have the following information ready: their Social Security number, their home and auto insurance information, flood damage information, personal financial information, and personal contact information.

You can apply by phone for FEMA assistance. You can call 1-800-621-3362. Again, that is 1-800-261-FEMA, 1-800-621-3362.

FEMA can offer two types of assistance: housing assistance, temporary housing, money to help repair or replace your primary residence.

Nonhousing needs include medical, dental, funeral costs, clothing, household items, tools, home fuel, disaster-related moving and storage and replacement of disaster-damaged vehicles.

After 24 hours, you need to follow up with FEMA. A FEMA inspector should contact you within 10 to 14 days.

□ 2000

Mr. Speaker, we can help the victims in our neighborhoods, and we must help them. I urge this body to pass this emergency funding legislation so we won't have this tragedy again while we are trying to get people out of the water and back into their homes and back into a regular life.

Again, I want to thank my colleague for having this Special Order tonight. Again, our office and all our congressional offices who are impacted across Houston—whether they be Republican or Democrat—are here to serve you and serve our constituents. I thank my colleague.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentleman for sharing the time with us tonight. I especially thank him for coming in to the Ninth Congressional District, his neighboring district, and being of assistance to my constituents because, as we do this, we really assist each other.

I would want to, if I may, magnify, amplify what the gentleman said about this not being partisan. That wasn't his exact terminology, but this really is not a partisan effort. This is something that impacts people. Democrats and Republicans have been impacted by these storms. Rich and poor alike have been impacted by these storms. It doesn't matter what your gender is. It doesn't matter what your nationality is. If you have been in Houston, Texas, when these storms have hit, you have been impacted by these storms.

Tonight, Mr. Speaker, I do think it is appropriate that we say more about these storms to give some indication as to what we have to cope with in Houston, Texas. Houston, we do have a problem, but, again, we also have a solution, H.R. 5025.

So let's say just a bit more about the problem. Let's talk about the damages

in terms of cost. In 2015, we had the Memorial Day flood, and in 2016, we had the tax day flood. I am going to compare the two, and in so doing, you can see not only do we have damages occasionally, it appears that we are starting to have these damages quite regularly.

The damages and costs for the 2015 Memorial Day flood: Approximately \$3 billion in damages. Mind you now, this bill will cost \$311 million. We had \$3 billion in damages just for the Memorial Day flood alone in 2015. A billion is still 1,000 million—1,000 million. So we had 3,000 million dollars' worth of damages from this Memorial Day flood in 2015.

The tax day flood of 2016 brought us \$5 billion as an estimate of damages. \$5 billion. All of these are estimates. Nobody knows the exact number. There was \$5 billion in 2016, another \$3 billion in 2015. That is \$8 billion. Mr. Speaker, the \$8 billion happens to be about 25 times—25.72 times—the \$311 million.

The point is, why don't we spend the money upfront?

You have heard the phrase "pay me now or pay me later."

Why not pay the cost to prevent some of this flooding as opposed to the cost of repairs after the floods have taken place?

It is interesting to note that these appropriation dollars that we are talking about are going to be spent. These are not dollars that will never be spent on these projects in Houston. What we are trying to do is not allow the projects to be prolonged such that other things are impacted in our city. We want the projects to be completed as expeditiously as possible, and there will be many more reasons why I will call that to your attention in just a moment.

One will be deaths. With the Memorial Day flood, our research indicates that approximately four people were killed. Four people lost their lives in floodwaters or as a result of flooding. In 2016, with the tax day flood, that number doubled to eight people losing their lives.

We have an opportunity to do something to save lives. There are other things that can be done to help us save lives as well, but these things, working with these projects that the Corps of Engineers already has on its docket, has on its agenda, is working on, finishing these projects can indeed help us to save lives.

Let's talk about the rainfall so that you can get some sense of how much water inundates our city. In 2015, we had 11 inches of rain. That is a lot. In 2016, we had 17 inches of rain. In 2016, that amounted to about 240 billion gallons of rain. That is a lot of water in one place at one time.

The rescues. My colleague alluded to people being rescued. In 2015, we had 531 water rescues. In 2016, 1,200 high-water rescues took place.

This is a good point for me, Mr. Speaker, a good place for me to commend the newly elected mayor of Houston, Texas, the Honorable Sylvester

Turner, who is doing an outstanding job, a stellar job. He just arrived on the job, but he has really done well with the circumstances that he has had to deal with, so I commend him.

I also would like to mention now the homes that have been damaged. In 2015, the estimate is that about 6,000 homes were damaged with the Memorial Day flood. With the flood in 2016, the tax day flood—called tax day because it was the last day to file your income taxes. In 2016, on tax day, we had 6,700. Seven hundred more homes approximately were estimated in 2016 than in 2015. As you can see, we have a problem in Houston.

