

startups and the venture capitalists who take a chance on them by providing a targeted exemption for certain venture capital funds.

It is also a piece of legislation that appropriately balances the ability of a startup to raise capital with the need to protect investors in the startup. When we fail to strike this balance, investors suffer, small businesses suffer; and when taken to the extreme, our entire economy can suffer.

During consideration of this bill in committee, Mr. MCHENRY and I offered an amendment to create a new exemption for qualifying venture capital funds that have no more than 250 investors and only \$10 million in invested capital. These smaller funds will allow angel investor groups to better pool their resources among more accredited investors to make targeted, high-impact investments in the very companies they create the most jobs: startups.

This structure is used today by AngelList, a company that matches investors meeting certain income and asset thresholds to pool their money into a special purpose fund and invest together in startup companies.

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Importantly, both the companies and the investors benefit from this structure, compared with making hundreds of smaller direct investments. A company, for example, only has a single point of contact, the angel fund advised by fiduciary, rather than hundreds of investors who all must individually approve corporate actions such as acquisitions and expanding ownership.

Investors also like this structure because they can delegate monitoring the startups they invest in to the investment adviser to fund. Such monitoring may be significant, considering that investors typically diversify among 30 to 80 companies.

H.R. 4854, as amended, is appropriately tailored to only certain venture capital funds, which must invest at least 80 percent of their committed capital in the equity of small companies. Under the bill, those funds must have no more than 250 investors and no more than \$10 million in this invested capital, ensuring that they are small enough that investors are able to monitor and manage their investments with the funds.

This language ensures that we aren't creating a loophole for other investment companies, like mutual funds, to avoid regulation, nor are we providing relief to other private funds, like hedge funds or private equity funds, that have very little restrictions and investor protections.

Finally, I would like to express my appreciation of Mr. MCHENRY's efforts to make changes to this bill addressing some of the concerns of investor advocates, like the Consumer Federation of America and Americans for Financial Reform. His efforts have made this a good bill that deserves our support.

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

Mr. GARRETT. Mr. Speaker, at this time, I yield such time as he may consume to the gentleman from North Carolina (Mr. MCHENRY), the sponsor of the legislation.

Mr. MCHENRY. Mr. Speaker, I thank the chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee, and I rise today to support the Supporting America's Innovators Act.

Mr. Speaker, these days, American small businesses are facing a capital crisis. This is particularly true for early-stage companies and startups.

Despite the headlines from Silicon Valley, the truth is that the vast majority of early-stage companies are not securing venture capital funding. Indeed, almost 80 percent of startup investment goes to just three States in these United States.

Meanwhile, angel investing for these early-stage companies is challenging. Investing in startup companies is inherently risky, which is why the wealthy investors who qualify to become angels often shy away from it.

This is why we need to address the challenges facing angel investing. This is accomplished by changing our mindset and creating a regulatory framework that encourages innovation and growth, while ensuring that shareholder and investor protections remain strong.

Ranking Member WATERS and I proposed an amendment that would increase the cap of investors from 100 to 250 for accredited investors of angel funds, and this would only apply to qualifying venture funds narrowly tailored to early-stage investing.

What we have before us in the full House is a great work of compromise, and I thank the ranking member, Ms. WATERS, for her diligent work, working with my staff and her staff together over many long hours to come up with this compromise that we have that will, I believe, garner bipartisan support like it did in the Financial Services Committee. I do thank the ranking member for working diligently to make this outcome possible.

The result of our proposed amendment and what we have before us allows for early-stage companies to raise the capital they need by opening up angel investing to more accredited investors.

This is a good bill. It is a compromise bill, and I am pleased that this legislation enjoyed wide support. I urge my colleagues to support it and vote for it, and let's get this thing done and signed by the President.

Ms. MAXINE WATERS of California. Mr. Speaker and Members, again, I am very pleased to join with Mr. MCHENRY on this legislation. I really have no further requests for time, and I am going to yield back the balance of my time because I am so looking forward to getting back to the discussion that we are going to have later on this evening on guns and gun violence.