Well, let's talk about vehicular damage. In Houston in 2015, the Memorial Day flood, we had about 10,000 vehicles damaged. 10,000. Imagine being on your way home and you have this water to inundate the city. That means that you cannot continue to traverse the city. You have to take shelter. You have to stop. You try to get your water into a place wherein you have high terrain. Unfortunately in Houston, most places are at sea level and a good many are below sea level. As a result, when we have these types of conditions, we will have damages that will occur, and many cars will be a part of these damages.

In 2015, approximately 10,000 vehicles. In 2016, approximately 40,000 vehicles damaged. In 2016, 40,000 vehicles. Now, if it takes about \$10,000 per vehicle to repair these vehicles or to replace the vehicles, \$10,000 per vehicle, that is approximately, in a hypothetical sense, \$40 million. So the cost, Mr. Speaker, for vehicle repairs alone exceeds the amount that we need for the bill to take preventive measures such that we won't get as many cars in this condition. I say as many simply because I will reiterate what I said earlier, we will never eliminate all of the flooding. We can never do enough, but we do have a duty to do all that we can. We can spare a good many people from being stranded in vehicles; a good many who lose their lives, I might add, as well.

Loss of power, meaning electrical power. In 2015, we had 88,000 customers lose power. That is a lot. 88,000 people without power. Surely we have had more than this in many other places. I am not saying that this loss of power would in any way compare to some of our other circumstances that we have had to cope with in different places in our country, but I do want you to know that this happens whenever we have these conditions. So year after year after year, the number adds up because while we had 88,000 customers in 2015, in 2016 we had 123,000 people lose power. We had 88,000 the year earlier; 123,000 this year. It adds up.

Houston has a problem, but Houston has a solution. The solution is H.R. 5025, a bill that would accord \$311 million to complete projects that are already being worked on in Houston, Texas, money that is already going to

be spent by virtue of the projects having been appropriated.

So we have to do this. Why not do this now or as quickly as we can, save lives, save money, and create jobs?

Let's now talk about FEMA assistance. On the Memorial Day flood of 2015, \$57 million was paid out from FEMA to persons who suffered flood damages. For the tax day flood, we have yet to determine this because we are still in the process of getting FEMA into the city to assist us.

If I may say so, I want to thank the President of the United States of America, the Honorable Barack Obama. I want to thank the Governor of the State of Texas. I thank the Governor for immediately responding and asking the President to declare certain areas in the State of Texas disaster areas.

The Houston area has been declared a disaster area. Harris County is one of the areas so declared. Harris County happens to be, for the most part, within Houston, Texas. Houston is over 600 square miles. It literally almost consumes Harris County.

So we have to realize that the Governor did a great thing, in my opinion. He is a Republican, by the way. And the President did a great thing, in my opinion. He is a Democrat, for edification purposes. These two people—one Republican, one Democrat—worked to make sure that we get FEMA in, that we get all of the aid that we can into the area as quickly as we can so that people can receive assistance.

There are people who are going to need shelter. It is estimated that out in the Greenspoint area—this is the area where my colleague, SHEILA JACKSON LEE, happens to be the representative from—1,800 apartments have flood damages. 1,800. We have got some 400 workers at the time I received this intelligence out there helping to make repairs. These workers are going to be paid for the jobs that they are doing. That is additional cost.

We had more than 150 families who needed accommodations. They will need these accommodations for perhaps as much as 3 weeks. This could end up costing us an additional \$150,000. These are all costs that we can mitigate, that we can reduce. We may not eliminate them, but we can reduce these costs.

In the Meyerland area, this is an area that was hit hard when we had the Memorial Day flood, and now when we had this tax day flood—we are talking about within a year—we have people who are just moving back into their homes—just moving back into their homes—and they are flooded again.

This area and the people of this area have sent out a clarion call for help. They have sent the hew and cry not only to the Congress, but also to the Corps of Engineers, also to the county commissioners. They want the city council, the State to do something about this problem.

Houston has a problem, but Houston has a solution. H.R. 5025 is that solution.

In that Meyerland area that I am speaking of there lives a family, the Tice family. I want to express my gratitude to the Tice family because when we set out to visit with people in the area and call these problems to the attention on a city-wide basis by publishing these problems, that Tice family opened the doors of their home to us so that we could come in and meet at their home. They didn't have to do it, but I am appreciative that they opened the doors of their home. I am especially appreciative as it relates to this family, Mr. Speaker, because this family, the Tice family, has a son who is being held captive in Syria as I speak. This family is suffering the problems associated with somebody that they love dearly, their son being held captive in Syria, and they get flooded. Fortunately, this time they barely escaped, but they had to do mitigation. They had to raise their floors. They had to do things so that they would not get flooded.