I want my constituents to know I have not abandoned that issue. Others have not abandoned that issue. We look forward to really debating whether or not we are going to make sure that people who are on the no-fly list certainly can't buy guns, and we want universal background checks. I know this has nothing to do with this bill, but I will just take this opportunity to say that.

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

Mr. GARRETT. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I rise today because of the economic importance of what we are doing. We are trying to help grow the economy, create jobs across this country in a more fruitful way than just in pockets of prosperity across this country. In areas that are like my district in rural western North Carolina or the ranking member's district that is an urban district, we want to have prosperity in all 50 States, in all communities, and the economic opportunities that our constituents are desirous of, and I urge the adoption of this bill to help expand economic opportunity.

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

Again, I thank the gentleman, and I thank the bipartisan nature of what we are doing here on the floor this evening with this legislation and the two pieces of legislation that follow. It shows the American public that this House, when we work together across the aisle and focus our attention on these important economic issues, can get things done.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 4854, 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. GARRETT. 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.

FIX CROWDFUNDING ACT

Mr. GARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4855) to amend provisions in the securities laws relating to regulation crowdfunding to raise the dollar amount limit and to clarify certain requirements and exclusions for funding portals established by such Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4855

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 “Fix Crowdfunding Act”.

SEC. 2. CROWDFUNDING VEHICLES.

(a) AMENDMENTS TO THE SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

(1) in section 4A(f)(3), by inserting “by any of paragraphs (1) through (14) of” before “section 3(c)”;

(2) in section 4(a)(6)(B), by inserting after “any investor” the following: “, other than a crowdfunding vehicle (as defined in section 2(a) of the Investment Company Act of 1940).”.

(b) AMENDMENTS TO THE INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) is amended—

(1) in section 2(a), by adding at the end the following:

“(55) The term ‘crowdfunding vehicle’ means a company—

“(A) whose purpose (as set forth in its organizational documents) is limited to acquiring, holding, and disposing securities issued by a single company in one or more transactions and made pursuant to section 4(a)(6) of the Securities Act of 1933;

“(B) which issues only one class of securities;

“(C) which receives no compensation in connection with such acquisition, holding, or disposition of securities;

“(D) no associated person of which receives any compensation in connection with such acquisition, holding or disposition of securities unless such person is acting as or on behalf of an investment adviser registered under the Investment Advisers Act of 1940 or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business;

“(E) the securities of which have been issued in a transaction made pursuant to section 4(a)(6) of the Securities Act of 1933, where both the crowdfunding vehicle and the company whose securities it holds are co-issuers;

“(F) which is current in its ongoing disclosure obligations under Rule 202 of Regulation Crowdfunding (17 C.F.R. 227.202);

“(G) the company whose securities it holds is current in its ongoing disclosure obligations under Rule 202 of Regulation Crowdfunding (17 C.F.R. 227.202); and

“(H) is advised by an investment adviser registered under the Investment Advisers Act of 1940 or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business.”; and

(2) in section 3(c), by adding at the end the following:

“(15) Any crowdfunding vehicle.”.

SEC. 3. CROWDFUNDING EXEMPTION FROM REGISTRATION.

Section 12(g)(6) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(g)(6)) is amended—

(1) by striking “The Commission” and inserting the following:

“(A) IN GENERAL.—The Commission”;

(2) by striking “section 4(6)” and inserting “section 4(a)(6)”;

(3) by adding at the end the following:

“(B) TREATMENT OF SECURITIES ISSUED BY CERTAIN ISSUERS.—An exemption under subparagraph (A) shall be unconditional for securities offered by an issuer that had a public float of less than \$75,000,000 as of the last business day of the issuer’s most recently completed semiannual period, computed by

multiplying the aggregate worldwide number of shares of the issuer’s common equity securities held by non-affiliates by the price at which such securities were last sold (or the average bid and asked prices of such securities) in the principal market for such securities or, in the event the result of such public float calculation is zero, had annual revenues of less than \$50,000,000 as of the issuer’s most recently completed fiscal year.”.