I am calling on us in the Congress to please, let's help the many families who will suffer again. This is not going to be the last time that I will come to the floor with this bill if we don't get the help this time. I assure you that within the foreseeable future, we will have a similar circumstance.

How do you know, AL GREEN? How do you know you are going to have a similar circumstance?

Well, I know because between 1996 and 2014, we had 86 days of flooding and/or flash flooding in Houston, Harris County. That averages to four to five days of flooding each year. This is not—N-O-T—this is not a problem that is going away.

We can resolve it this time with H.R. 5025 or I will be back to the floor, and I will be calling this problem to our attention again; we will be talking about more damages to homes; we will be talking about cars that have been flooded and in need of repair; and we will be talking about, unfortunately—and I pray that I am entirely wrong—we will be talking about lives that have been lost; and we will be talking about how we could have then, how we could have now, how we could have done things to avoid some of these consequences.

□ 2015

These consequences can be mitigated, and it is up to us to take the affirmative action to do so.

Mr. Speaker, in closing, I want to thank the cosponsors of this legislation, H.R. 5025. Many have signed onto it. I think that, in a few short days, we have nearly 50 cosponsors, and we will be asking others to sign on to H.R. 5025.

In thanking the leadership, I am asking that we have an opportunity to, please, let us, at some point, either

bring the bill to the floor or let us incorporate it into some of the supplemental relief that we will be according persons in the immediate future.

Houston has a problem, but H.R. 5025 can be a great part of the solution.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. LAWRENCE (at the request of Ms. PELOSI) for April 26 and today.

ADJOURNMENT

Mr. AL GREEN of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 28, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5167. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Connecticut River, Old Saybrook, CT [Docket No.: USCG-2012-0806] (RIN: 1625-AA01) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5168. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation, Daytona Beach Grand Prix of the Seas; Atlantic Ocean, Daytona Beach, FL [Docket No.: USCG-2015-1108] (RIN: 1625-AA08) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5169. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Chesapeake Bay, between Sandy Point and Kent Island, MD [Docket No.: USCG-2015-1126] (RIN: 1625-AA08) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5170. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim rule — Safety Zone: Santa Cruz Harbor Shoaling, Santa Cruz County, CA [Docket No.: USCG-2016-0194] (RIN: 1625-AA00) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5171. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lower Mississippi River Mile 95.7 to 96.7; New Orleans, LA [Docket No.: USCG-2016-0189] (RIN:

1625-AA00) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5172. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Chincoteague Bay, Chincoteague, VA [Docket No.: USCG-2014-0483] (RIN: 1625-AA09) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5173. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Charleston Race Week, Charleston Harbor, Charleston, SC [Docket No.: USCG-2015-1055] (RIN: 1625-AA08) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5174. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Hudson River, Tarrytown, NY [Docket No.: USCG-2016-0226] (RIN: 1625-AA00) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5175. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Bucksport/Lake Murray Drag Boat Spring Nationals, Atlantic Intracoastal Waterway; Bucksport, SC [Docket No.: USCG-2016-0009] (RIN: 1625-AA08) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5176. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Urbanna Creek, Urbanna, VA [Docket No.: USCG-2016-0174] (RIN: 1625-AA00) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5177. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Port of New York [Docket No.: USCG-2015-0038] (RIN: 1625-AA01) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5178. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Tonnage Regulations Amendments [Docket No.: USCG-2011-0522] (RIN: 1625-AB74) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5179. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Connecticut River, Old Saybrook, CT [Docket No.: USCG-2012-0806] (RIN: 1625-AA01) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5180. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

temporary final rule — Safety Zone; Upper Mississippi River 321.4 to 321.6; Quincy, IL [Docket No.: USCG-2016-0155] (RIN: 1625-AA00) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5181. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Commercial Fishing Vessels Dispensing Petroleum Products [Docket No.: USCG-2014-0195] (RIN: 1625-AC18) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5182. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Victoria Barge Canal, Bloomington, TX [Docket No.: USCG-2014-0952] (RIN: 1625-AA09) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5183. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Little Calumet River, Chicago, IL [Docket No.: USCG-2016-0148] (RIN: 1625-AA00) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5184. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Saginaw River, Bay City, MI [Docket No.: USCG-2015-0934] (RIN: 1625-AA09) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5185. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Sunken Vessel, North Channel, Boston, MA [Docket No.: USCG-2016-0127] (RIN: 1625-AA00) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5186. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Newtown Creek, Queens, NY [Docket No.: USCG-2016-0100] (RIN: 1625-AA00) received April 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX: Committee on Rules. House Resolution 706. Resolution providing for consideration of the bill (H.R. 4901) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 88) disapproving the rule submitted by the Department of Labor relating to the definition of the term "Fiduciary"; and providing for proceedings during the period from May 2, 2016, through May 9, 2016 (Rept. 114-533). Referred to the House Calendar.

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. COHEN (for himself, Mr. DUNCAN of Tennessee, and Ms. KUSTER):

H.R. 5073. A bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases; to the Committee on Energy and Commerce.

By Mrs. ELLMERS of North Carolina:

H.R. 5074. A bill to prohibit the provision of Federal funds to any State or local educational agency that denies or prevents participation in constitutional prayer in schools; to the Committee on Education and the Workforce.

By Mr. LYNCH (for himself, Mr. QUIGLEY, Mr. GALLEGOS, Mr. CAPUANO, Ms. CLARK of Massachusetts, Mr. GRAYSON, Mr. ISRAEL, Mr. FARR, Ms. ESHOO, Mr. CROWLEY, Ms. MENG, Ms. SPEIER, Mr. ELLISON, Ms. NORTON, Miss RICE of New York, Mr. LIPINSKI, and Ms. SCHAKOWSKY):

H.R. 5075. A bill to require the Administrator of the Federal Aviation Administration to commission a study of the health impacts of airplane flights on affected residents of certain metropolitan areas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BUCHANAN (for himself, Mr. BOUSTANY, and Mr. SESSIONS):

H.R. 5076. A bill to amend the Internal Revenue Code of 1986 to ensure that pass-through businesses do not pay tax at a higher rate than corporations; to the Committee on Ways and Means.

By Mr. NUNES (for himself and Mr. SCHIFF):

H.R. 5077. A bill to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mrs. MILLER of Michigan (for herself, Mr. BENISHEK, Mrs. DINGELL, and Mr. TROTT):

H.R. 5078. A bill to require the Secretary of Transportation to conduct a study on the economic and environment risks to the Great Lakes of spills or leaks of oil, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, 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. LAMALFA (for himself, Mr. RUIZ, Mr. DENHAM, Mr. COOK, and Mr. HUFFMAN):

H.R. 5079. A bill to amend the Indian Gaming Regulatory Act to require that, in California, certain off-reservation gaming proposals shall be subject to the full ratification and referendum process established by California State law, and for other purposes; to the Committee on Natural Resources.

By Ms. CLARKE of New York:

H.R. 5080. A bill to prevent gun trafficking; to the Committee on the Judiciary.

By Mr. REICHERT (for himself and Mr. PASCRELL):

H.R. 5081. A bill to amend section 3606 of title 18, United States Code, to grant proba-

tion officers authority to arrest hostile third parties who obstruct or impede a probation officer in the performance of official duties; to the Committee on the Judiciary.

By Mr. TIBERI (for himself, Mr. KIND, Mr. BOUSTANY, Mr. YOUNG of Indiana, Mr. REED, Mr. DOLD, Mr. YODER, Mr. CURBELO of Florida, Mr. ROSKAM, Mr. BLUMENAUER, Mr. KILMER, Mr. POLIS, Mr. SMITH of Missouri, Ms. DELBENE, Mr. LARSEN of Washington, Ms. SEWELL of Alabama, Mr. MEEHAN, Mr. NUNES, Mr. JOYCE, Mrs. TORRES, Mr. UPTON, and Mr. LARSON of Connecticut):

H.R. 5082. A bill to amend the Internal Revenue Code of 1986 to provide for the deferral of inclusion in gross income for capital gains reinvested in economically distressed zones; to the Committee on Ways and Means.

By Ms. TITUS:

H.R. 5083. A bill to amend title 38, United States Code, to improve the appeals process of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. TITUS:

H.R. 5084. A bill to direct the Secretary of the Army to reserve a certain number of burial plots at Arlington National Cemetery for individuals who have been awarded the Medal of Honor, and for other purposes; to the Committee on Veterans' Affairs, 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 Ms. MAXINE WATERS of California:

H.R. 5085. A bill to reform the screening and eviction policies for Federal housing assistance in order to provide fair access to housing, and for other purposes; to the Committee on Financial Services.

By Mr. YOUNG of Alaska:

H.R. 5086. A bill to more accurately identify and transfer subsurface gravel sources originally intended to be made available to the Ukepaigvik Inupiat Corporation in exchange for its relinquishment of related property rights; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 5087. A bill to remove the Federal claim to navigational servitude for a tract of land developed due to dredging disposal from a harbor project in Valdez, Alaska, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRAT (for himself, Mr. AMASH, Mr. JONES, Mr. BROOKS of Alabama, Mr. RIBBLE, Mr. BABIN, and Mr. KING of Iowa):

H. Res. 707. A resolution amending the Rules of the House of Representatives to require the Committee on Appropriations to maintain proposed and historical budget authority and outlays for each category of spending; to the Committee on Rules.