The SPEAKER pro tempore (Mr. KNIGHT). Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and enter in extraneous material on this bill.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4855. This is the Fix Crowdfunding Act. Once again, I thank the gentleman from North Carolina (Mr. McHENRY), the sponsor of the bill, which also passed the Financial Services Committee in June with a vote of 57-2.

Let’s get into it, Mr. Speaker.

Title III of the JOBS Act, known as the crowdfunding title, is one of the most promising provisions of that law, and so, by opening the door for equity crowdfunding to literally millions of Americans, people who want to invest in companies that they believe in, title III has the potential to further democratize our capital markets, and doing so will create opportunities for Main Street to generate wealth.

Unfortunately, in part due to provisions added by the Senate during conference negotiations and in part due to problems with the SEC’s implementation of title III, equity crowdfunding in the United States may never reach its full potential.

As SEC Commissioner Mike Piwowar noted in his dissent to the SEC’s rules that came out last year, he said: “The rules will spin a complex web of provisions and requirements for compliance . . . Such burdens will spook many small businesses from pursuing crowdfunding as a viable path to raising capital.”

Fortunately, once again, the Financial Services Committee has stepped up to the plate to address these problems; and fortunately, we have Mr. McHENRY here, who has put forward his Crowdfunding Act to fix it.

The Fix Crowdfunding Act would address some of these issues, and it does so in two important ways. First, the bill would enable special purpose vehicles, as defined by the bill, to be considered an authorized investor in crowdfunding offerings.

What does this mean?

Well, this means a group of investors can basically come together and pool the resources and then invest alongside some more sophisticated investors in these new, growing startup businesses.

As I tell you this, it is important to note that, under current regulations, unless you are, well, extremely wealthy, you are typically prohibited from investing in private businesses here in the United States.

Secondly, Mr. McHENRY’s Fix Crowdfunding Act increases the amount that a company can raise through this mechanism of crowdfunding before it has to go and register with the SEC.

So while these things may be just technical fixes to a complicated set of security laws, at the end of the day, what they will do is break down what we say is historical barriers that prevented startup companies and businesses from connecting with literally millions of Americans and investors across the country.

So the Fix Crowdfunding Act that we are seeing here today will address many of the problems that currently exist with the crowdfunding regulations.

Again, I want to thank the gentleman from North Carolina, and also my colleagues on the Financial Service Committee for their support.

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

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

Mr. Speaker, I would like to thank my colleague from North Carolina for his efforts to work with me to craft this bipartisan legislation. H.R. 4855 is an example of how Congress can assist startups to finance their operations while still protecting the investors who entrust their hard-earned funds to those companies.

Equity crowdfunding, through which startup companies sell stock to hundreds or even thousands of everyday people, has been and will always be a high-risk, high-reward investment.

The sad reality is that most new businesses fail. As a result, Congress and the Securities and Exchange Commission have put in place guardrails to prevent less-sophisticated investors from suffering financial ruin.

In 2012, Congress cautiously approached equity crowdfunding by creating a number of investor protections in the Jumpstart Our Business Startups Act, or JOBS Act. The SEC followed our directions and finalized a crowdfunding rule that protects investors by setting reasonable investment limits based on income and provides helpful disclosures for investors to weigh the risk. Last month, those rules went live, with hundreds of businesses successfully raising capital that, in turn, funds American jobs.

H.R. 4855, as amended in committee, seeks to enhance the investor and company experience in crowdfunding. The bill would authorize crowdfunding portals to pool investors together in order

to make a joint investment in a business. These vehicles would only make investments in one company and would be advised by a registered investment adviser with a fiduciary duty to the fund. Importantly, the investors would have the same rights to sue the company as if they had directly invested in the company itself.

This provision will also aid companies as they will be able to more efficiently make financial decisions, provided that the investment adviser agrees that they are in the best interest of the fund's investors.

H.R. 4855 also clarifies that as long as a crowdfunding company continues to make ongoing disclosures to investors required under the SEC's rules, it would not have to make the more detailed public reports until it had either a \$75 million value or \$50 million in revenue. This change is consistent with the levels set under Regulation A, another exempt offering sold to retail investors.

I am pleased that the amended bill no longer includes problematic provisions that were opposed by advocates like the Consumer Federation of America. Instead, the bill is now crafted to make target improvements to crowdfunding for all investors and startups.

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Now, although crowdfunding should be viewed as a highly risky investment, especially for retail investors, both of the changes in H.R. 4855 will ensure a longer choice of high-quality crowdfunding companies and a higher degree of finance savvy for investors.

Mr. Speaker and Members, I had reservations about crowdfunding. I had real concerns, but I am very pleased that I was able to work with Mr. MCHENRY, and he was so very cooperative in dealing with those concerns that made me feel even better about crowdfunding than I had been feeling. So I am just so hopeful that this works and it works well, and that even though there is some risk involved in this, that we have the opportunity for people who want to take a little risk to go out there and to be able to organize the kind of funding that perhaps can make them reap substantial profits in a real credible way.

So I want to thank, again, Mr. MCHENRY for his cooperation and for the work and the time that he has put into this.

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

Mr. GARRETT. Mr. Speaker, I appreciate the fact that the gentleman from North Carolina was able to bring about that hope and change to the gentleman.

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

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

I want to take this moment to not only thank the subcommittee chair, but thank the ranking member and Congressman MCHENRY for their bipar-

tisan work on this bill and bringing it to the floor.

Mr. Speaker, it is clear that many—too many—communities are still trying to pull themselves up after the past 8 years of economic stagnation. Some have succeeded, but the current system has left millions of people behind with a long road of recovery left to go.

Now, the House is not blind to it, and we recognize, like so many others, that an anticompetitive state is depriving us of our ability to prosper. That is why we started the Innovation Initiative and why this bill is so important.

Four years ago, Congress came together to pass the JOBS Act, a bill that provided small businesses and entrepreneurs more ways to raise capital investment.

Now, this wasn't a banker's bill. It was a bill that opened the door for members of our communities to invest in ideas that could create good-paying jobs, provide goods and services, and increase the quality of life for the American people in their community.

After all, it is small businesses that have created two-thirds of all net new jobs since the 1970s. But while small businesses remain the cornerstone of our economy, the Federal Government has made it harder and harder to start one.

The entry of new businesses in the United States has declined by nearly 44 percent since the late 1970s. Starting a business has been especially hard in recent years. The policies today, after 7½ years under President Obama, are not a roadmap for those looking for a better way.

The JOBS Act was a good start to creating a more dynamic economy. But it was never followed through after the bill's initial success. These bills today are targeted fixes to restore the original spirit of the JOBS Act: to harness innovation and bring together millions of Americans with potential new businesses through crowdfunding.

These new businesses could become the next Apple or Under Armour. They could revitalize the most downtrodden communities who were hardest hit by the recession and faced the slowest recovery.

Now, a couple of weeks ago, I was in Baltimore visiting a cybersecurity startup. The work they do to protect cyber networks is growing more important by the day. By engaging with the changing world—using the power of innovation to improve our security—this startup also lifted up a community and helped it to thrive.

Today, ZeroFOX has ushered in a new era for their southern Baltimore community. That community is part of the future helping our country become a better place.

This is the power of the innovation economy. This is what we are voting to support. This is how America has a better and brighter future.

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

I am sure there are those who wonder why we on the opposite side of the aisle work so hard to pay attention to our constituents as it relates to investment and why we work so hard to pay attention to our consumers. I will tell you why.