By Mr. GRIJALVA (for himself, Mr. ELLISON, Ms. JUDY CHU of California, Mr. HINOJOSA, Ms. MOORE, Mr. JOHNSON of Georgia, Mr. RANGEL, Mr. TAKANO, Mr. POCAN, Ms. NORTON, Mr. TAKAI, Mr. VARGAS, Ms. HAHN, Mr. TED LIEU of California, Mr. HONDA, Ms. JACKSON LEE, Mr. CONYERS, Ms. EDWARDS, Ms. MCCOLLUM, Ms. BROWN of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. LEE, Mr. SERRANO, Mr. HASTINGS, Mr. CARTWRIGHT, Ms. VELÁZQUEZ, Ms. MENG, Mr. SMITH of Washington, and Mr. VAN HOLLEN):

H. Res. 708. A resolution expressing the sense of the House of Representatives that the immigration policies of the United States should reduce automatic removal and

detention, restore due process for immigrants, and repeal unnecessary barriers to legal immigration; 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. COHEN:

H.R. 5073.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. ELLMERS of North Carolina:

H.R. 5074.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. LYNCH:

H.R. 5075.

Congress has the power to enact this legislation pursuant to the following:

Article I section 8 Clause 3 of the United States Constitution.

By Mr. BUCHANAN:

H.R. 5076.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8.

By Mr. NUNES:

H.R. 5077.

Congress has the power to enact this legislation pursuant to the following:

The intelligence and intelligence-related activities of the United States Government, including those under Title 50, are carried out to support the national security interests of the United States, to enable the armed forces of the United States, and to support the President in executing the foreign policy of the United States.

Article I, section 8 of the Constitution of the United States provides, in pertinent part, that "Congress shall have power . . . to . . . provide for the common Defense and general Welfare of the United States"; ". . . to raise and support armies . . ."; "to make Rules concerning Captures on Land and Water"; and "To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mrs. MILLER of Michigan:

H.R. 5078.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. LAMALFA:

H.R. 5079.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States grants Congress the power to regulate commerce with Indian tribes.

By Ms. CLARKE of New York:

H.R. 5080.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. REICHERT:
H.R. 5081.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the U.S. Constitution.

By Mr. TIBERI:
H.R. 5082.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I

By Ms. TITUS:
H.R. 5083.
Congress has the power to enact this legislation pursuant to the following:
The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Ms. TITUS:
H.R. 5084.
Congress has the power to enact this legislation pursuant to the following:
The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Ms. MAXINE WATERS of California:
H.R. 5085.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 5 and Clause 18 of the United States Constitution

By Mr. YOUNG of Alaska:
H.R. 5086.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 of the United States Constitution.

By Mr. YOUNG of Alaska:
H.R. 5087.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

- H.R. 20: Mr. MICHAEL F. DOYLE of Pennsylvania.
- H.R. 194: Mr. WALBERG, Mr. MILLER of Florida, Mr. WILSON of South Carolina, Mr. CLAWSON of Florida, Mr. STIVERS, Mr. FORTENBERRY, Mr. MCHENRY, Mr. MOOLENAAR, Mr. REED, Mr. LANCE, Mr. FORBES, Mr. CHABOT, Mr. POLIQUIN, Mr. PALAZZO, Mrs. WALORSKI, and Mr. LUCAS.
- H.R. 303: Mr. HIGGINS and Mr. GARAMENDI.
- H.R. 335: Mr. BLUMENAUER and Mr. DEFAZIO.
- H.R. 411: Ms. MOORE.
- H.R. 446: Mr. CROWLEY.
- H.R. 509: Mr. TED LIEU of California.
- H.R. 525: Mr. TONKO.
- H.R. 542: Mr. YOUNG of Iowa.
- H.R. 546: Mr. RIGELL.
- H.R. 556: Mr. DESAULNIER, Mr. BRADY of Pennsylvania, and Mr. GALLEGRO.
- H.R. 581: Mr. GRAVES of Missouri.
- H.R. 656: Mr. SANFORD.
- H.R. 664: Mr. HUELSKAMP.
- H.R. 672: Ms. PINGREE.
- H.R. 711: Mr. DEFAZIO.
- H.R. 771: Mr. YOUNG of Iowa and Mrs. WALORSKI.
- H.R. 842: Mr. MOULTON.
- H.R. 923: Mr. FRANKS of Arizona, Mr. BRIDENSTINE, and Mr. STIVERS.
- H.R. 953: Ms. ADAMS.
- H.R. 969: Mr. PAULSEN and Mr. HUIZENGA of Michigan.
- H.R. 973: Mr. COOK.