Everyone recognizes what happened in 2008 in this country. We literally had a meltdown. We went into a recession—almost a depression. Why did we do that?

We went into a recession and almost a depression because our regulatory agencies were not paying attention and people were being taken advantage of. We had a very difficult time trying to explain to the people of this country why we had so many foreclosures, why people were losing their homes, and why communities were so displaced.

But we recognized that our regulatory agencies who had the responsibility for oversight and who had the responsibility for making sure people weren't taken advantage of just had not been doing their jobs. I want you to know that with Dodd-Frank reforms, we have gone a long way to correct that. In addition to looking at our markets and looking at Wall Street, we created the Consumer Financial Protection Bureau that is doing a magnificent job in looking out for our consumers and making sure that what happened that led up to the 2008 meltdown does not happen again in America.

So I am very pleased that the Obama administration in the last 75 months has had consecutive job growth. It looks as if it is about 14.5 million private-sector jobs. Of course, when Mr. Obama took over, we know that about 800 jobs per month were being lost. So we don't take our job lightly, and we don't play with this.

We want to make sure that there is capital available for startups because we support business and we absolutely support small business. We want to make sure they have access to capital. But what we don't want is we don't want, then, to be tricked or fooled or to be led into so-called opportunities that are really not opportunities at all.

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

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

Mr. Speaker, before I yield to the gentleman from North Carolina, I will say that I agree with the gentleman that prior to 2008 and the crisis, the regulators were not doing their jobs. They were not monitoring as they were supposed to be. So true to form to the Washington way of dealing with things at that time, this administration was able to pass through a 2,000-page Democratic-inspired and -crafted piece of legislation called the Dodd-Frank legislation—2,000 pages and 400 regulations. It did as Washington normally does: give those failed regulators raises, more authority, and bigger and fancier buildings.

What was the result of that?

Well, some jobs were created since 2008. We have had one of the slowest recoveries on record. As I said before, the most recent jobs report showed that only 38,000 jobs out of 300-plus million people in this country—think about that—were created during the month of May. That was the worst jobs record since 2010. New business startups in this country are at a 20-year low. Think about that if you are waiting to get a new job from a new business—a 20-year low.

So because of that, because Dodd-Frank did not fix the problem, because those 2,000 pages and those more highly paid bureaucrats in Washington didn't solve the problem, American families and small businesses are finding it extremely difficult to find credit to expand their businesses and to hire more people.

So thank goodness we have this legislation here today and the work by the gentleman from North Carolina not only on this bill, but the previous bill that he was able to accomplish in a bipartisan manner.

Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. MCHENRY) to explain the bill in more detail.

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

The SPEAKER pro tempore. The gentleman from New Jersey has 13 minutes remaining.

Mr. MCHENRY. Mr. Speaker, I rise today in support of the Fix Crowdfunding Act.

Mr. Speaker, these days, small businesses are struggling to find the financing investment that they need to start up and to grow. That affects jobs. It certainly does.

Recently in my district, we have read reports that smaller counties in America, which used to lead the Nation in the growth of new businesses, now have actually lost more businesses than they have created.

The reason why the ranking member and I are actually able to work together on an important piece of legislation like this in a very logjammed discussion point about appropriate regulation—a lot of stuff gets locked up in partisan debate—what unites our conversation is a rural issue and an urban issue, and it is about capital deserts in America.

Now, everybody talks about food deserts. If you think about this, if you are not close to a grocery store, then you can't get fresh fruit, fresh vegetables, and you can't get foodstuffs for your family.

But we have capital deserts in America. Capital deserts are about those areas that are not Boston, Austin, and Silicon Valley. It is the rest of America that is struggling to get the capital they need so they can start a business, so they can grow a business.

I am not talking about the next Google or Facebook—maybe it is. I am talking about a lawn service. I am talking about a coffee shop. I am talk-

ing about a baker who wants to sell her goods on a wider scale so that she can provide for her family. Those are the concerns that are real and that we can address in a real way before Congress today—tonight—in this vote.

Investment crowdfunding is one way we can reverse this disturbing trend. What this bill does is allow us to expand what you are able to do through investment crowdfunding.

Five years ago in the JOBS Act, we had a revolutionary change to the way we allowed individuals to invest a little bit of money in their fellow men. It allowed men or women in local communities to invest in a local coffee shop. You didn't have to be a wealthy investor to get these great opportunities. You could be the average, everyday investor like me or like many of my constituents.

But in the JOBS Act and in the investment crowdfunding part of that bill that I wrote 5 years ago, out of that, the Securities and Exchange Commission wrote four regulations, and they created a couple of major challenges as a result of that. One is the 12(g) problem. Let me explain this.

What the 12(g) problem is is that, in essence, you are subjecting very low fundraising to very expensive regulatory disclosures. That is a problem. It is a problem because it is costly. It is economically costly and restricts economic opportunity. We fixed that in the Fix Crowdfunding Act.

Another significant problem for crowdfunding is that under SEC rules, single-purpose funds are not permitted. Let me explain this. Single-purpose funds are like this: you have somebody who has a fiduciary responsibility, meaning that I am going to look out for your best interests on this investment and we are able to create a fund in order to pool those resources, that investor acumen, if you will, and work together with them. So it allows unsophisticated people to get sophisticated advice if we allow special purpose vehicles.

So these two very important provisions, understood at a very simple level, if we fix these things we will provide more economic opportunity, we will have better investor advice, and we will be able to expand and make real the utility of crowdfunding.

The essence of this is that we believe in the capacity of individual Americans to make decisions for themselves and to take a little bit of risk for themselves. It is a powerful thing. It is a powerful, meaningful step forward.

Now, it doesn't solve the greater debate that we are having here in Washington on so many challenging issues of policy where perhaps the left and the right don't see eye to eye. But on this, we came together and we were able to create a small opening of economic opportunity and try to get those resources out into the community. It is a meaningful step forward.

I thank the ranking member of the Financial Services Committee. I thank

Ranking Member WATERS for her active engagement on this. She helped improve our original bill that came through the Financial Services Committee 5 years ago, and she has helped work through this compromise before us on the House floor tonight.

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While we may not agree on so many other issues of policy, we have worked together on two substantive areas of policy here in recent weeks. I think that is a hopeful sign. I think it is a positive sign.

What we are doing here today will expand that opportunity for millions of Americans to have that little bit of investment that they would like to make in their fellow man and their fellow woman to create new jobs to provide new economic opportunity.

Ladies and gentlemen, I ask and encourage your support for the Fix Crowdfunding Act, and I urge an "aye" vote.

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

I am so pleased that the gentleman from New Jersey recognized that the regulatory agencies were not doing their job. We don't agree on much, but he did indicate just a moment ago that he agreed that the regulatory agencies had not protected consumers or our small business people—or anybody—and that is why we ended up with the Dodd-Frank reform. We may disagree about Dodd-Frank reform, but I think with that recognition I am sure he would logically conclude that something had to be done, and so I am very pleased about that.

Let me just say to Mr. MCHENRY again, I want to thank him for the work that he has done and the leadership that he has provided. He is absolutely correct, whether it is in the cities or in urban areas, we need to have access to capital for our small businesses and our start-ups. In addition, he has led the way for us to make investing and venture capital, et cetera, more accessible. I think we still have more work to do.

One of the things we are going to have to take a very close look at is why our bigger banks and financial institutions are not investing in these communities and why they are not welcoming small businesses in to the banks and to these financial institutions and listen to their dreams and their ideas about businesses and provide the capital for that.

Again, I am very pleased about what he has done, his leadership, and the work that we are doing.

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

Mr. GARRETT. Mr. Speaker, I encourage my colleagues to vote "yes" on this very important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr.