- H.R. 1170: Mr. YOUNG of Iowa.
- H.R. 1179: Mr. GOODLATTE.
- H.R. 1197: Mr. SHERMAN.
- H.R. 1220: Mr. HARRIS.
- H.R. 1221: Mr. SMITH of Texas.
- H.R. 1356: Mr. KATKO.
- H.R. 1427: Mr. LONG, Mr. HUIZENGA of Michigan, and Mrs. MILLER of Michigan.
- H.R. 1594: Mr. CICILLINE and Mr. PETERSON.
- H.R. 1608: Mr. MOULTON, Mr. MULLIN, Mrs. WALORSKI, Mr. RIGELL, Ms. MENG, and Mr. GIBSON.
- H.R. 1655: Mr. POCAN and Mrs. DINGELL.
- H.R. 1688: Mr. YOUNG of Iowa and Mr. GRIJALVA.
- H.R. 1761: Mr. LOEBACK.
- H.R. 1769: Mr. FATTAH, Mr. BLUM, and Mr. GARRETT.
- H.R. 1818: Mr. TIPTON, Mr. YOUNG of Iowa, and Miss RICE of New York.
- H.R. 1859: Mr. BRADY of Pennsylvania.
- H.R. 1961: Ms. MATSUI.
- H.R. 2090: Ms. BONAMICI, Mrs. WATSON COLEMAN, Mr. AL GREEN of Texas, Mr. HIGGINS, Mr. BRADY of Pennsylvania, Mr. LANGEVIN, and Mr. MCDERMOTT.
- H.R. 2096: Mr. CHABOT.
- H.R. 2121: Mr. RUPPERSBERGER and Mr. RENACCI.
- H.R. 2170: Mr. COHEN and Mr. HONDA.
- H.R. 2189: Mr. DONOVAN and Mr. CUELLAR.
- H.R. 2237: Ms. SINEMA.
- H.R. 2274: Mr. YOUNG of Iowa.
- H.R. 2350: Mr. BERA.
- H.R. 2404: Mr. TED LIEU of California.
- H.R. 2515: Mr. FARR.
- H.R. 2590: Mr. KIND.
- H.R. 2633: Mr. CARSON of Indiana.
- H.R. 2658: Mr. GOODLATTE.
- H.R. 2726: Mr. CALVERT, Mr. HANNA, Mr. CARSON of Indiana, Mr. CICILLINE, Mr. HULTGREN, and Mr. DESANTIS.
- H.R. 2739: Mr. ALLEN, Ms. BONAMICI, Mr. BENISHEK, Mrs. CAPPS, Mr. HARPER, Mr. BEN RAY LUJAN of New Mexico, Mr. GRIFFITH, Mr. LOEBACK, Mrs. BLACKBURN, and Mr. RUSH.
- H.R. 2759: Mr. KING of New York and Mr. COOK.
- H.R. 2793: Mr. GOSAR.
- H.R. 2799: Mr. SWALWELL of California.
- H.R. 2805: Mr. TIPTON and Ms. KAPTUR.
- H.R. 2844: Mr. VELA.
- H.R. 2858: Mr. ELLISON.
- H.R. 2890: Mr. RENACCI.
- H.R. 2896: Mr. SESSIONS.
- H.R. 2903: Mr. MULVANEY, Ms. LORETTA SANCHEZ of California, and Mr. KING of Iowa.
- H.R. 2920: Ms. SCHAKOWSKY.
- H.R. 2938: Mr. PASCARELL.
- H.R. 2980: Ms. PINGREE, Ms. TITUS, and Mr. LANGEVIN.
- H.R. 3048: Mr. STIVERS.
- H.R. 3084: Mr. CUMMINGS.
- H.R. 3209: Mr. KELLY of Pennsylvania and Mr. ROSKAM.
- H.R. 3222: Mrs. RADEWAGEN, Mr. ALLEN, and Mr. TIPTON.
- H.R. 3229: Mrs. BEATTY.
- H.R. 3237: Mr. BEYER.
- H.R. 3268: Mr. YOUNG of Alaska and Mr. HUELSKAMP.
- H.R. 3299: Mr. WITTMAN and Mr. DENHAM.
- H.R. 3308: Ms. GABBARD, Mr. GENE GREEN of Texas, Mr. MOULTON, Mr. O'ROURKE, Mr. SMITH of Washington, and Mr. YOUNG of Alaska.
- H.R. 3381: Mr. MOULTON, Mr. DANNY K. DAVIS of Illinois, and Mr. BLUMENAUER.
- H.R. 3394: Mr. POE of Texas.
- H.R. 3520: Mr. VALADAO.
- H.R. 3523: Ms. KAPTUR and Mr. NEAL.
- H.R. 3643: Mr. KLINE.
- H.R. 3691: Mr. KIND and Mr. HUFFMAN.
- H.R. 3706: Ms. DELAULO and Mr. ELLISON.
- H.R. 3722: Mr. ROUZER.
- H.R. 3742: Mrs. BEATTY, Mr. CULBERSON, Mr. ALLEN, Mr. EMMER of Minnesota, and Mr. ABRAHAM.