GARRETT) that the House suspend the rules and pass the bill, H.R. 4855, 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. GARRETT. 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4361, FEDERAL INFORMATION SYSTEMS SAFEGUARDS ACT OF 2016, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114-666) on the resolution (H. Res. 803) providing for consideration of the bill (H.R. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

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:

Ordering the previous question on House Resolution 796;

Adopting House Resolution 796, if ordered;

Ordering the previous question on House Resolution 793;

Adopting House Resolution 793, if ordered;

Ordering the previous question on House Resolution 794;

Adopting House Resolution 794, if ordered; and

Suspending the rules and passing H.R. 4854 and H.R. 4855.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 4768, SEPARATION OF POWERS RESTORATION ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 796) providing for consideration of the bill (H.R. 4768) to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regu-

latory provisions; providing for proceedings during the period from June 23, 2016, through July 4, 2016; and providing for consideration of motions to suspend the rules, 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.

The vote was taken by electronic device, and there were—yeas 232, nays 168, not voting 33, as follows:

[Roll No. 343]

YEAS—232

Abraham	Guinta	Pearce
Aderholt	Guthrie	Perry
Allen	Hanna	Peterson
Amash	Hardy	Pittenger
Amodei	Harris	Pitts
Babin	Hartzler	Poe (TX)
Barletta	Heck (NV)	Poliquin
Barr	Hensarling	Pompeo
Barton	Herrera Beutler	Posey
Benishek	Hice, Jody B.	Price, Tom
Bilirakis	Hill	Ratcliffe
Bishop (MI)	Holding	Reed
Bishop (UT)	Huelskamp	Reichert
Blackburn	Huizenga (MI)	Renacci
Blum	Hultgren	Ribble
Bost	Hunter	Rice (SC)
Boustany	Hurd (TX)	Rigell
Brady (TX)	Hurt (VA)	Roby
Brat	Issa	Roe (TN)
Bridenstine	Jenkins (KS)	Rogers (AL)
Brooks (AL)	Jenkins (WV)	Rogers (KY)
Brooks (IN)	Johnson (OH)	Rokita
Buck	Johnson, Sam	Ros-Lehtinen
Bucshon	Jolly	Roskam
Burgess	Jones	Ross
Calvert	Jordan	Rothfus
Carter (GA)	Joyce	Rouzer
Chabot	Katko	Royce
Chaffetz	Kelly (MS)	Russell
Coffman	Kelly (PA)	Salmon
Cole	King (IA)	Sanford
Collins (GA)	King (NY)	Scalise
Collins (NY)	Kinzinger (IL)	Schweikert
Comstock	Kline	Scott, Austin
Conaway	Knight	Sensenbrenner
Cook	Labrador	Sessions
Costello (PA)	LaHood	Shimkus
Cramer	LaMalfa	Shuster
Crawford	Lamborn	Simpson
Crenshaw	Lance	Smith (MO)
Culberson	Latta	Smith (NE)
Curbelo (FL)	LoBiondo	Smith (NJ)
Davidson	Long	Smith (TX)
Davis, Rodney	Loudermilk	Stefanik
Denham	Love	Stewart
Dent	Lucas	Stivers
DeSantis	Luetkemeyer	Stutzman
DesJarlais	Lummis	Thompson (PA)
Diaz-Balart	MacArthur	Thornberry
Dold	Marchant	Tiberi
Donovan	Masse	Tipton
Duffy	McCarthy	Trott
Duncan (SC)	McCaul	Turner
Duncan (TN)	McClintock	Upton
Emmer (MN)	McHenry	Valadao
Farenthold	McKinley	Wagner
Fitzpatrick	McMorris	Walberg
Fleischmann	Rodgers	Walden
Fleming	McSally	Walker
Flores	Meadows	Walorski
Forbes	Meehan	Walters, Mimi
Fortenberry	Messer	Weber (TX)
Fox	Mica	Webster (FL)
Franks (AZ)	Miller (FL)	Wenstrup
Frelinghuysen	Miller (MI)	Westerman
Garrett	Moolenaar	Whitfield
Gibbs	Mooney (WV)	Williams
Gibson	Mullin	Wilson (SC)
Gohmert	Mulvaney	Wittman
Goodlatte	Murphy (PA)	Womack
Gosar	Neugebauer	Woodall
Gowdy	Newhouse	Yoder
Granger	Noem	Yoho
Graves (GA)	Nunes	Young (IA)
Graves (LA)	Olson	Young (IN)
Graves (MO)	Palazzo	Zeldin
Griffith	Palmer	Zinke
Grothman	Paulsen	