- H.R. 3799: Mr. WITTMAN.
- H.R. 3815: Mr. SEAN PATRICK MALONEY of New York.
- H.R. 3832: Mr. CARNEY.
- H.R. 3851: Mr. LOEBACK and Mr. YOUNG of Iowa.
- H.R. 3860: Mr. RIGELL.
- H.R. 3865: Ms. MCSALLY.
- H.R. 3870: Ms. JUDY CHU of California, Mr. SIREN, and Mr. GARAMENDI.
- H.R. 3880: Mr. MESSER.
- H.R. 3882: Mr. SABLAN, Mr. FARR, Mr. LOWENTHAL, Ms. DEGETTE, Mr. BEYER, Mr. POLIS, Mr. MCNERNEY, and Mr. CARTWRIGHT.
- H.R. 3920: Ms. KAPTUR.
- H.R. 3929: Mr. CONAWAY, Mr. HECK of Nevada, Mr. WESTMORELAND, Mr. POMPEO, Mr. AMODEI, Mr. CRAWFORD, Mr. BARTON, Mr. WALKER, Mr. MARINO, Mr. MOOLENAAR, Mr. ADERHOLT, Mr. LOEBACK, Mr. HURT of Virginia, Mr. PASCARELL, Mr. GENE GREEN of Texas, Mr. NORCROSS, Mr. CLEAVER, Mr. WEBER of Texas, Mr. LAHOOD, Mr. LAMBORN, Mr. DESJARLAIS, Ms. KELLY of Illinois, Mr. ISRAEL, and Mr. GRIFFITH.
- H.R. 3974: Mr. TAKANO and Mr. GRIJALVA.
- H.R. 3982: Mr. FORBES.
- H.R. 3990: Ms. NORTON.
- H.R. 4016: Mr. WALZ.
- H.R. 4063: Mr. MOULTON, Mr. GUINTA, Mr. KILMER, Mr. CICILLINE, and Mr. TIPTON.
- H.R. 4065: Ms. WILSON of Florida.
- H.R. 4070: Ms. LOFGREN.
- H.R. 4114: Mr. BERA.
- H.R. 4118: Mr. TAKANO.
- H.R. 4301: Mr. DESJARLAIS and Mr. GRAVES of Missouri.
- H.R. 4352: Mr. PERRY and Ms. BROWNLEY of California.
- H.R. 4365: Mr. HUELSKAMP, Mr. ALLEN, Mr. LUCAS, and Mr. YOUNG of Iowa.
- H.R. 4371: Mr. BRIDENSTINE.
- H.R. 4381: Mrs. BLACKBURN, Mr. HARRIS, Mr. LAMALFA, and Ms. SINEMA.
- H.R. 4443: Mr. BRENDAN F. BOYLE of Pennsylvania.
- H.R. 4447: Mr. RYAN of Ohio, Ms. DELAULO, Ms. BONAMICI, Mr. SWALWELL of California, Mr. HASTINGS, and Mr. MCNERNEY.
- H.R. 4460: Mr. GARAMENDI.
- H.R. 4471: Ms. DELAULO.
- H.R. 4474: Mr. YOUNG of Iowa.
- H.R. 4479: Mr. POLIS, Mr. DESAULNIER, Mrs. WATSON COLEMAN, Ms. CASTOR of Florida, Mr. WALZ, Mr. DEUTCH, Mr. LANGEVIN, Mr. HINOJOSA, and Mr. HIGGINS.
- H.R. 4480: Mr. HUFFMAN.
- H.R. 4584: Mrs. TORRES, Mr. FORBES, Mr. GOWDY, Mr. FARENTHOLD, Mr. POE of Texas, and Mr. STEWART.
- H.R. 4600: Mr. SWALWELL of California.
- H.R. 4621: Mr. HASTINGS, Mr. CONYERS, and Mr. DESAULNIER.
- H.R. 4640: Mr. OLSON.
- H.R. 4646: Mr. LOWENTHAL and Mr. HUFFMAN.
- H.R. 4653: Mr. POLIS and Ms. LOFGREN.
- H.R. 4681: Ms. JACKSON LEE, Mr. TED LIEU of California, Ms. FUDGE, and Mr. MCNERNEY.
- H.R. 4715: Mr. HUIZENGA of Michigan, Mr. VALADAO, and Mr. WESTERMAN.
- H.R. 4731: Mr. OLSON.
- H.R. 4739: Mr. HECK of Nevada.
- H.R. 4740: Mr. MCNERNEY.
- H.R. 4751: Mr. PEARCE.
- H.R. 4760: Mr. SAM JOHNSON of Texas and Mr. DESANTIS.
- H.R. 4764: Mr. GOODLATTE, Mr. HARRIS, and Mr. ALLEN.
- H.R. 4766: Mr. CARTWRIGHT and Mr. COLE.
- H.R. 4773: Mr. WESTMORELAND, Mr. CHABOT, and Mr. OLSON.
- H.R. 4774: Ms. SCHAKOWSKY and Ms. TITUS.
- H.R. 4792: Mr. GRAYSON.
- H.R. 4796: Mr. BEYER.
- H.R. 4816: Mr. ALLEN and Mr. TOM PRICE of Georgia.
- H.R. 4828: Mr. GRAVES of Missouri, Mr. JODY B. HICE of Georgia, Mr. HENSARLING,

Mr. BRAT, Mr. CRAMER, Mr. SMITH of Texas, and Mr. MEADOWS.
 H.R. 4842: Mr. AGUILAR and Mr. VELA.
 H.R. 4843: Mr. DESAULNIER, Mr. BRADY of Pennsylvania, Mr. MEEHAN, Mr. RENACCI, Mr. BISHOP of Michigan, Mr. MESSER, and Ms. STEFANK.
 H.R. 4869: Mr. OLSON.
 H.R. 4876: Mr. TIBERI.
 H.R. 4904: Mr. TIPTON.
 H.R. 4907: Mr. YOUNG of Iowa and Mr. RENACCI.
 H.R. 4912: Mr. BLUMENAUER.
 H.R. 4928: Mrs. HARTZLER.
 H.R. 4941: Mr. POSEY.
 H.R. 4948: Ms. SLAUGHTER.
 H.R. 4954: Mr. LOWENTHAL, Mr. SWALWELL of California, Mr. CÁRDENAS, Mr. MCNERNEY, and Ms. LOFGREN.
 H.R. 4955: Mr. MESSER.
 H.R. 4956: Mr. ROONEY of Florida.
 H.R. 4960: Ms. KELLY of Illinois, Mr. KINZINGER of Illinois, Mr. HULTGREN, Mr. SHIMKUS, and Mr. GUTIÉRREZ.
 H.R. 4969: Mr. SEAN PATRICK MALONEY of New York.
 H.R. 4980: Mr. CRAMER and Mr. DESANTIS.
 H.R. 5011: Mr. ABRAHAM.
 H.R. 5015: Mr. COLE, Mr. JONES, Mr. ROE of Tennessee, Mr. PITTENGER, Mr. GIBBS, Mrs. BLACKBURN, and Mr. STEWART.
 H.R. 5031: Mr. MEADOWS.
 H.R. 5044: Mr. MURPHY of Florida, Ms. LEE, Ms. ESHOO, Mr. PRICE of North Carolina, Ms. JACKSON LEE, Ms. ESTY, Mr. HASTINGS, Mr. NADLER, Ms. KAPTUR, Mr. HONDA, Mr. BLUMENAUER, Mrs. DINGELL, Ms. CLARK of Massachusetts, Ms. MATSUI, Mr. LANGEVIN, Ms. PINGREE, Ms. NORTON, Mr. BISHOP of Georgia, and Mrs. NAPOLITANO.
 H.R. 5046: Mr. SMITH of Texas.
 H.R. 5047: Mr. JONES and Mr. RICE of South Carolina.
 H.R. 5056: Miss RICE of New York.
 H.R. 5067: Mr. KILDEE, Mr. NADLER, Ms. BASS, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Mr. VEASEY, Mrs. LAWRENCE, Mr. COHEN, Ms. MOORE, Mr. CARSON of Indiana, Mr. SMITH of Washington, Mr. GRIJALVA, Ms. PLASKETT, and Mr. PAYNE.
 H. Con. Res. 19: Mr. VALADAO.
 H. Con. Res. 89: Mr. STIVERS.
 H. Con. Res. 130: Mr. VISCLOSKEY.
 H. Res. 14: Mr. SALMON, Mr. PITTS, and Mr. GENE GREEN of Texas.
 H. Res. 154: Mr. FRELINGHUYSEN.
 H. Res. 494: Mrs. WAGNER.
 H. Res. 534: Mr. LOEBSACK.
 H. Res. 540: Ms. MCCOLLUM.
 H. Res. 586: Mrs. DINGELL.
 H. Res. 605: Ms. LOFGREN.
 H. Res. 637: Ms. MCCOLLUM.
 H. Res. 650: Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. POLIS, Mrs. MILLER of Michigan, Mr. RUSH, and Mr. LANCE.
 H. Res. 668: Mr. SESSIONS and Mr. VELA.
 H. Res. 694: Mr. MCGOVERN, Mr. AL GREEN of Texas, Mrs. LAWRENCE, Mr. TAKAI, and Mr. LANGEVIN.