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Aguilar	Garamendi	Norcross
Ashford	Graham	O'Rourke
Bass	Grayson	Pallone
Beatty	Green, Al	Pascarell
Becerra	Green, Gene	Payne
Bera	Hahn	Pelosi
Beyer	Heck (WA)	Perlmutter
Bishop (GA)	Higgins	Peters
Blumenauer	Himes	Pingree
Bonamici	Hinojosa	Pocan
Boyle, Brendan F.	Honda	Polis
Brady (PA)	Hoyer	Quigley
Brownley (CA)	Huffman	Rangel
Bustos	Israel	Rice (NY)
Capps	Jackson Lee	Richmond
Capuano	Jeffries	Roybal-Allard
Cárdenas	Johnson (GA)	Ruiz
Carney	Johnson, E. B.	Ruppersberger
Carson (IN)	Keating	Ryan (OH)
Cartwright	Kelly (IL)	Sánchez, Linda T.
Castor (FL)	Kennedy	Kildee
Castro (TX)	Kildee	Kilmer
Chu, Judy	Kind	Sarbanes
Cicilline	Kuster	Schakowsky
Clark (MA)	Langevin	Schiff
Clarke (NY)	Larsen (WA)	Schrader
Cleaver	Larson (CT)	Scott (VA)
Clyburn	Lawrence	Scott, David
Cohen	Lee	Serrano
Connolly	Levin	Sewell (AL)
Conyers	Lewis	Sherman
Cooper	Lieu, Ted	Sinema
Costa	Lipinski	Sires
Courtney	Loeb sack	Slaughter
Crowley	Lofgren	Smith (WA)
Cuellar	Lowenthal	Speier
Cummings	Swalwell (CA)	Takano
Davis, Danny	Lujan Grisham (NM)	Thompson (CA)
Delaney	Lujan, Ben Ray (NM)	Thompson (MS)
DeLauro	Lynch	Titus
DelBene	Maloney	Tonko
DeSaulnier	Maloney, Carolyn	Torres
Deutch	Maloney, Sean	Tsongas
Dingell	Matsui	Van Hollen
Doggett	McCollum	Vargas
Doyle, Michael F.	McDermott	Veasey
Edwards	McGovern	Vela
Ellison	McNerney	Velázquez
Engel	Meeks	Visclosky
Eshoo	Meng	Walz
Esty	Moore	Wasserman
Farr	Moulton	Schultz
Foster	Murphy (FL)	Waters, Maxine
Frankel (FL)	Napolitano	Watson Coleman
Fudge	Neal	Welch
Gabbard	Nolan	Wilson (FL)
Gallego		Yarmuth

NOT VOTING—33

Adams	DeGette	Marino
Black	Duckworth	Nadler
Brown (FL)	Ellmers (NC)	Nugent
Buchanan	Fincher	Price (NC)
Butterfield	Grijalva	Rohrabacher
Byrne	Gutiérrez	Rooney (FL)
Carter (TX)	Harper	Rush
Clawson (FL)	Hastings	Sanchez, Loretta
Clay	Hudson	Takai
Davis (CA)	Kaptur	Westmoreland
DeFazio	Kirkpatrick	Young (AK)

□ 1855

Mr. RUPPERSBERGER, Ms. MAXINE WATERS of California, and Mr. CLEAVER changed their vote from "yea" to "nay."

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 yeas 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.